

BHBI SCHOOL	Procedure
COMPLAINTS AGAINST SCHOOL EMPLOYEE	NAG 3

Rationale:

BHBI recognises that from time to time the School will receive a complaint about the actions of an employee(s) or students. Complaints may be by parents, pupils, other employees, external agencies or organisations and may be written or verbal in nature.

In such circumstances it is important that:

- The complaint is directed to the appropriate person in the first instance.
- Where possible complaints are resolved co-operatively and at an early stage quickly, fairly and equitably.
- Complaints are properly investigated and decisions made only on the basis of sound evidence and proper evaluation. The school should seek advice from the Ministry of Education, NZSTA (if necessary) before responding to the complaint.
- The context will be considered with each complaint to ensure that there is consideration of students with additional learning needs, be they the complainant or the subject of a complaint.
- Persons making complaints and interviewers and decision-makers are protected from harassment.
- Employees who are the subject of a complaint will be treated respectfully and sensitively with consideration and respect to all parties to ensure a fair and equitable outcome.
- Employees will not be unfairly harassed or unreasonably impeded from carrying out their allocated tasks.
- Employees will not initiate nor engage in confrontational situations with persons making a complaint rather they will refer the matter to the Principal.

POLICY

1. The School's Complaints Procedures are applied irrespective of the source of the complaint, that is complaints from students, parents, staff and management, or other members of the public or organisations.
2. Any party involved in any Complaints Procedure may seek appropriate guidance, support or representation as required and may choose to have such person(s) present during any part of the Procedure.
3. All complaints must be taken seriously. Complaints must be given a fair hearing and their complaints given due consideration. Complainants privacy is protected and as such all communication between the school and complainant is confidential and private.
4. Parents are encouraged to discuss concerns regarding their child's education directly with the teacher concerned. If the problem cannot be resolved by such discussion, or should the complainant wish, or should the complaint be anything but a minor nature, the complaint must be referred to the Principal. It is appropriate for students to make complaints through the guidance counsellor or through any other member of the School staff.
5. It is preferable that all complaints are made in writing and signed by the complainant. In exceptional circumstances complaints not made in writing may also be considered, however notes may be kept by a member of the management team who will provide a copy to the Principal and BOT.

6. Whenever possible, complaints should contain specific details of the allegation(s), including the date and time the actions(s) took place.
7. Unless the complaint is against the Principal, the Principal will undertake an initial inquiry into any complaint to determine if there is a case to answer and determine if it is a matter that can be dealt with on a day to day basis. The Principal should seek advice on appropriate process when necessary.
8. If a complaint against the Principal is received, the Board will authorise a Board member or Committee of the Board to obtain appropriate advice from an employer representative and undertake an initial inquiry.
9. Any matters that are required to be referred to disciplinary investigation will follow the requirements set out in the relevant Employment contract of the staff member involved. Advice will be sought from NZSTA or other approved adviser.
10. The receipt of serious complaints will be notified to the Board Insurer at the earliest opportunity.
11. A report on the complaint and its investigation shall be compiled by the Principal and a copy given to the employee. Where this report contains allegations of misconduct or teacher incompetence, the employee shall be required to respond in writing to the report within a timeframe determined by the Principal.
12. Except in exceptional circumstances the name(s) of the complainant(s) must be made available to the employee.
13. Where the complaint relates to an issue of teacher competency, the Principal shall establish an appropriate assistance and guidance programme in accordance with the provisions of the employee's employment contract.
14. The Board should only become actively involved when the issue continues as a problem and is unresolved between the Principal and the employee. In such cases a properly constituted committee of the Board should undertake further investigation of the complaint and take action it deems appropriate. The Principal should not be a member of the committee responsible for disciplinary action. This fact and a record of the Board's committee discussions are to be accurately minuted.
15. Confidential aspects of any action taken will not be divulged to the person making the complaint or to any other inappropriate person(s) but complainants will be advised that the Board is taking appropriate steps to address the matter.
16. Where appropriate on-going support and monitoring of the employee should be undertaken.
17. Persons who believe that any complaint they have made has not been adequately addressed by the internal complaints procedure may, if appropriate, ask the Board to reconsider the complaint.
18. The Principal shall report on all complaints received by him/her to the Personnel committee of the Board. A record of the complaint and the action resulting shall be kept on the employee's personal file.