



ST THERESA'S SCHOOL

CONCERNS & COMPLAINTS POLICY

RATIONALE

As concerns or complaints may arise, it is the Board responsibility to ensure that these are handled in a fair, consistent and equitable way, mindful of natural justice principles, and in accordance with the relevant Employment Agreements, Legislation and Codes of Conduct.

PURPOSE

1. To enable concerns to be addressed quickly and efficiently so they don't escalate to complaints
2. To ensure complaints are dealt with respectfully and with due consideration of all parties' rights
3. To ensure complaints are dealt with consistently in accordance with procedures established by the Board and management
4. To put in place appropriate corrective action, and/or disciplinary action, as required

A concern is:

- A minor issue that may be resolved informally directly between the parties involved. Concerns are not expected to have disciplinary, legal or industrial consequences.

A complaint is:

- Any verbal or written statement about a school practice or policy that in the opinion of the complainant is deemed to be of a serious nature that disadvantages them or the school community.
- Any verbal or written statement of a serious nature that indicates a member of the school community has acted illegally, unprofessionally, or in any manner which is harmful to another member of the school community.

A complainant can be – A parent/caregiver/whānau member, staff member, student, agency, learning support personnel, member of the community.

A complaint can be about – A staff member, Board representative, student, or a school practice or policy.

GUIDELINES

In all cases the Board will act as a good employer. The Board's actions shall be to resolve the concern/complaint as quickly as possible at the lowest level possible.

In dealing with any concern or complaint the school will act in accordance with the relevant conditions of the current employment agreement(s) as well as all relevant legislation pertaining to the nature of the concern/complaint on the advice of the Board's legal advisers if necessary. We have internal procedures to be followed (which follow the appendices).

CONCERNS:

Follow Appendix 1

Where a concern is unable to be resolved through informal discussion, or the concern reoccurs, the issue should be referred to the Board and **Appendix 2 and Appendix 3 followed.**

COMPLAINTS:

All complaints will be referred to the Principal. The Principal will follow the complaints procedures and if of a serious nature inform the Board Chairperson immediately. **Appendix 2 and Appendix 3 will be followed.**

In the case of a complaint against the Principal the complainant will be referred to the Board Chairperson who will follow **Appendix 2 and Appendix 3.**

CONCLUSION

Concerns and Complaints will be handled in a fair and orderly manner.

MONITORING

This policy/procedure should be read in conjunction with the following documents:

[Privacy policy](#)

[Media policy](#)

[Bullying policy](#)

[Communications policy](#)

