



Concerns and Complaints Procedure

Rationale

At Kaikorai Valley College we value the partnership between home and school and so encourage open communication. It is important that the concerns of students, staff, parents/caregivers/whānau and wider community are recognised and satisfactorily resolved in a fair, transparent, effective, and timely manner, using restorative practices wherever possible.

As a vast majority of concerns can be resolved informally through direct discussions, we would prefer that you come and talk through any issues confidentially with the appropriate person rather than discussing them in the community.

This procedure provides students, staff, parents/caregivers/whānau, along with the wider community, clear guidelines for raising and resolving concerns and complaints relating to students, staff or volunteers acting in an official capacity for the school.

Aims:

We have procedures in place to ensure that all concerns and complaints are handled appropriately. Our procedures enable us to:

1. provide a fair, transparent, and effective process for the resolution of concerns and complaints in a timely manner before they escalate into something larger.
2. achieve satisfactory outcomes for all involved.
3. take all concerns seriously, using the principles of natural and restorative justice (wherever practicable), so that everyone is treated with dignity, respect and mana.
4. provide a physically and emotionally safe environment for all students and staff.
5. provide guidance and support to those involved in the process, as required.
6. respond to feedback and concerns constructively to preserve and enhance student and staff wellbeing as well as school and community partnerships.

Guidelines:

It is important that all parties are prepared to openly listen to the other side of the story to avoid communication breakdowns. This process may require more than one meeting and/or may involve members of the school leadership team or outside agency support to find a satisfactory resolution.

Using the flowchart attached, please ensure you discuss the issue with the right person in the first instance.

1. In terms of natural justice, all concerns/complaints should be dealt with promptly, in an effort to minimise distress to all parties.
2. Where possible concerns should always be raised directly with the person concerned. Please make a time with the person concerned to discuss the matter privately (Staff contact details can be found on the school's website).
3. Guidance and support will be available to students and staff when appropriate, or upon request.
4. Where the concern/complaint has been made in public the only communication shall consist of recognition of the issue, and all parties advised that it shall be dealt with by 'due process' in accordance with the Complaints' Procedure.
5. The Principal/Board Chairperson is the only person authorised to make statements to the media and this will never be considered lightly. Wherever possible, the Chair and Principal

should communicate with each other before issuing the media statement and statements shall be kept brief.

6. Anonymous concerns/complaints will not be investigated unless the safety or wellbeing of staff or students is at issue.
7. Accurate records will be kept by school officials throughout the concerns and complaints process. Records will remain “confidential” to the parties involved but will be shared as necessary if the concern is escalated to the Principal, Board or Office of the Ombudsman.
8. All parties will be kept informed throughout the process and of the outcome of any investigation.
9. Police and other outside agencies will be used when appropriate.
10. Formal complaints about staff should be addressed to the Principal, identifying the staff member concerned and outlining both the nature of the complaint as well as any steps taken to resolve the issue informally, if any. It is expected that there will have already been attempts to resolve this issue informally using the attached flow chart.
11. If a complaint against a staff member is to become the subject of formal disciplinary investigation, this will be conducted in accordance with relevant employment agreement provisions and natural justice. (We would advise any staff member who has a complaint lodged against them to contact their union representative for support and guidance).
12. If the Principal has been unable to resolve your concern, or your complaint is about the Principal, you should write to the Board of Trustees, c/o the Chairperson, outlining the nature of your complaint and the steps you have already taken to attempt to resolve the issue. (Note: except in exceptional circumstances, the Board will not accept any complaint unless it is in writing, signed, and a reasonable attempt has been made to resolve it through the informal process.)
13. The Principal will advise the Board Chairperson of any serious complaint which may impact on the school’s reputation or the welfare of any member of the school community.
14. Should the Board of Trustees be unable to satisfactorily resolve the complaint, you can write to the Office of the Ombudsman to have the board’s process reviewed.

Please follow the process for raising concerns and complaints as outlined in the attached flowchart attached. You may also wish to refer to:

- Board Complaint checklist.
- Protected Disclosures procedure
- Other relevant procedures found on our website

Approved: _____ Mr Mark Rogers _____
Chairperson

Date: _____ 22-11-2020 _____

Reviewed	

CONCERNS AND COMPLAINTS PROCESS FLOWCHART

General process for anyone raising a concern
Your concern is general in nature OR involves a particular student or staff member.

YES

Make contact with person concerned to arrange a time to discuss the matter privately, indicating beforehand what it is about.

YES

Parents/Caregivers

1. Another student(s) – make contact with the Dean.
2. Specific curriculum content – make contact with the HOD of the subject area in the first instance.
3. A staff member – make contact with the staff member concerned.

Meet and discuss the issues with an open/growth mindset so you can all try to work towards a resolution.
Be prepared to listen to different points of view. This may require more than one meeting or may involve other staff or outside agencies.
Restorative justice will be used wherever practicable to maintain a fair, transparent and timely process that respects and upholds the mana/integrity of all parties.

Provide feedback through the process to the person you are working with as to whether you are satisfied with the outcome, or if the concern is not yet resolved.

Is your concern resolved?

YES

No further action required
A follow-up meeting may be scheduled to make sure the concern remains satisfactorily resolved.

NO

Your concern has not been resolved by meeting with the person concerned.

Make contact with the principal to arrange a time to discuss the matter. Indicate what the concern is about, and the steps you have already taken to attempt to find a resolution.
Please advise if you wish to have a support person present at this meeting.

