

## PROCEDURE FOR DEALING WITH COMPLAINTS

### Making a Complaint

- 12 Informal complaints can be made to a staff member. That staff member should listen respectfully, seek clarification of the details of the complaint, investigate and resolve the complaint, if possible. The staff member must record the complaint and resolution in writing and provide a copy to the Principal.
- 13 A formal complaint should be made to the Principal. **Any formal complaint should be made in writing using the attached Complaints Form.** The Principal is open to hearing informal concerns; but the procedure set out below applies only when a formal written complaint is made.
- 14 If a formal complaint is first raised with a staff member, that staff member must promptly refer the complaint to the Principal. The complainant should be advised that the complaint will be referred to the Principal.
- 15 If a complaint is first made in writing to the Board of Trustees, and it is not about the Principal or the Board of Trustees, the Board should refer the complaint to the Principal to investigate and resolve in the first instance.

### Investigation by Principal

- 16 The Principal must consider the nature of the complaint and determine the proper procedure for resolution. As a first step, the Principal should speak to the complainant and any other parties involved. The Principal should make contact with the complainant in a timely manner.
- 17 If the complaint relates to a student attending the school, the student's parent/caregiver and teacher must be informed of the complaint to ensure the student's safety and well-being.
- 18 If appropriate, the Principal may convene a meeting between all parties involved in the complaint. All parties will be invited to bring a support person. At the meeting, all parties will have the opportunity to speak freely about any concerns so that attempts can be made to resolve the complaint. Another member of staff will attend the meeting so that they can take notes and record courses of action and/or agreed outcomes. A copy of these notes should be given to the parties after the meeting and a copy retained by the school.
- 19 If an agreed resolution is reached, the Principal must record the agreement in writing (including any timeframes), and ask each party to sign the agreement confirming its accuracy. After the agreement has been signed by all parties, the complaint will be considered resolved in full. All discussions and agreed outcomes are to be kept confidential between the parties.
- 20 If a meeting between the parties does not result in an agreed resolution, the Principal must further investigate the full circumstances of the complaint. A further investigation into a complaint may involve further meetings with the parties involved, interviews with

any other parties, and/or investigations by external agents, and the seeking of professional, including legal, advice. If further meetings are held, all parties must be invited to have a support person, have the opportunity to speak freely; and a record should be taken, in line with the process set out in the preceding paragraphs.

- 21 A staff member who is the subject of a complaint should be advised of their right to seek union or legal assistance.
- 22 After any investigation is completed, the Principal must consider the findings and make a decision on how to resolve the complaint. That decision must be made within five working days of the results of any and all investigations being received by the Principal. The decision must be provided, in writing, to all parties involved. Any decision by the Principal in regards to a resolution shall be strictly confidential between the parties involved.
- 23 If the complaint is about a staff member and it is found to be upheld, a copy of all documentation relating to the complaint will be kept, confidentially, on that staff members personnel file. Any disciplinary action taken will be in line with accepted employment practices and the Employment Relations Act 2000 and New Zealand Teachers Council procedures.

#### **Investigation by the Board of Trustees**

- 24 If a complainant is not satisfied with the procedure or decision of the Principal a complainant may make their complaint to the Chairperson of the Board of Trustees. The complaint must be made in writing and should be given to the Board at least 3 days before the next Board meeting.
- 25 At any stage the Principal may refer a complaint to the Board to investigate and resolve because of its seriousness or for any other reason.
- 26 The Board must acknowledge any complaint in a timely manner; and set out the procedure they will use to investigate and resolve the complaint.
- 27 The Board investigates the complaint afresh, and is free to hear from the complainant or any other party again. Although the Board can determine its own procedure, it shall use its best endeavours to contact all the parties concerned at first instance, inviting them to explain what they consider to be relevant matters in relation to the complaint, and any concerns about the decision reached, before commencing its investigation into the complaint.
- 28 A staff member who is the subject of a complaint should be advised of their right to seek union or legal assistance.
- 29 The Board of Trustees may form a Complaints Committee to deal with the complaint. A Complaints Committee shall consist of at least two current Board members and one member of the Management Team, including the Principal, unless the Principal or one of the other members of the Management Team is the subject of the complaint or subject to a conflict of interest.
- 30 Any Board member who has a child taught by a staff member that is the subject of the complaint must not be involved in investigating the complaint.

- 31 If the Board/Complaints Committee considers that a meeting would assist with the resolution of the complaint, the Board/Complaints Committee will invite all parties involved to a formal meeting to discuss the complaint. All parties will be entitled to bring support persons to a meeting with the Board/Complaints Committee. The Board/Complaints Committee may decide to appoint an independent mediator to attend or facilitate any such meeting.
- 32 After any meeting has taken place and the new investigation has been completed, the Board must consider the complaint, any new information obtained, the results of the investigation by the Board/Complaints Committee, any professional, including legal, advice received, and any recommendations made. The Board must then make a final decision on the complaint which shall be provided to all parties in writing. After the decision has been issued to the parties involved, the resolution will be considered final.
- 33 A copy of the decision must be kept by the Board of Trustees and the Principal. Any decision or corrective action taken will remain confidential to the parties, the Complaints Committee, the Board of Trustees, any support persons and any external agents involved in resolving the complaint.
- 34 The Board of Trustees may seek guidance from the New Zealand Schools Trustees Association at any time about a complaint.

#### **Complaints about the Principal or Member of Board of Trustees**

- 35 If a complaint concerns the Principal, the complaint may be made in writing to the Principal, who must promptly report the complaint to the Chairperson of the Board of Trustees; or the complaint may be made directly to the Chairperson of the Board of Trustees. The Board of Trustees will have responsibility for investigating and resolving the complaint, following the procedure set out above.
- 36 If the complaint relates to a member of the Board of Trustees, the complaint should be made in writing to the Chairperson of the Board of Trustees. The Chairperson of the Board will be responsible for managing the resolution of the complaint, following the procedure set out above. If a complaint concerns the Chairperson of the Board, the complaint should be handled by a designated Board member, using the procedure set out above. Alternatively, and at the Board's discretion, the complaint may be referred by the Board to the Federation of Rudolf Steiner Waldorf Schools in New Zealand for support in achieving a resolution.

#### **Further steps [optional]**

- 37 If a complainant remains dissatisfied with a decision of the Board of Trustees, he/she may request that the matter is referred to the Federation of Rudolf Steiner Waldorf Schools in New Zealand.
- 38 A complainant may also complain to the Ombudsman about a decision of the Board of Trustees. The website of the Office of the Ombudsman is: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz)

39 If the complaint concerns a staff member and all the above options have been exhausted, the complainant may refer the matter to the New Zealand Teachers Council. The form for making a complaint to the New Zealand Teachers Council is available online at [www.teacherscouncil.govt.nz/content/conduct-competence/making-complaints-and-reports](http://www.teacherscouncil.govt.nz/content/conduct-competence/making-complaints-and-reports)

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Signed: \_\_\_\_\_

Print Name \_\_\_\_\_

Dated: \_\_\_\_/\_\_\_\_/\_\_\_\_

Review Date: \_\_\_\_/\_\_\_\_/\_\_\_\_