

Procedure 4 **CONCERNS and COMPLAINTS**

The school seeks to operate as a fair and open school. However as in any organisation, concerns and complaints can arise. We prefer to know about these so they can be resolved in the best interests of all concerned as early as possible.

Guidelines

1. All concerns should be resolved at the lowest possible level and in accord with principles of fairness and natural justice.
2. It is expected that if a concern or complaint is referred initially to the board or principal that they will refer the complainants back to the appropriate level unless deemed to be of a serious nature.
3. A written record of the problem, the actions taken, and the review of outcomes are kept in summary form for problems that cannot be resolved at Stage 1 (informal level).

Stage 1 INFORMAL LEVEL: Teacher/ Syndicate leader

- a) Parents should approach the class teacher/ syndicate leader in the first instance. Every effort will be made to resolve issues informally through discussion.
- b) Teachers will keep the syndicate leader and principal informed of all parent concerns or complaints, and the agreed actions to resolve the concern.
- c) Teachers can request or be offered to have the syndicate leader present at these discussions.
- d) The emphasis is on finding positive and mediated resolutions.

Stage 2 **FORMAL: Principal**

1. Where resolution is not achieved, the complainant should refer the problem to the principal. This must be stated in a signed letter setting out the facts of the complaint.
2. In the interests of natural justice, the principal will not act on hearsay or gossip. Nor will they accept anonymous complaints.
3. At this time the matter is a management issue and will undertake an independent investigation using principles of natural justice and fairness to all parties to gather the full facts of the matter from all parties.
4. A timeframe will be set for this investigation
5. The person complained of will be advised of the complaint and advised to seek union support/ independent advice.
6. The school's insurers will be notified at the start of the investigation.
7. Both the complainant and the staff member complained about, will be advised of the outcome of the investigation.
8. Where matters and actions needed to address the problem are agreed upon between the parties, these will be actioned and the matter will be considered resolved
9. Where cause for staff disciplinary or competence action is found, the principal will advise
 - the school's insurers
 - the staff member in writing to seek union support/ independent advice
 - report the investigation findings to the Board "in committee"

10. The complainant will be informed in writing of this decision and a further meeting held if requested by either party to the complaint. They will have a right of reply and representation throughout.

Stage 3 FORMAL : Board

1. Concerns to the Board must be made in writing. The Board will refer any new concerns or complaints to the principal unless of a serious nature or a complaint against the principal.
2. Matters may be referred to the Board by the principal if either
 - a) the issue is not resolved at the principal level or
 - b) the principal finds serious issues that may give rise to staff disciplinary or competence action
3. The principal will inform the school's insurers when a written complaint or concern is sent to the board.
4. The Board, in committee, will review matters material to the concern or complaint, decide the appropriate action, those responsible for taking action identified, and a time frame set.
5. The Board will seek further advice from relevant agencies as appropriate to the complaint before making a final decision and will follow the relevant procedures for staff discipline.
6. Where the complaint is against the principal, the Board will follow the same processes of natural justice as for the formal principal level.
7. The principal has the right to seek independent advice
8. All matters related to the complaint will be held in committee and kept confidential
9. Where the complaint is against Board members and cannot be resolved directly, the complaint should be made to the Board Chair in writing and all matters dealt with in-committee.
10. Any party to the complaint can refer to the Teacher's Council, the Education Review Office or take legal advice if the issue remains unresolved or the parties are unsatisfied with the outcome of the complaint process.