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## ***Carmel College Operational Policy 02: Complaints Policy***

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*Our college is the Catholic Church in action, an authentic expression of the Church's mission. Therefore, our role as a Catholic college, is, above all, to be a place where every member of this learning community can encounter the living God and our focus is on helping to form Christ in the lives of others. We do this through the Catholic and Mercy traditions.*

### **RATIONALE:**

In order to ensure the best educational outcomes for students and to facilitate confidence in college processes, it is important that concerns and complaints by students, staff, parents/caregivers and members of the community are resolved as quickly as possible and in a fair and consistent manner.

### **GUIDELINES:**

1. The college will make every effort to resolve all concerns and complaints, which may manifest themselves in various forms and through various channels.
2. Concerns will normally follow the process set out in the Complaints Procedures unless there are culturally specific circumstances that require a different process. Culturally specific processes should be developed in consultation with the Principal, Board chair (or delegate) and a representative of the appropriate culture. This will encompass the honouring of the Treaty of Waitangi and the Board's commitment to biculturalism, with student, staff and whanau wellbeing being paramount
3. Formal complaints must be made in writing and signed by the complainant. They should be addressed to the Principal who will follow the process set out in the Procedure for making a Formal Complaint. If the complaint is against the Principal it should be addressed to the Chairperson of the Board of Trustees.
4. Legal requirements and the relevant conditions of any related legislation and current employment contracts will be followed.
5. The Board of Trustees will only become actively involved when the issue is
  - a) serious<sup>1</sup>,
  - b) or if it relates to the Principal
  - c) or if it is unresolved between the Principal and the complainant<sup>2</sup>.

In such cases, a properly constituted committee of the Board should undertake further investigation of the complaint and initiate any actions it deems appropriate.

**This policy is to be read in conjunction with the following legislation:**

- ✦ Privacy Act, 1991
- ✦ Education Act 1989
- ✦ Employment Relations Act 2000 - Collective Employment Agreements (teaching and non-teaching staff)
- ✦ Human Rights Act 1993
- ✦ Protected Disclosures Act 2000
- ✦ State Sector Act 1988

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<sup>1</sup> 'serious' means that it is highly likely that the nature of the complaint would result in mandatory reporting to the Education Council if a member of the teaching staff is involved, the incident may result in disciplinary action if it involves a non-teaching staff member or disciplinary action of suspension/and or exclusion where a student is involved.

<sup>2</sup> Unresolved means that there is not agreement on the outcomes relating to the complaint between the Principal and complainant following the investigation by the Principal.

- ✦ Vulnerable Children's Act 2014
- ✦ All current employment contract provisions concerning complaints which relate to teaching and non-teaching staff employed by the Board
- ✦ Education (Physical Restraint) Rules 2017

**This policy is to be read in conjunction with the following procedures:**

- ✦ The Carmel College complaints procedure
- ✦ The Carmel College protected disclosure procedure
- ✦ The Carmel College Child Protection Policy and procedures

**This policy is to be read in conjunction with the following MOE guidelines:**

- ✦ Bullying and prevention responses: a guideline for schools.  
<http://www.education.govt.nz/assets/Documents/School/Bullying-prevention/MOEBullyingGuide2015Web.pdf>
- ✦ [http://www.education.govt.nz/standdowns, suspensions](http://www.education.govt.nz/standdowns_suspensions) exclusions and expulsion guidelines

Approved by the Board of Trustees at the meeting held on 20 March 2018

Chair: \_\_\_\_\_



**NEXT REVIEW SCHEDULED:** no later than December 2020