

John Paul College Policy

COMPLAINTS CONCERNING STAFF**RATIONALE:**

Parents/caregivers, students, members of staff whether they be peers, subordinates or managers have the right to a process for dealing with a concern or complaint about any aspect of the school educative and pastoral care environment. Such concerns or complaints may be about the job performance or behaviour of a staff member or student or some aspect relating to the administration of the school. Such complaints must be dealt with in a fair consistent manner and have due consideration to the principles of natural justice. The procedures are to apply irrespective of the source of the complaint and can be divided into three sections:

- **Level 1** – Initial Concerns/complaints
- **Level 2** – Formal Complaints on Competency, Conduct and Discipline
- **Level 3** – Staff Competency, Conduct and Discipline Procedures Policy.

PURPOSE:

1. To provide process and procedure for expressing a concern or complaint.
2. To resolve complaints collaboratively, quickly and where practicable at an early stage as close to the source of concern as possible.
3. To ensure that complaints are properly investigated, all parties are heard and decisions made only on the basis of sound evidence and proper investigation.
4. To ensure that complaint procedures are fair and consistent.
5. To ensure that appropriate sections of relevant awards/ contracts and legislation are followed.
6. To empower parents, staff and students by treating grievances seriously and professionally.
7. To be discreet and protect complainants, those that have been complained of and the decision makers.

GUIDELINES:

1. Concerns or complaints, unless deemed to be of a serious nature, are to be resolved as close to the source as possible. See procedures for Level1 – Preliminary Concerns/complaints.

2. Where it is not possible to resolve the issue/concern through discussion with the appropriate responsible authority or the issue is on-going or re-occurring the nature of the complaint is to be put in writing to the Principal and signed by the complainant.
3. Any complaint received by the Board of Trustees will be directed to the Principal, unless the complaint is about the Principal.
4. The principal will follow the procedures as defined in Level 2 – Formal Complaints and Disciplinary Procedures.
5. If the concern/issue/complaint remains unresolved and where the Principal and the Board of Trustees believes that there are serious concerns about a teacher's competence or that there may be a serious breach of conduct it will follow the procedures outlined in section 3.3 'Teacher Competence' and 3.4 'Teacher Conduct and Discipline', of the Secondary Teachers' Collective Employment Contract in conjunction with the John Paul College policy on Formal Complaints and Disciplinary Procedures.
6. The Principal (or his/her nominee where there is a conflict of interest) will be responsible for documenting complaints. The Principal will be responsible for keeping documentation secure in accordance with the provisions of the Privacy Act 1993.
7. Should the Board of Trustees uphold a complaint against a member of staff, any penalty imposed by the Board will be appropriate to the level of the offence. It will carefully consider all mitigating and aggravating features.
8. Where there is an alleged breach of conduct and the initial investigation (section 3.4.3.) find no grounds for the complaint, no documentation related to the complaint will be held on the employee's file, unless the employee requests it be recorded in writing.
9. Any member of the teaching staff may request to view their personal files kept by the Principal/BOT. If the employee disagrees with any information regarding complaints they can request an amendment be made or attach their own written version of the incident.
10. Documentation relating to specific complaints shall not be kept on the employee's file for longer than is required for the purposes for which the information may be lawfully used.

*Ratified by the BOT*_____ *Signed BOT Chair*

_____ *Date*

Next Review _____ *Signed BOT Chair*

_____ *Date 2019*