



## **COMPLAINTS AGAINST STAFF MEMBERS POLICY**

### **RATIONALE**

- From time to time the Principal or the Board of Trustees may receive a complaint about the actions of a member of staff. This complaint may come from a parent, fellow staff members or a student.( This is a complaint that doesn't meet the criteria under the definition of serious wrong doings as defined under the protected Disclosure Act and under our protected disclosure policy)
- Procedures are required to ensure such complaints are dealt with fairly, with due seriousness and with a degree of uniformity.

### **PURPOSES**

- To ensure the person making the complaint is given a fair hearing and that the concern is taken seriously, being given due deliberation.
- To avoid staff members getting into confrontational situations with people making a complaint.
- To ensure minor concerns are not blown out of proportion putting the staff member under undue stress.
- To ensure individual staff members are not unfairly harassed or unreasonably impeded from carrying out their allotted tasks.
- To ensure the concern is directed to the appropriate person in the first instance.
- To ensure all awards, collective or individual contract provisions are abided by.
- When a complaint is found to be soundly based, appropriate action to be carried out to overcome the situation which generated the concern (including appropriate professional support).
- To ensure due follow up procedures are carried out.
- To ensure that appropriate on-going monitoring takes place.

### **GUIDELINES**

Many complaints may be resolved by discussion with the principal and the employees and the concern may not need to be taken further. Boards may also seek in the first instance to resolve this matter through discussion

- Complaints to be made in written form whereby a disciplinary action is to be taken or given verbally to a staff member who will make a written note of the complaint.
- 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. The contact may need to continue for whatever time is deemed appropriate by the staff member, for an evaluation of developments.

- Anyone making a major complaint or having a serious concern is requested to give it in writing and a copy is to be given to the Principal and staff member concerned. A letter acknowledging the complaint will be sent to the complainant at the earliest convenience.
- Serious complaints will be investigated by the Principal, with a written report going to the complainant and to the Chairperson of the Board of Trustees. A copy of the complaint and the Principal's response will be kept filed along with the staff member's written response. (Staff member having been given five working days to respond in writing).
- Where the complaint is found to have some basis, a copy of the complaint and the Principal's response will be kept on the Teacher's personal file. The staff member will receive professional support, to effect change.
- Any ensuing disciplining action will follow the provisions of the staff member's current award, individual or collective agreement. It is important that the employee be advised of his/her right to independent legal advice or the right to request union assistance and/or union representation at any stage.
- A senior staff member (usually the Principal) will follow up all serious concerns with further discussion with the persons making the complaint.
- Confidential aspects of any action taken will not be divulged to the person making the complaint or to any other inappropriate person(s).

## **PROCEDURES**

- If after a direct approach to the classroom teacher the problem is unresolved, contact with the Principal is to be made, except in the case of a serious nature in which case the communication should be made first to the Principal.
  - Complaint to the Principal is to be made in written form or in person.
  - Recorded documentation begins e.g. Complaints File/Sensitive Information Notes etc.
- The recipient of any complaint deemed to be of a serious nature is required to communicate this to the Principal in the first instance.
- Other parties i.e. class teacher; middle management; Board of Trustees Chairperson are informed at Principal's discretion and appropriate action taken at that point as required.
- In cases of complaint against the Principal which remains unresolved, a formal written complaint must be made to the Board of Trustees Chairperson.
- The complainant is informed by Principal or Board of Trustees Chairperson of the outcomes.

- For some complaints, outside mediation may be sought from organisations such as School Trustees Association, N.Z.E.I. etc.
- In dealing with all complaints, employers must act in accordance with the conditions of the relevant and current employment contract(s) of the staff member involved.

**FINAL ACTION**

- The Principal to make a recommendation to the Board.
- The Principal is to remove him/herself from the final decision. This fact and a record of the Board’s discussions are to be minuted.

In order to avoid such situations as above arising, all new staff members will undergo an induction process whereby all relevant policies and procedures are explained; all staff members will have a written job description outlining who they are responsible to, and what they are responsible for and all staff members will be part of the schools on-going appraisal system which defines aspects of the job description which are to be emphasised over a given time frame, and which will be linked to staff development training.

**REFERENCE**

Parental Communication for Classroom Concerns

<b>Approved:</b>	<b>Board of Trustees Meeting</b>
____/____/____	
<b>Signature of Chairperson:</b>	_____
	____/____/____
<b>Reviewed:</b>	____/____/____