When meeting with the principal be prepared to listen to different points of view and provide feedback on the issue. This may require more than one meeting or may involve other staff or outside agencies.

Restorative justice will be used wherever practicable to maintain a fair, transparent and timely process that respects and upholds the mana/integrity of all parties.

Is your concern resolved?

YES

NO

No further action required
A follow-up meeting may be scheduled to make sure the concern remains satisfactorily resolved.

NO

Your concern does NOT involve a particular student or staff member OR
You do not wish to approach the person concerned directly.

Staff

- If your concern involves a student, another staff member or a parent/caregiver/whānau member, please follow this flow chart. However, if you need to escalate your concern, please do as follows:
- 1) Student/parent concerns to their whānau teacher, Dean, guidance counsellor or senior leadership team as appropriate.
 - 2) Staff concerns need to be escalated directly to the principal (or to the board if concern involves the principal directly).

Your concern has NOT been resolved by the previous steps and actions OR involves the principal or a board member in their capacity as a trustee.

You can make a formal complaint. Put the complaint in writing, addressed to the Chairperson, Board of Trustees.

Outlining the issue in detail and the actions taken to resolve the concern to date. Include your name and contact details.
NB: Unless there are exceptional circumstances, a complaint will not be accepted unless it is in writing and outlines the steps that have been taken so far to seek a resolution. If this has not been done, or the concern is outside the school's jurisdiction, you may be directed back to the relevant point in the concern process.
Receipt of your complaint will be acknowledged by the board chairperson within 7 days, along with an expected timeline for the investigation process.

The investigation process may require several meetings with the parties concerned in the resolution and may involve external agency support.

Should your complaint remain unresolved, by the Board, you may write to the Office of the Ombudsman for a formal review of the resolution process taken.

Students

If your concern involves:

1. Another student(s) - make contact with the person concerned OR your Whānau teacher, the guidance counsellor or a trusted teacher to discuss the issues.
2. Specific curriculum content or a particular staff member - then along with the above people you may like to discuss the issue with the HOD of the subject area in the first instance.

If you are unable to resolve the concern at this stage, we would encourage you to seek whānau support and guidance with a trusted adult, parent or caregiver before escalating as per the flow chart.



Kaikorai Valley College Concerns/Complaints checklist

Once a concern has been raised / identified by any member of the school community, that people involved (see flowchart) in dealing with it must maintain clear, concise records of all meetings between parties attempting to resolve the concern. These records will form part of the evidence trail should the concern be escalated to the Board of Trustees or the Office of the Ombudsman.

Once a letter of complaint has been received, the Principal/Board Chair should ensure the following process is followed:

Notes/date completed

1. Ensure the process has been followed as outlined in the concerns and complaints procedure, or is a genuine complaint against a staff member, the principal or board. In the event of the later two a grievance committee may be required to work through the process.
2. Verify with the principal that any staff (or others) identified in the complaint are aware of the situation and that there has been discussion and attempts to reconcile.
3. If the complaint or action is employment related or has potential industrial relations implications, contact the NZSTA employment advisory and support centre. For all other complaints, contact the NZSTA governance advisory and support centre, if support is required.
4. Alert the school's insurance broker (Aon), using the notifiable complaints form.
5. Acknowledge the letter of complaint within 7 days and advise the board process; or redirect the complainant to principal or delegated management team member as appropriate. Inform the Board chair of the complaint and report to the board without names or detail at the next closed meeting.
6. If the complaint needs to be heard by the grievance committee, board trustees with a declared conflict of interest should not be included any further in this process.

Board will then form a delegated sub-committee consisting of at least three parent representative, one of which is either the Board Chair or Vice Chair, to handle this complaint.

In exceptional circumstance an independent investigator may be required.
7. Committee request the principal to present full written report outlining all actions taken, advice received, meetings held and justified decisions made.
8. Board determines whether the above fully satisfies them of full and fair process. If so, the board supports the principal and advises the complainant.
9. If not satisfied, the board meets and discusses in committee, determines whether to formally meet the complainant and

delegates responsibility to trustee(s) as deemed appropriate.

10. Board delegates meet with the complainant and discuss the complaint more fully, verifies, investigates and clarifies. Support persons should be confirmed as welcome to attend.
 11. Board delegates meet with the staff member who the complaint has been made against, along with any support people they choose to bring (union representative)
 12. Board delegates hear all other evidence provided in support of all parties involved in this process, this may/may not require meetings.
 13. Board delegates report back to full board and recommend actions/decisions.
 14. Board takes appropriate actions, records and formally minutes decisions.
 15. Board advises complainant, and the recipient of the complaint, in writing of its provisional decisions and factors considered in reaching them, within 21 days of complaint receipt, unless otherwise agreed by all parties. Both parties are given opportunity to comment before the board's final decision is reached and given
 16. Board will endeavour to convene a follow-up meeting, or conversation, with the complainant within 1 month of step 15.

The purpose of this meeting is to make sure the complainants remain satisfied with the process that was undertaken and to, if required, begin the restorative practices to rebuild relationships between those concerned.
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17. The board will use the information gathered to constructively review the concerns and complaints process, to analyse the context that led up to the complaint in order to improve practice, student/staff wellbeing, engagement and educational outcomes.

Please refer to: [\(provide links\)](#)

- KVC External Investigation terms of reference