



Concerns and Complaints Policy

Kaurilands School has a responsibility to provide a safe environment for students, staff, and the school community under the Education and Training Act 2020 and Health and Safety at Work Act 2015. Concerns or complaints can be about an employee of the school, a board member, a parent or caregiver, a student, or any other person or matter within the responsibility of the school. Concerns or complaints can be raised by staff members, parents, caregivers, students, the wider school community, and members of the public. See our procedures:

- [Raising Concerns and Complaints](#)
- [Assessing and Responding to Concerns and Complaints](#).

We meet our legal and ethical obligations when responding to concerns and complaints, including meeting the principles of **natural justice** and protecting the safety and wellbeing of all involved. We:

- promote a school culture where it is safe to raise concerns
- treat people fairly and seek to protect their mana and dignity
- ensure that those involved have the opportunity to be heard
- ensure that decision-makers are unbiased and outcomes are not predetermined
- include cultural considerations as part of our decision-making
- maintain privacy and confidentiality
- take steps to resolve the matter
- implement measures to prevent further concerns or complaints of the same nature
- keep good documentation.

Privacy and communication

At Kaurilands School, we expect all parties involved to respect **privacy and confidentiality**. This includes not publicly sharing information about the matter (e.g. on social media). See [Privacy](#).

We follow our privacy policies at all times when responding to concerns and complaints. This includes:

- limiting access to information about concerns and complaints to those who need to know
- maintaining confidentiality to help prevent **victimisation**
- informing all participants in advance if a school meeting or phone call is to be recorded, and telling everyone how the recording will be used.

Subject to privacy, confidentiality, and any other ethical and legal requirements, we keep people involved informed about our concerns and complaints procedures, including expected time

frames and confirmation of when the matter is closed. We inform the person who raised the matter of any actions we take, as appropriate, while protecting the privacy of all involved. It is likely that we will inform any person complained about at an early stage to ensure fairness and meet the requirements of natural justice. It may not be possible or appropriate for the school to advise the person who raised a concern or complaint of a final outcome.

We expect everyone involved to allow the school to follow our procedure and not communicate with each other until next steps are agreed and/or notified. This applies at all times, both in and out of school. If the matter is serious or sensitive, it may also be appropriate for the school to limit communication about the matter.

Unreasonable concerns and complaints

Kaurilands School considers all reasonable and legitimate concerns and complaints in good faith. However, we may determine that a concern or complaint is **unreasonable** and it is not appropriate for the school to take action. If required, the school may take legal advice or involve an external agency or mediator to help resolve the matter.

Record-keeping

Kaurilands School keeps a register of concerns and complaints. This includes recording employment-related matters. Generally, only concerns and complaints that come to the attention of the principal or board are recorded in the register. The board regularly reviews the register to analyse any patterns or identify measures that could be taken to ensure the school is a safe environment.

We ensure details about concerns and complaints recorded in the register (including any investigation, resolutions, and resulting actions) are stored securely and confidentially. We acknowledge that individuals involved may wish to access this information. See **Personal Information**.

Information is held securely for the appropriate length of time in accordance with our records retention policies. See **School Records Retention and Disposal**.

Raising Concerns and Complaints

At Kaurilands School, anyone who wants to bring a matter to the attention of the school should follow this procedure for raising concerns and complaints.

Concerns or complaints should be raised with the school in the first instance. Anyone with a concern or complaint may seek advice or support.

- Complaints to the Ministry of Education will usually be directed back to the school as the Ministry upholds our ability to self-govern and follow our own policies and procedures for managing concerns and complaints.
- Complaints about the conduct or competence of a teacher should be made directly to the school. A complaint may only be made directly to the Teaching Council if it meets set criteria.
- If a member of the school community has a concern or complaint about a student who is not their child, they should not contact that student or their parents/caregivers directly.

- Serious concerns may be raised directly with external agencies (e.g. New Zealand Police, Oranga Tamariki).
- We encourage staff to raise employment-related concerns with management in the first instance. Staff can also consider whether they have grounds to raise a personal grievance. See **Personal Grievance**.
- If a person has concerns about certain types of serious wrongdoing and fits the definition of a **disclosure** they may choose to instead make a protected disclosure. See **Making and Receiving a Protected Disclosure**.

We expect all parties involved to respect **privacy and confidentiality**. This includes not publicly sharing information about the matter (e.g. on social media).

Contacting an appropriate person

Anyone who has a concern or complaint should raise it as soon as possible with an appropriate person at the school. This can be done verbally or in writing and, in the first instance, this is usually with a staff member directly involved. If this is not appropriate or there is no staff member directly involved, concerns may be raised with another relevant staff member (e.g. a staff member in charge of a programme, a member of the management team, the principal). The person who receives the concern or complaint may refer the matter to a more appropriate person if needed, or involve another person, including the principal.

Contacting the principal or board

If a person feels their concern or complaint hasn't been resolved by speaking directly with a staff member involved, doesn't feel comfortable speaking with that person, or has serious concerns, they may contact:

- the principal – if the concern or complaint is about a staff member, student, parent or caregiver, or other member of the school community
- the board chair – if the concern or complaint is about the conduct or competence of a teacher and is serious in nature, is about the principal, or has not been resolved by discussion with the principal
- a member of the board – if the concern or complaint is about the board chair.

