

## **OUR LADY OF THE SACRED HEART SCHOOL**

### **COMPLAINTS POLICY**

#### **PREAMBLE**

There is an “open door” policy within the school that is often the best pathway for discussing concerns. All members of our community can, and are encouraged to, approach appropriate members of Staff and/or any Board Members at any time to ask questions or air concerns that they may have. A list of Board Members and their contact details is available on the school website and this information can also be obtained from the school office.

This is the correct pathway for members of our community to address classroom and governance questions and concerns and by following this pathway, our community will have access to correct information and informed answers.

However, should the concerns/questions escalate to a complaint, then these will be addressed by upholding the following rationale and principles which are based on our catholic faith. Depending on the circumstances, procedures will be followed as defined.

Should there be a situation arising that is not specifically covered by procedures in this policy then, in the first instance, the Principal and Board Chairperson will decide which, if any, of the following procedures will be followed with or without modifications and with or without external advice from NZSTA, as they see fit. These decisions will be duly reported to the Board which may or may not, depending on the seriousness of the complaint, be involved with this initial decision-making and/or consideration of external advice.

#### **RATIONALE**

1. Mutually respectful relationships within family, school and parish are vital to children’s developing concepts of faith and life, and are an important part of our Catholic Character.
2. We strive to promote and live by the values of truth, justice and compassion, christian values as expressed in the Gospels.
3. We strive to establish channels of communication which are open and clear.

#### **PRINCIPLES**

1. Relationships are enhanced by good communication.
2. Diverse personalities and cultures have different ways of communicating and this must be respected.
3. Grievance procedures for staff need to be well established and known by all. Refer Personal Grievance Policy.
4. Parents/Caregivers (hereinafter referred to as caregivers) and teachers have the right and responsibility to express their complaints about children’s progress, wellbeing and development, and inappropriate behaviour.

5. Caregivers, Board of Trustees, Management and Staff have the right and responsibility to express their complaints about inappropriate behaviour demonstrated by any of the above parties.

### **PROCEDURES: GENERAL**

1. All complaints received by the school will be acknowledged, investigated by the appropriate authority and the findings reported back to those concerned.
2. Complaints shall be notified to the school's insurer as required by the school's indemnity policy.
3. Complaints must be addressed through the appropriate channels. Under no circumstances shall a caregiver approach or confront children about any matter relating to a complaint or an alleged complaint. If a complaint is laid, neither party (the complainant or the person about whom the complaint is made) should have direct contact or communication with the other about the complaint.
4. The Principal, as she/he deems appropriate, shall inform the Board Chairperson on the nature of any complaints received.
5. Following the Office of the Ombudsman advice on "Good Complaints Handling by School Boards of Trustees" (2012), a complaints handling process should allow:
  - i. all complaints to be judged fairly on their merits;
  - ii. confidentiality to be protected, with the complaint considered in private and information only disclosed if necessary to properly review the matter of concern;
  - iii. anyone to comment on any proposed finding that is adverse to them before that finding is confirmed.
6. The dignity and rights of people will be respected at all times.
7. The Complaints Policy will be reviewed annually.

### **PROCEDURES: CLASSROOM COMPLAINTS**

Procedures for addressing general classroom complaints constructively will be:

1. The caregiver will in the first instance take the complaint to the classroom teacher.
2. On receiving a classroom complaint, the class teacher will complete the Complaint Form which will be signed by the caregiver and the teacher. The Principal will be informed of the complaint. The Principal will retain the Complaint Form in the Complaints' File. This Complaint Form is available to be viewed by the teacher or the complainant upon request to the Principal. The Principal has the discretion to take any follow-up action. All Complaint Forms will be held in the Complaints' File. No other copies will be made.
3. The classroom teacher will address the complaint and work to resolve the issue.
4. If the caregiver is not satisfied with the action taken, or the outcome, the caregiver will take the complaint to the relevant staff member on the Senior Management Team (DP for senior and junior school).

5. If the caregiver is still not satisfied with the action taken, or the outcome, the caregiver will take the complaint to the Principal who will acknowledge receipt of the complaint in writing and inform the Chairperson of the Board of Trustees.
6. The principal will work to resolve the issue and inform the caregiver of the action taken.
7. If not satisfied with the action taken, or the outcome, the Caregiver may write to the Board of Trustees who will receive the complaint.
8. On receiving a written complaint, the Board of Trustees:
  - i. will respond in writing to the caregiver acknowledging receipt of the written complaint;
  - ii. will investigate the matter;
  - iii. may form a sub-committee;
  - iv. will inform all named parties, in writing, of the outcome of its inquiry.

### **PROCEDURES: COMPLAINT AGAINST THE PRINCIPAL**

1. A complaint against the Principal should initially be addressed to the Principal. (If however, the complainant feels he/she is unable to address the complaint with the Principal, the complaint may be taken to the Chairperson of the Board of Trustees). If the complainant does not feel satisfied with the response he/she will then address the complaint, in writing, to the Chairperson of the Board of Trustees.
2. The Chairperson of the Board of Trustees will then discuss the complaint with the Principal.
3. The Board of Trustees will seek advice from the NZSTA Employment Advisor. The Principal will be free to seek advice from an appropriate source.
4. The Board Chairperson, a Proprietor's Representative and a Parent Representative will form the sub-committee to address the complaint and follow the appropriate course of action, as advised and agreed.
5. Complaints against the Principal and matters of discipline, suspension and competency will be addressed as detailed in the current Primary Principals Collective Agreement.

