



BATHGATE PARK SCHOOL

CONCERNS & COMPLAINTS POLICY

Policy to support the following National Education and Learning Priorities:

NELP 1 Learners at the Centre: Ensure places of learning are safe, inclusive and free from racism, discrimination and bullying.

- Students, whānau and staff demonstrate an understanding of the support mechanisms available for addressing concerns and complaints, leading to increased confidence in seeking assistance when needed.

NELP 3 Barrier Free Access: Reduce barriers to education for all, including for Māori and Pacific learners/ākonga, disabled learners/ākonga and those with learning support needs.

- Ensuring that concerns and complaints are handled fairly and impartially promotes equity and inclusivity within the educational setting.
- Students, whānau and staff demonstrate an understanding of cultural differences and adapt their communication and conflict resolution strategies accordingly when addressing concerns and complaints involving cultural factors.

The school responds to complaints in a fair and consistent manner and in accordance with the relevant Employment Contracts, legislation and codes of conduct.

Purpose:

1. Maintain a safe environment for our students and staff.
2. Treat all people fairly and with dignity and respect.
3. To resolve matters of concern early and at the lowest level, if possible.
4. To ensure consistency when dealing with concerns and /or complaints and in a timely manner.
5. To maintain privacy and confidentiality.
6. To preserve and enhance school and community relationships.
7. To ensure consistency when dealing with concerns/ complaints concerning school staff and children.
8. To ensure consistency when dealing with concerns/ complaints between school staff.
9. To ensure consistency when dealing with concerns/ complaints concerning the actions of parents.
10. To deal with complaints in accordance with procedures established by the Board.
11. To put in place disciplinary and corrective action as required.
12. Meet our legal and ethical obligations.

Guidelines:

We foster open communication and encourage our school community and members of the public to contact us promptly when issues involving the school arise. We advise people with concerns or complaints to raise these with the school in the first instance, rather than sharing concerns with other people or online.

In all instances, you may have a support person to help raise a concern or make a complaint.

If an approach is made to a Board Member with a concern, the person will be asked to follow the actions below and the Board Member will inform the Principal and Presiding Member. If several people share a concern, the process is the same.

To ensure the safety and wellbeing of those involved when a concern is raised, it may be appropriate for the person receiving a concern to limit communication about the concern until a facilitated session occurs or until a third party is present.

Raising A Concern

1. The initial contact should be made with the teacher concerned to try and resolve the matter. This can be done by meeting in person or sending an email outlining your concerns.
2. Concerns will be dealt with by the school using the process set out in the [Procedure for Raising Concerns](#).
3. If the concern is not resolved through this process, a formal complaint may be made.

Making A Complaint

4. A formal complaint must be done in writing to either the Principal or the Presiding Member of the School Board. The process set out in the [Formal Complaints Procedure](#) will be followed once a complaint has been received. It is helpful for the complaint to include as many details as possible, including details of efforts to resolve the issue.
5. The Principal will deal with complaints regarding the day-to-day operations of the school. Written documentation will begin. Complaints with wider implications and legal responsibility will be discussed with the Presiding Member.
6. Complaints to the Board must be put in writing and addressed to the Presiding Member of the Board. They will then deal with the complaint by:
 - a) Referring it to the appropriate person or party to deal with and/or
 - b) Ask the Board to consider the complaint and respond appropriately
 - c) Respond to the complainant in writing.
7. Formal complaints against any staff member will be dealt with using the Formal Complaints Procedure.
8. All complaints will be treated in confidence, however, any person included in a complaint must be informed of the details of the complaint and be given an opportunity to address the complaint.
9. In the event of a complaint being about a staff member, a copy of the complaint will be provided to the relevant staff member to allow a response. The staff member will also be provided with a copy of the Concerns and Complaints Policy. Collective Employment Agreement procedures will be followed as such complaints are against an employee of the Board of Trustees.
10. In the event of a complaint against the Principal, a copy of the complaint will be provided to the Principal to allow a response. The Principal will be provided with a copy of the Concerns and Complaints Policy. Primary Principals Collective Agreement procedures will be followed as such complaints are against an employee of the Board of Trustees.

11. In the event of a complaint against a School Board member, the remainder of the School Board will investigate the complaint. If the complaint is against the whole of the School Board, the matter will be referred to the local office of the Ministry of Education
12. In attempting to resolve any complaints, the rules of natural justice must be adhered to including but not limited to:
 - Neither party should interfere with the complaints process by approaching, discussing or harassing the other party in any way in relation to complaint.
 - Give adequate time for response to claims.
 - Approach enquiries with an open mind and in a fair and reasonable way.
 - Give matters due consideration and consider the particular facts in each case.
 - Ensure there is no predetermination of the outcome.
 - Right of reply for the person who the complaint is against.
13. If a complainant withdraws the complaint where possible they will be requested to confirm this in writing.

