

## HENDERSON SOUTH SCHOOL

### COMPLAINTS, GRIEVANCES, DISCIPLINARY POLICY

#### Rationale

At times the school or the trustees will receive a complaint about the actions of a staff member, trustee or someone associated with the school. This policy will provide procedures to ensure that such complaints are dealt with fairly, with integrity and with a degree of uniformity, and to allow grievances to be dealt with in an open and fair-minded forum so that the best interests of the children and the school are foremost.

#### Purposes

- To ensure minor concerns are dealt with without undue stress.
- To ensure the concern is directed to the appropriate person.
- To ensure the person making the complaint is given a fair hearing and that the concern is treated fairly with due consideration.
- To ensure individual staff and trustees are not harassed or unreasonably impeded from carrying out their allotted tasks.
- To avoid staff and trustees getting into a confrontational situation.
- To ensure that all Collective or Individual Contract provisions are abided by.
- To ensure that appropriate follow-up procedures are carried out and that, if required, a change in school management and procedures is implemented.
- To ensure that appropriate on-going monitoring takes place.

#### Guidelines

- Parents are encouraged to discuss any minor concerns they may have regarding their children's education, therapy or specific incidents directly with the staff member concerned. If the staff member or parent feels unable to discuss the matter fully they are encouraged to make an appointment outside of normal class hours to allow the staff member to fully focus on the concern.
- Staff members are strongly encouraged to follow up all minor concerns/complaints with their manager to discuss possible action. Should the staff member or the complainant so wish, the complaint can be referred on to the Deputy Principal/Team Leader and on to the Principal.
- Staff members will ensure they always are receptive and supportive of parents' concerns and continue to interact with parents expressing concern with regular checks and reassurances. These contacts may need to continue for some time and the Deputy Principal/Team Leader will guide the staff member or initiate further appropriate intervention
- If the concern is not resolved to all parties' satisfaction the complaint should be referred to the Principal.
- Any serious complaints will be referred to the Principal.
- Anyone making a serious signed complaint or having a serious concern is requested to give it in writing to the Principal and staff member concerned.
- If a written complaint is received by a trustee or by the Board of Trustees, the complaint will be referred to the Principal in the first instance.
- Where the complainant refuses to put his/her complaint in writing the senior staff member hearing the complaint will record the salient points in writing.
- A copy of the complaint is given to the employee identifying the alleged misconduct and an explanation and resolution sought. The employee is advised they may bring someone for personal support to these investigations.
- Such complaints/concerns will be investigated by the Principal and a report of the investigations/resolutions will be tabled in the Principal's Report at the following trustees' meeting.
- A copy of this Report will also go to the concerned parties.

**N.B.** This informal discussion/investigation does not constitute or imply any disciplinary action, although the code of standard will be revisited by the senior management.

Where the complaint is found to have some basis the staff member will receive support to effect change and the Principal will refer the matter to the Board of Trustees temporary personnel sub-committee. The temporary personnel sub-committee will review the investigation to date and report possible options for resolution to the Board. These resolutions will be based upon the appropriate collective or individual contract the staff member is employed under and with recourse to the appropriate sections of the NZSTA Handbook:

It is expected that the Principal will initiate an appropriate level of supervision after discussion with the employee following this general procedure:

Verbal Warning

Where the complaint is found to have some basis, the staff member will receive support, to effect change and be given a verbal warning that failure to effect the stated changes by a due date will result in a written warning. Again at this stage the staff member will be advised of their right to bring a representative/witness including NZEI member or field officer with them to the disciplinary meeting.

Written Warning

Where insufficient improvement occurs a further interview is to be held and if the staff member has no satisfactory explanation for the failure to meet the standard, the Principal will notify the employee in writing that s/he will recommend to the Board of Trustees that they review the staff member's employment if the standard is not achieved by a newly given date.

Where the behaviour/performance continues to give concern, a further interview is to be held and if the staff member has no satisfactory explanation for the continued failure to improve, the Principal will notify the employee in writing that s/he will recommend to the Board of Trustees that they terminate the staff member's employment.

Final Action

- The Principal is to make a recommendation to the Board.
- The Principal is to remove him/herself from the final decision. This fact and a record of the Board's decisions are to be accurately minuted. Nothing in the above prevents summary dismissal in the case of serious misconduct. However, even in such cases, an unprejudiced investigation will be carried out and the employee given the opportunity to answer any allegations against them or results of any investigation. Confidential aspects of any action taken will not be divulged to the person making the complaint or to any other inappropriate person(s) but the complainant will be advised that the Board of Trustees is taking appropriate steps to address the matter.

**Approved**

**BOT Meeting: 05/08/2020**

**Chairperson.....**

**3.11.2**