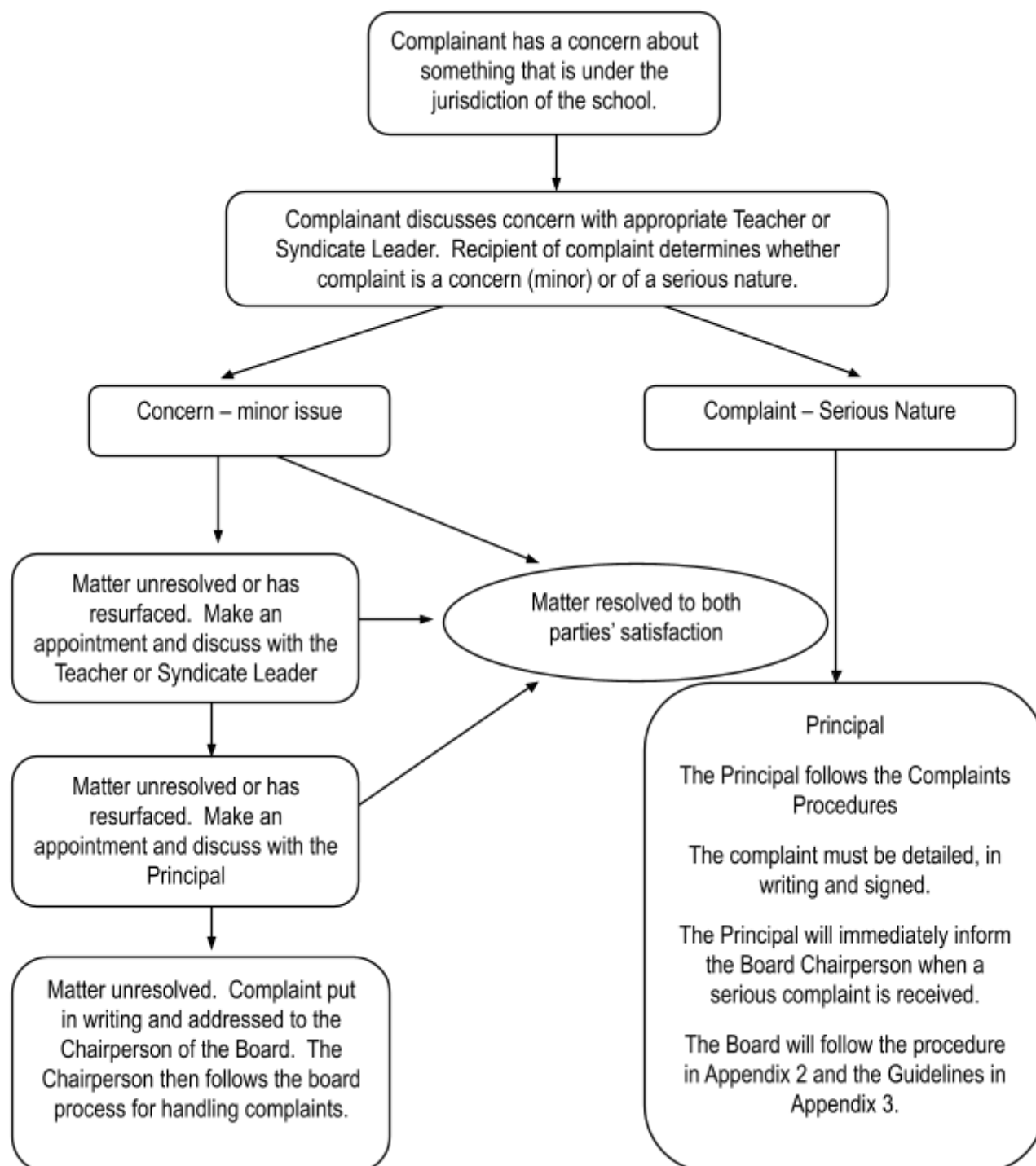
[Board meeting procedures](#)

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St Theresa's School Complaints Procedure



Notes

1. While minor issues may be able to be discussed in a quick informal chat with a staff member, the preferred option is to arrange a time to discuss the matter in order that both parties give the matter proper attention.
2. If the complaints procedure has not been followed the Board will normally return any letter of complaint to the writer and ask that they follow the procedure first.
3. All parties to a complaint may bring a support person to any meeting where the issue is to be discussed.

**St Theresa's School
Complaints Procedure for Board
Receiving a Complaint**

Letter of complaint is acknowledged by the Chairperson and the complainant advised of the next steps in the board process. The letter becomes part of the correspondence that will be dealt with at the next board meeting while the public is excluded.

If the complaints procedure (for concerns) has not been followed the Board will normally return any letter of complaint to the writer and ask that they follow the procedure first.



Letter is tabled at board meeting (with the public excluded) and referred to relevant parties for reporting back to the Board. The Board decides the appropriate response pathway or directs it back to Appendix 1. They decide whether to deal with the matter as a whole or appoint a committee to investigate and recommend to the Board.



At the meeting of the board/committee the reports are received and the parties may be invited to speak to their complaint or answer questions. The board/committee considers the evidence and/or information and comes to a decision or recommendation.



Depending on the delegated powers of the committee either they or the Board as a whole come to a resolution as to how the Board will respond and/or what action will be taken.



The Board's response is communicated to the parties to the complaint. This may be managed either publicly or confidentially depending on the case.



