



## **20. Concerns and Complaints Process**

Otumoetai College respects any complaints that may be raised by whanau or caregivers, staff, students and community members. The school believes in high standards and in the pursuit of excellence. As a leader in education and learning opportunities it is keen to listen to and learn from any valid concerns raised about the school.

### **Procedure for making a complaint**

The Board expects the following steps to be taken by a complainant:

1. Contact the person whom the complaint involves.
2. If unresolved, contact the HOD of the student's subject area.
3. If unresolved, contact the Dean of the student's year group.
4. If unresolved, contact the Deputy Principal.
5. If still unresolved, concerns must be made in writing and addressed to the Principal.
6. If there is no satisfaction from the previous steps, make a complaint in writing to the Board of Trustees.
7. Any letter of complaint will be tabled at the full Board meeting unless natural justice prevents this.
8. There may be occasions when the steps under procedures 1-4 (as above) are inappropriate to follow. In these cases, it is expected the complainant will contact the Principal directly, or Board in writing.
9. If the complaint is in respect of the Principal, then it should be addressed in writing to the Board.

### **Written complaints received by the Board of Trustees**

On receiving a written complaint, the Board will decide on what further action is required on a case-by-case basis. Before the Board decides to deal with a complaint it must check that the procedures outlined above have been followed. If not, the Board may decide to return any letter of complaint to the writer and ask that they follow these first.

All letters addressed to the Chairperson of the Board are for the whole Board. The Chair cannot act independently as to what action will be taken. The following steps will be taken:

1. The Chair acknowledges the letter of complaint within a fortnight of receipt and the complainant is 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.
2. The letter of complaint is tabled at the Board meeting (during a 'public excluded' session of the Board meeting) and referred to relevant parties for reporting back to the Board. The Board decides whether to deal with the matter as a whole or appoint a committee to investigate and recommend to the Board.
3. The Board Chair will advise the school's insurance company of the complaint, and will seek NZSTA advice, where necessary.
4. At the meeting of the Board/committee (during a 'public excluded' session of the Board meeting) 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.
5. 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 (during a 'public excluded' session of the Board meeting).
6. The Board's response is communicated to the parties to the complaint in writing.



7. 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.

### **Guidelines**

1. The person about whom a complaint is made will be informed as soon as practicable and given reasonable time to respond.
2. Requests for confidentiality as to the identity of the complainant will be respected unless natural justice demands otherwise.
3. Issues which demand immediate attention e.g. allegations of physical abuse, may require a special meeting of the Board to be called.
4. Resolution or dismissal of the complaint must not be discussed before all relevant information is to hand where possible.
5. The Board will determine if there is any conflict of interest and act appropriately if there is one.
6. 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 New Zealand School Trustees' Association personnel/industrial advisor in such cases. The Board will need to consider the relevant staff disciplinary policies, employment contracts and expert advice from the STA advisor.
7. The Board recognizes that not all complainants will be satisfied with the outcome of a complaint. Once reconsidered, if the Board is confident of its decision, it will refuse to enter into any further discussion/correspondence. In making such a decision the STA Helpdesk can assist by giving an objective assessment of a Board's process in dealing with a complaint.

A complaint regarding lack of compliance in relation to the procedure will be actioned with urgency as a new complaint rather than a reconsideration of the previous issue.

Review schedule: November 2023