Unreasonable complaints

Bathgate Park school will receive and consider all reasonable and legitimate concerns and complaints in good faith. However, the school may refuse to take any action on receiving a complaint or concerns that are considered unreasonable or vexatious.

A complaint may be considered unreasonable if the person making a complaint:

- continues to pursue an issue after it has been considered and deemed resolved by the school
- makes unreasonable demands in relation to the complaint
- is uncooperative (e.g. refusing to define the issue), fails to provide evidence, or provides excessive/irrelevant information
- displays aggressive, threatening, or manipulative behaviour
- fails to follow the school's policies and procedures.

In some situations where unreasonable complaints are made, the school may need to take legal advice or involve an external agency or mediator to help resolve the matter.

Note that unwelcome, intimidating, and intrusive behaviour is dealt with as harassment.

Anonymous complaints will not be followed up on as they fail to meet the first steps of the Formal Complaint process.

Documentation Supporting Policy:

Procedure for Raising A Concern

Procedure for Formal Complaints

[**Community Concerns & Complaints Process Flow Chart**](#)

[**Staff Concerns & Complaints Flow Chart**](#)

Related Topics

- [Community Code of Conduct Expectations](#)
- [Harassment Policy](#)
- [Privacy](#)
- [Protected Disclosure Policy](#)
- [Official Information Requests](#)

Approved C. Hay Commissioner

A handwritten signature in black ink, appearing to read 'C. Hay', written over a light blue horizontal line.

Review Date: February 2025

Procedure for a Formal Complaint

In some cases, such as when your concern cannot be resolved, you may wish to make a formal complaint.

1. Write down your complaint giving details of the issue, including details of efforts that have been made to resolve the matter. Include your name and contact phone number.
2. Address your written complaint to the Principal or to the Chairperson of the Board of Trustees. Ask for assistance at the school office if you are unsure how to go about delivering your complaint.
3. Complaints will be acknowledged immediately upon receipt or, if that is not possible, within 48 hours, giving assurance to the complainant that the issue will be investigated.
4. When a complaint is received, the Principal and the Chairperson of the Board of Trustees or if the complaint is about the Principal, the Chairperson and another Trustee, will discuss the matter with you before deciding what further action should be taken. You may have a support person with you when you discuss the complaint, if you wish. This meeting will be documented.
5. Your complaint will generally be treated in confidence. However, in the interests of natural justice any persons included in a complaint must have the opportunity to hear all details about the complaint and reply to it. A copy of the complaint will be given to the person about whom the complaint has been made, together with a copy of the school's complaints procedure.
6. The complaint will be investigated by talking to the person about whom the complaint has been made, who may be accompanied by a support person if they wish, and interviewing anybody else who may have had a part to play in the incident. Written statements will be taken.
7. Depending on the nature of the complaint, the matter may be referred to the Board of Trustees for consideration and action.
8. The Principal or BOT will decide what steps will be taken as a result of the investigation and will ensure that a record of the process is kept.
9. You will be informed of the outcome of the investigation.
10. In dealing with complaints, employers must act in accordance with conditions of relevant employment agreements and current legislation.
11. If you are dissatisfied with the outcome of the complaint you may write to the Board of Trustees for a review of the complaint. A review should be completed by the Board within 28 days of the referral.
12. Parents may complain to the Ministry of Education if they are not satisfied with this complaints process. In this situation, the school will liaise with the New Zealand School Trustees Association.
13. Complaints about the Board of Trustees (not individual trustees) may be directed to the Office of the Ombudsman.
14. For staff concerns/complaints against another member of staff please refer to the procedure for staff where a similar process is to be followed.
15. Complaints concerning parent actions towards staff = teachers are to notify the Principal. The Principal will discuss the incident with all parties. Steps that may be taken could be:

- a. Conversation had with the parent and / or
- b. Letter notifying the parent of their behaviour and outlining future expectations.
- c. At any time, an unsafe situation is created and the parent is not acting in a safe and / or reasonable manner the Police may be called.
- d. The Presiding Member and Principal may put forward a trespass order.

Approved

Date:

Review: February 2025

[Concerns & Complaints Process Flowchart](#)