Any of the parties may request the Board to reconsider their decision – however normally for such a reconsideration to take place new information that would have been relevant to the Board's deliberations must be produced.

**St Theresa's School
Guidelines for Board
Dealing with Serious Complaints**

1. Issues of a serious nature, e.g. allegations of physical abuse, gross, serious or sustained poor performance, dishonesty, verbal abuse, harassment, undermining Board policy etc may require a special meeting of the Board to be called.
2. All letters addressed to the Chairperson of the Board are for the whole Board. The Chairperson cannot decide independently as to what action will be taken unless delegated authority to do so by the Board.
3. Subject to agreement between the party's resolution or dismissal of the complaint will not occur before all the information is at hand.
4. Conflict of interest will be determined on a number of issues, including the relationship to anyone involved in the complaint.
5. The Board must exercise caution when dealing with complaints regarding staff, particularly in relation to confidentiality and processes to ensure the principles of natural justice are met. It is advisable to contact the regional NZSTA personnel/industrial adviser in such cases. The Board will need to consider the relevant staff disciplinary policies, employment agreements and expert advice from the NZSTA adviser.
6. In the case of complaints against staff the Board's insurance company should be informed of possible future actions.
7. The Board recognises that not all complainants will be satisfied with the outcome of a complaint. After one reconsideration, if the Board is confident of its decision, it will refuse to enter into further discussion/correspondence. In making such a decision the NZSTA helpdesk can assist by giving an objective assessment of a Board's processes in dealing with the complaint.
8. A complaint regarding lack of compliance in relation to an agreed complaint resolution will be treated as a serious matter and actioned with urgency as a new complaint rather than as a reconsideration of the previous issue.
9. Trustees need to be clear in their mind of the difference between a complaint they have as a parent (i.e. regarding their own child) and a complaint they have as a trustee (e.g. obstruction of staff preventing them carrying out board work.) In the first instance they are required to follow the normal procedures and are excluded from decision making due to conflict of interest. The latter case is dealt with as an agenda item for the whole board (possibly with the public excluded.)
10. Trustees need to be clear in their actions when a parent, community member or student makes an approach to them directly about a concern &/or complaint. The trustee must advise the complainant of the correct procedures to follow and direct them to these procedures.

INTERNAL PROCEDURES FOR:

1. General Concerns/Complaints
2. Concerns/Complaints Procedure Against The Principal
3. Concerns/Complaints Procedure Against Teaching & Support Staff

1. GENERAL CONCERNS/COMPLAINTS

- If a parent has a concern or complaint regarding their child or other school related issues, in the first instance speak to the class teacher.
- If this matter is not addressed, speak to the Syndicate Leader.
- If there are still further concerns make an appointment to speak to the Principal or delegated authority
- While formal procedures are available as a last resort, every effort should be made by all concerned to resolve the matter informally. The Principal, where relevant, has a key role in facilitating such a resolution.
- Where the Principal or delegated authority has been unable to resolve the complaint, the complaint will be made in writing to the Board of Trustees and is to be signed by the complainant.
- Copies of the letter will be given to the Principal / staff member concerned for a written response.
- The Board will consider the written response from the Principal / Staff member and after considering all information, make a decision.
- The Board will acknowledge the complaint and inform the complainant in writing of any action taken in resolution.
- Where the Board considers a resolution is reasonable and effective, the complainant and the person being complained against will be advised by the Board that no further action is intended.
- If the Board is not satisfied, the full Board or a committee of the Board may discuss the complaint and recommend actions to the Principal / Staff member. The Principal / Staff member will be invited to respond to the Board's recommendations.
- The committee may report in writing to the Board detailing all parties consulted and the content of any written submissions. The committee may form a recommendation to the Board.
- The Principal / Staff member shall be invited to respond to the report.
- In discussion at a Board meeting of the Principal's / Staff member's response, the staff member may make a statement, answer questions, but not be present during the discussion on action of the complainant.
- The Principal / Staff member may be represented at all meetings with the Board, or committee of the Board, by a professional union advocate of their choice, or equivalent.
- All business concerning the complaint and action resulting from it, will be held 'in committee'.
- Any member of the Board of Trustees who is personally involved in the complaint shall take no part in the discussion about it, but may submit a statement on the matter.

