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## Concerns and Complaints

This policy provides staff members, parents/caregivers/whānau and the wider school community with clear procedures for raising concerns and making complaints. Complaints may also come from members of the public.

Our concerns and complaints procedures enable us to:

- maintain a safe environment for our students and staff
- treat all people fairly and with dignity and respect
- resolve matters of concern early and at the lowest level, if possible
- respond to feedback and concerns constructively
- deal with complaints fairly, effectively, and in a timely manner
- take into account individual circumstances
- maintain privacy and confidentiality
- preserve and enhance school and community relationships
- check that solutions have been implemented and are working, including feeding back to the person who raised the issue where appropriate
- monitor and record concerns and complaints about student safety and wellbeing
- meet our legal and ethical obligations.

We encourage open communication and ask that you contact the school promptly when issues arise. If you have a concern, please let us know before sharing negative personal views online. In all instances, you may have a support person to help you raise a concern or make a complaint.

Most concerns can be resolved informally through discussions with the people involved – see **Raising Concerns**. If informal discussion doesn't resolve the issue, see **Making a Formal Complaint or Serious Allegation**.

For an overview of the process, see our **Concerns and Complaints Process** flowchart .

Sometimes parents contact the Ministry of Education about an incident involving their child at school. The Ministry upholds the school's ability to self-govern and follow their own policies and processes for managing complaints and will usually direct complaints back to the school in the first instance.

Parents or students with concerns may seek advice from a lawyer, **Youth Law** (0800 884 529), **Community Law** (phone local centre), **Student Rights Service** (0800 499 488), or the **Ombudsman** (0800 802 602).

### Complaints register

Twizel Area School keeps a complaints register to record formal complaints and to audit our policies and procedures. This includes recording employment-related matters. Information will be held in accordance with our **privacy policy and guidelines** and the board reviews the register regularly. Generally, only formal complaints or complaints that come to the attention of the principal or board will be recorded in the register. Concerns resolved informally may not be recorded.

### Unreasonable complaints

Twizel Area 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 complainant:

- 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**.







### Related topics

- **Student Safety and Welfare** ✓
- **Community Conduct Expectations** ✓
- **Harassment** ✓
- **Privacy** ✓
- **Prevention of Bribery, Corruption, Fraud, and Theft** ✓
- **Protected Disclosure** ✓
- **Official Information Requests** ✓

### Legislation

- Employment Relations Act 2000
- Protected Disclosures Act 2000
- Education and Training Act 2020
- Privacy Act 2020
- Public Service Act 2020

### Resources

- Ministry of Education: **Dealing with complaints** 
- NZSTA: **Dealing with complaints effectively** 
- State Services Commission: **Acting in the spirit of service: Speaking up** 
- Ombudsman: **Good complaints handling by school boards of trustees** 
- Education Review Office: **The School Self Audit and Assurance Statement: A New Approach**  (see *Management of Complaints* in the *Health, safety and welfare checklist*)
- Ombudsman: **Managing unreasonable complainant conduct** 

SchoolDocs appreciates the guidance of James Cowan and Fiona McMillan from Anderson Lloyd who have reviewed the changes we made to the Concerns and Complaints section as a result of our three-yearly review.

We recommend boards seek legal advice at the earliest stages of any serious complaint to ensure the correct process is followed.

### Release history: Term 1 2022, Term 1 2019

#### IN THIS SECTION

**Raising Concerns**

**Making a Formal Complaint or Serious Allegation**

**Investigating a Formal Complaint or Serious Allegation**

**Student Concerns and Complaints**

*Last scheduled review* Term 3 2021

*Last internal review* Term 3 2021

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