### **PROCEDURES: COMPLAINT AGAINST A TEACHER/NON-TEACHING STAFF MEMBER**

1. All complaints against staff should be addressed firstly to the staff member concerned. If, however, the caregiver feels he/she is unable to address the complaint with the staff member, the complaint may be taken to the Senior Management Team or the Principal.
2. The Principal will inform the Chairperson of the Board of Trustees of the complaint.
3. Complaints against teachers and matters of teacher discipline and competence will be addressed as detailed in the Primary Teachers' Collective Agreement.

### **PROCEDURES: COMPLAINT BY STAFF MEMBER ABOUT CAREGIVER(S)**

1. If a teacher or non-teaching staff member has a complaint about a caregiver, the staff member will first discuss the complaint with the Principal. The Principal will document the

complaint and investigate the matter. The Principal will inform the caregiver in writing of the complaint against him/her and will inform the Chairperson of the Board of Trustees at the earliest opportunity. The Principal will work to resolve the issue and will inform the teacher and the caregiver of action taken.

2. The Principal has the right, and may elect, to be present at any meeting between the teacher/staff member and the caregiver.
3. The teacher/staff member has the right to elect to have a nominated support person to be present at any meeting with the caregiver.
4. The caregiver has the right to elect to have a nominated support person to be present at any meeting with the teacher/staff member.
5. If dissatisfied with the outcome of actions taken to resolve the issue, the Principal and/or the teacher/staff member will take the matter, in writing, to the Board of Trustees.
6. On receipt of a written complaint, the Board of Trustees:
  - i. will respond in writing to the teacher/staff member/Principal acknowledging receipt of the written complaint;
  - ii. will inform the caregiver in writing of the receipt of the written complaint about him/her;
  - iii. will receive the Principal's or teacher's report at the next Board meeting, or earlier if necessary;
  - iv. will investigate the matter;
  - v. may form a sub-committee;
  - vi. will inform all named parties, in writing, of the outcome of its inquiry.

### **PROCEDURES: NON-CLASSROOM COMPLAINTS FROM CAREGIVERS/TRUSTEES**

1. The caregiver or trustee concerned will take their complaint to the Principal or the Board Chairperson. These parties will then discuss the nature of the complaint and determine whether it should be dealt with as a management issue or as a board issue. The Principal shall have the final say on the initial pathway to be followed.
2. If it is determined to be a management issue then the Principal will address the complaint using a combination of appropriate existing procedures as they see fit that must include proper written recording of the complaint, acknowledgement of the complaint, working to resolve the complaint and informing parties of the outcomes. The Principal may, at their discretion seek advice/assistance from outside parties, including mediation services, to work to resolve the complaint.
3. If this pathway fails to resolve the complaint, then the complaint will be referred to the Board Chairperson for action.
4. If it is determined to be a Board issue (or it is referred to the Board after passage through the Principal) then the Chairperson can elect to resolve it without full Board assistance using the powers in the Code of Ethics and Conduct. If this path is taken the Chairperson must co-opt another Board Member to assist in the process and, if successful, the complaint and outcome must then be reported to the Board.

5. Should this approach be unsuccessful in resolving the complaint or the Chairperson decides otherwise in the first instance, the complaint must be lodged in writing (if it is not already) and then this must be taken to the Board. The Board will decide on the best path forward and in doing so, the Board must seek advice from NZSTA. At present there is a general helpdesk available in Wellington, however there are also NZSTA Staff available in Auckland that can be contacted for more in-depth advice and action including chairing meetings and advising on process and outcomes. The Board does not need to comply with the advice received, either partially or in its entirety, but the Board must be able to show due process in considering this advice.
6. Whatever the pathway chosen, the process upon receipt of a written complaint to the Board of Trustees will include, but not necessarily be limited to:
  - i. a response in writing to the caregiver acknowledging receipt of the written complaint.
  - ii. receipt and consideration of the Principal's report, if appropriate/relevant, at the next Board meeting, or earlier if necessary.
  - iii. Investigation of the matter, perhaps by a sub-committee.
  - iv. informing all named parties, in writing, of the outcome of its inquiry.
7. Should there be reluctance from any party to conclude the matter once the outcome has been determined and communicated, then NZSTA will be asked for advice about how to conclude the matter from the Boards point of view. This advice will be considered and the Board will then make a decision about how to best communicate a final conclusion to the matter.

## **CONCLUSION**

Addressing complaints constructively using the appropriate channels will ensure that matters are dealt with honestly and fairly. These are opportunities for personal growth, and can help develop a climate of trust and compassion in keeping with our Catholic Character and Charter Goals.

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**CHAIRPERSON**

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**SECRETARY**