

# DRURY SCHOOL: Policy 3.06

## Complaints Against Staff Members

### **Rationale:**

From time to time the Principal or the Board of Trustees will receive a complaint about the actions of a member of staff. This complaint may come from a parent, fellow staff member, or even a pupil.

### Natural Justice:

Each teacher complained about will be given details of complaint against them and the opportunity to prepare a response within a reasonable time prior to any investigation meeting.

Procedures are required to ensure such complaints are dealt with fairly, with due seriousness and with a degree of uniformity.

### **Purpose:**

1. To ensure caregivers/pupils complaints are given due consideration.
2. To ensure individual staff members are not unfairly harassed or unreasonably impeded from carrying out their allotted tasks.
3. To avoid staff members getting into confrontational situations with people making a complaint.
4. To ensure the first concern is directed to the appropriate person in the first instance.
5. To ensure all those involved in the process receive adequate and appropriate support.
6. To ensure the Board of Trustees (or its delegated personnel committee) is kept informed during the process.
7. To ensure the person making the complaint is fully aware of the complaints procedure and is given a fair hearing and that the concern is taken seriously, being given due deliberation.
8. To ensure all award, collective or individual contract provisions are abided by.
9. To ensure due follow up procedures are carried out.
10. When found to be soundly based, appropriate action to be carried out to overcome the situation which generated the concern (including appropriate professional support).
11. To ensure that appropriate on-going monitoring takes place.

### **Guidelines:**

#### **Against Staff Members:**

1. Parents are encouraged to discuss any minor concerns they may have regarding their children's education directly with the class teacher concerned. (They are also encouraged to make an appointment to ensure a mutually acceptable time).
2. Staff members are strongly encouraged to follow up all minor complaints/concerns with the person making the complaint after an appropriate passage of time to discuss perceived developments. These contacts may need to continue for whatever time is deemed appropriate by the staff member, both for an evaluation of developments and for public relations reasons.
3. Should the staff member/or parent so wish or should the complaint be anything but a minor nature, such complaints are to be referred to the syndicate leader, Assistant Principal, Deputy Principal, Principal or BOT Chairperson.
4. Any person making a complaint or raising a concern shall be given a copy of the Complaints Policy for their information.

5. The staff member is to be advised in writing by the Principal recommending the staff member gains assistance from their liaison or other representative throughout this process. Any staff member complained about will have the opportunity to review the complaint and response during the investigation process.
6. The Principal may seek union assistance.
7. Such complaints/concerns will be investigated by the Principal in consultation with the Board. A written report will go to the complainant and to the BOT. A copy of the complaint and the Principal's response will be kept on the staff member's personal file along with the staff member's written response (staff member having been given 5 working days to respond in writing).
8. Where the complaint is found to have some basis, the staff member will receive professional support, to effect change.
9. Any ensuring disciplinary action will follow the provisions of the staff member's current award, individual or collective agreement. (Refer also Policy Statement 'Teacher Competency'). It is important that the employee be advised their right to request union assistance and/or union representation at any stage.
10. A senior staff member (usually the Principal) will follow up all serious concerns with further discussion with the complainant, after an appropriate passage of time to discuss perceived developments. Confidential aspects of any action will not be divulged to the complainant or to any other inappropriate person(s).
11. Final action.
  - (a) Principal to make a recommendation to the Board.
  - (b) A record of the Board's discussion is to be minuted.

Against Principal:

12. Anyone making a complaint against the Principal is requested to give it in writing to the Board of Trustees.
13. Such complaints/concerns will be investigated by the BOT with a written report going to the complainant. A copy of the complaint and the Board's response will be kept on the Principal's personal file along with the Principal's written response (Principal having been given 5 working days to respond in writing).
14. Where the complaint is found to have some basis, the Principal will receive professional support, to effect change.
15. Any ensuring disciplinary action will follow the provisions in the Principal's current award. It is important that the Principal be advised of his/her right to request union assistance and/or union representation at any stage.
16. The Board will follow up all complaints with further discussion with the complainant, after an appropriate passage of time to discuss perceived developments. It is important that the complainant be aware that they may be supported/accompanied by any other person that they may choose. Confidential aspects of any action will not be divulged to the complainant or to any other inappropriate person(s).
17. Final Action:
  - (a) A record of the Board's discussions are to be minuted.
18. At any stage of this procedure the complainant may be supported/accompanied by any other person/s that they may choose.

Professional advice or support maybe available from any of the following:

- Citizens Advice Bureau (there is an office in Papakura)
- Ministry of Education Management Centre (there is an office in Auckland).
- The Education Review Office (there is an office in Auckland)
- Office of the Commissioner for Children (there is an office in Wellington)
- Human Rights Commission (there is an office in Auckland)
- The Police
- A Lawyer
- Community Law Centre (there are centres at various locations in Auckland and contact details can be obtained from the Auckland District Law Society).
- Youth Law Project (there is an office in Auckland).