2. CONCERNS/COMPLAINTS PROCEDURE AGAINST THE PRINCIPAL

- All concerns/complaints about the principal shall be dealt with as set out in the Principals IEG.
- All complaints against the principal shall be referred, in the first instance, to the Chairperson of the Board.
- While formal procedures are available as a last resort, every effort should be made by all concerned to resolve the matter informally. The Chairperson of the Board has a key role in facilitating such a resolution.
- Where the Chairperson has been unable to resolve the complaint, the complaint should be made in writing to the Board of Trustees and be signed by the complainant.
- Copies of the letters of complaint should be given to the principal for a written response.
- The Board will consider the principal's written response and after considering all information, make a decision.
- The Board will acknowledge the complaint, give them a copy of the complaints procedure and inform the complainant in writing of any action taken in resolution.
- Where the Board considers a resolution is reasonable and effective, the complainant and the Principal should be advised by the Board that no further action is intended.
- If the Board is not satisfied, the full Board or a Committee of the Board may discuss the complaint and recommend actions to the Principal. The Principal should be invited to respond to the Board's recommendations.
- In the case of allegations that have disciplinary implications, the Board should convene a Committee to investigate and report only on the substance of the claim. Such a sub-committee will include a professional or union representative nominated by the Principal, as well as a professional or STA adviser selected by the Board.
- The Committee should report in writing to the Board detailing all parties consulted and the content of any written submissions. The Committee may offer a recommendation to the Board.
- The Principal should be invited to respond to the report.
- In discussion at a Board meeting of the Principal's response, the principal may make a statement, answer questions, but not be present during the discussion on action to be taken on the complaint.
- The Principal may be represented at all meetings with the Board, or sub-committee of the Board, by a professional or union advocate of their choice.
- All business concerning the complaint and action resulting from it will be held 'in committee'.

3. CONCERNS/COMPLAINTS PROCEDURE AGAINST TEACHING & SUPPORT STAFF

- All concerns/complaints about Teachers/support staff shall be dealt with as set out in the Teachers & Support Staff C.A.
- All concerns/complaints against the teacher or support staff shall be referred, in the first instance, to the Principal.
- While formal procedures are available as a last resort, every effort should be made by all concerned to resolve the matter informally. The Principal & the senior leadership member, where relevant, has a key role in facilitating such a resolution.
- Where the Principal or delegated authority has been unable to resolve the complaint, the complaint should be made in writing to the Board of Trustees and be signed by the complainant.
- Copies of the letters of complaint should be given to the teacher for a written response.
- The Board will consider the teacher/support staff's written response and after considering all information, make a decision.
- The Board will acknowledge the complaint, give the teacher/support staff a copy of the complaints procedure and inform the complainant in writing of any action taken in resolution.
- Where the Board considers a resolution is reasonable and effective, the complainant and the teacher/support staff should be advised by the Board that no further action is intended.
- If the Board is not satisfied, the full Board or a Committee of the Board may discuss the complaint and recommend actions to the teacher/support staff. The teacher/support staff should be invited to respond to the Board's recommendations.
- In the case of allegations that have disciplinary implications, the Board should convene a Committee to investigate and report only on the substance of the claim. Such a sub-committee will include a professional or union representative nominated by the teacher/support staff, as well as a professional or STA adviser selected by the Board.
- The Committee should report in writing to the Board detailing all parties consulted and the content of any written submissions. The Committee may offer a recommendation to the Board.
- The staff member should be invited to respond to the report.
- In discussion at a Board meeting of the staff member's response, the staff member may make a statement, answer questions, but not be present during the discussion on action to be taken on the complaint.
- The staff member may be represented at all meetings with the Board, or sub-committee of the Board, by a professional or union advocate of their choice.
- All business concerning the complaint and action resulting from it will be held 'in committee'.

Formulated:

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