



Complaints Procedure

Enquiries to:	Centre Manager, Chairperson
Applies to:	All Teachers and parents, whanau, caregivers, emergency contacts
Date Developed:	May 2021
Review Date:	April 2024
Date Approved:	
Next Review Date:	May 2026

References; MOE ECE Regulations 2008, Licensing Criteria, Child protection, health and safety

COMPLAINTS AND NON-COMPLIANCE POLICY TO COVER PARENTS, STAFF AND CHILDREN:

Rationale

- To ensure that all complaints follow a clear procedure and that communication channels within the Centre are as open and clear as possible in the circumstances.

Aims

- Every issue, no matter how small, is taken seriously and will be taken to its logical conclusion.
- The Board of Trustees and teachers recognise that they are partners with Parents / whanau in the early childhood education of their children and share in decisions about their children's care and education.
- That Parents can inform the Teaching Council, or the MOE if they suspect a Certificated Teacher is an abuser, or any staff member who deals with children, as in the Children's Act 2014. (Oranga Tamariki).
- Or a parent is an abuser of drugs, alcohol or suspected of sexual abuse.

Procedure

- Larger concerns must follow the appropriate complaints procedure set out below.

COMPLAINTS BY STAFF AGAINST PARENTS:

- Staff member approaches the Head Teacher/ Manager to discuss the issue.
- Staff member concerned needs to present a summary of concerns which will pinpoint key issues.
- Staff member, in consultation with and with the support of the Manager or Head Teacher approaches the parent directly (if possible) and attempts to resolve issue directly.
- Then Staff member makes a **written complaint** to the Board of Trustees about the parent.
- The Chairperson and parent and Teacher meet and try and agree on solution.

If no solution:

- Informal mediation set up with staff member, Head Teacher, Parent and Board of Trustees. An outside facilitator, acceptable to all parties, can be used. Parent can bring some support.
- Board of Trustees must consider whether the substance of the complaint is impacting negatively on the staff member's employment and refer to the Performance Management Policy 5.2 Policies and employment policies for assistance in supporting the staff member.
- The Board of Trustees is to make a decision on the outcome of the complaint and the consequences for the parent, if any.
- Minutes of this meeting are to be recorded.

COMPLAINTS BY BOARD OF TRUSTEES AGAINST PARENTS:

- Complaint notified to the parent in writing by the Chairperson of the Board of Trustees or representative.

- A meeting to try and resolve the complaint should be held between the parent, the Chairperson of the Board of Trustees and one other Committee representative.

If no solution:

- Informal mediation set up with staff member, Head Teacher, parent and Board of Trustees. An outside facilitator, acceptable to all parties, can be used. Parent can bring some support.
- The Board of Trustees is to make a decision on the outcome of the complaint and the consequences for the parent, if any.
- Minutes of this meeting are to be recorded.

COMPLAINTS BY PARENTS/WHANAU AGAINST STAFF:

- Parent or whanau member approaches staff member directly (if possible) and attempts to resolve issue directly.

If no solution:

- Parent or whanau member approaches the Head Teacher or Centre Manager (if appropriate), via an arranged appointment if necessary, to discuss issue. Chairperson may also attend the meeting at the request Centre Manager.
- The Parent or whanau member concerned must present a summary of their concerns (preferably in writing), which will pinpoint key issues.
- Discuss and agree on acceptable solution. The Centre Manager must consider whether the complaint requires the disciplinary and investigative procedure under the personnel policies to be followed, in which case that procedure shall be followed instead.

If still no solution:

- Parent or whanau member to make a written complaint to the Board of Trustees.
- Informal mediation set up with staff member, parent and Board of Trustees. An outside facilitator, acceptable to all parties, can be used. Staff member can bring some support. The Board of Trustees must consider whether the complaint requires the disciplinary and investigative procedure under Complaints Policy and the personnel policies to be followed (refer back to employment contracts and related policies), in which case that procedure shall be followed instead.
- Minutes of any meeting or mediation to be recorded.
- Board of Trustees is to make a decision on the outcome of the complaint and the consequences for the staff member, if any (bearing in mind that further processes may be required under the employment contract if the matter constitutes a disciplinary issue)
- If complaints are grave, such as neglect / abuse, then the procedures under the Prevention of Child Abuse policy procedure is to be followed, as well as having Regard to disciplinary and investigative procedures under the employment contract and Personnel policies 5.2, 5.5.and 5.8
- If the complaint is abuse the Teaching Council & MOE will be informed.

COMPLAINTS BY PARENTS/STAFF AGAINST MANAGEMENT:

- Complaint made to the Chairperson or a Board of Trustees member and matter sorted informally.

If serious complaint or no solution:

- Complaint made in writing to Chairperson of the Board of Trustees (staff complaints through Staff Liaison Officer).
- Complaint taken to Board of Trustees meeting and discussed in a preliminary way in the absence of complainant. Meeting set up between complainant, Chairperson and appropriate Board of Trustees member to try and resolve the matter through discussion.
- If the complaint is abuse the Teaching Council & MOE will be informed.

If no solution:

- Complaint taken to a specially advertised Board of Trustees meeting.
- Board of Trustees must consider whether the substance of the complaint is impacting negatively on the staff member's employment and refer to the Personnel Policies and employment policies for assistance in supporting the staff member.
- An outside facilitator/mediator acceptable to all the parties should be used support persons can be present for affected complainants or committee members.
- Solution to be mediated, with facilitator/mediator to strive to reach agreement between the parties.

COMPLAINTS BY STAFF AGAINST OTHER STAFF:

- Complainant to approach staff member directly and attempt to resolve issue informally.

If no solution:

- Staff member to approach the head teacher to discuss issue if appropriate or If the Head teacher is the subject of the complaint to the Centre manger).
- Manager or Head Teacher or Chairperson to arrange informal meeting with both parties to help resolve issue through discussion.

If no solution:

- Chairperson to approach Board of Trustees, to set up informal mediation with staff members involved. An outside facilitator, acceptable to all parties can be used if requested by one of the parties.
- Board of Trustees must consider whether the substance of the complaint is impacting negatively on the complainant's employment and refer to the Personnel Policies and employment policies for assistance in supporting the staff member.
- If the complaint is abuse the Teaching Council & MOE will be informed.
- Board of Trustees must also consider whether the alleged actions of the staff member complained about require it to follow the disciplinary and investigative procedures set out in the personnel policies and employment contract.
- The Board of Trustees is to make a decision on the outcome of the complaint and the consequences for the staff member, if any.
- Minutes of this meeting are to be recorded.

COMPLAINTS AGAINST NON-COMPLIANCE OF LICENSE:

- Parents (or anyone else) wishing to complain about non-compliance of the License will in the first instance approach one of the Board of Trustees of the Centre verbally with concerns. All concerns should refer to Policy 2.4 Non-Compliance Complaints for more direction
- If the matter is not resolved complainants should re-present their complaint in written form to the Chairperson.
- If the matter is still not resolved it is recommended that the complainant approaches the local office of the Ministry of Education for advice.

Ministry of Education
 Level 3
 19 Market Grove
 PO Box 30 177
 Lower Hutt
 Ph number (04) 463 8699

Board of Trustees consulted	Yes/No	Kaiako consulted	Yes/No
Parents consulted	Yes/No		
Approved by: _____	Designation: _____	Review Date: _____	