Concerns and complaints can be raised verbally or in writing. If the concern or complaint is not made in writing, the person who receives the information may make a written record, or request that the matter be put in writing. Information provided should be as complete as possible, including the names of people involved and dates of events, if appropriate, and any steps taken to resolve the matter. Contact details should also be provided. Anyone who doesn't want to disclose their identity should indicate this and explain their reasoning but should be aware that it may not be possible to effectively investigate or respond to **anonymous** concerns or complaints.

School assessment and response

Where appropriate, we aim to resolve concerns and complaints through fair and unbiased discussion. If a concern or complaint is raised verbally, we may be able to resolve the matter at the time through informal discussion. If we receive a concern or complaint in writing, we discuss it with the person who raised the matter as soon as possible. We may determine that further investigation or actions are required. See **Assessing and Responding to Concerns and Complaints**.

After assessing and responding to the matter, we consider the concern or complaint closed. The school implements any agreed follow-up actions or monitoring processes. If a person is not satisfied with the outcome of their concern or complaint, they may seek advice and may wish to consider contacting an external agency (e.g. the Ministry of Education, Teaching Council, Privacy Commissioner, Ombudsman, or Human Rights Commission).

Assessing and Responding to Concerns and Complaints

At Kaurilands School, we act to understand and resolve concerns and complaints in a timely manner. We use the procedure below to assess matters brought to our attention and decide what response is appropriate according to the nature and seriousness of the concern or complaint, and who is involved. Where there are instances of serious concerns such as serious physical violence, or sexual violence, we may need to involve external agencies such as the Ministry of Education, New Zealand Police, or Oranga Tamariki, as appropriate. Decision-making by the school is in accordance with all legislation, regulations, relevant employment agreements, and school policies.

Where appropriate, we aim to resolve concerns and complaints through fair and unbiased discussion. If a concern or complaint is raised verbally, we may be able to resolve the matter at the time through informal discussion. If we receive a concern or complaint in writing, we discuss it with the person who raised the matter as soon as possible. We may determine that further investigation or actions are required. If so, we determine who will be responsible for assessing and responding to the matter. Our actions depend on the nature of the concern or complaint, and who is involved. We also take cultural considerations into account.

To determine our next steps, we may:

- decide how to manage any conflicts of interest
- determine who will assess the matter and who the decision maker will be
- determine the level of board involvement depending on existing delegations and the nature of the complaint
- seek more information from the person who raised the concern or complaint
- seek information from others, including a person who is the subject of a concern or complaint
- consult an independent third party (e.g. legal advisors, insurance provider, Te Whakarōputanga (NZSTA), WorkSafe, Employment Mediation Services, Oranga Tamariki, New Zealand Police)
- consider other **school policies** as needed.

If the matter is potentially sensitive or more serious, including possibly leading to a formal investigation and/or disciplinary action against a staff member, it may be referred to the board for consideration in-committee. In such situations, the board may resolve to delegate a decision about the outcome of the matter to the principal, a board member, or board committee.

After following the steps above, we may decide to take no further action. If so, we communicate this to the person who raised the matter and explain our reasoning, as appropriate. If further action is required, we manage the matter as outlined below, according to who is involved.

Matters involving students

To resolve a concern or complaint involving students, we may:

- meet with students to discuss the concern
- mediate between students
- contact and meet with parents/guardians and caregivers as necessary
- follow our policy for **Behaviour Management**
- manage the concern through other appropriate policies, such as:
 - **Child Protection**
 - **Responding to Student Wellbeing Concerns**
 - **Responding to Student Bullying and Harassment**
 - **Responding to Sexual Behaviour Concerns and Incidents**
 - **Student Breaches of the Alcohol, Drugs, and Other Harmful Substances Policy**
- decide to take no further action.

If it is necessary and there are reasonable grounds, we follow our policy for **Stand-down, Suspension, and Exclusion**.

Matters involving staff

We observe relevant employment agreement provisions for dealing with concerns or complaints about staff members, including protecting their dignity and mana, advising them of their right to seek support and representation, advising them in writing of the specific matter(s) causing concern, and giving them a reasonable opportunity to provide an explanation.

If our initial assessment of a concern or complaint involving a staff member determines that a formal investigation is necessary, we may seek and follow advice from legal advisors and/or Te Whakarōputanga (NZSTA) and investigate the matter in accordance with New Zealand employment law guidelines – for example, see **Investigations** (Employment New Zealand).

To resolve a concern or complaint involving staff, we may:

- organise an informal meeting
- arrange meetings between parties to seek to resolve the matter
- arrange facilitated meetings or mediation (this may be facilitated by a third party)
- initiate a formal employment process and/or an appropriate level of investigation for a potential disciplinary or competency-based process
- take another action that is appropriate in the circumstances
- manage the concern through other appropriate policies, such as:
 - **Performance Management**
 - **Staff Breaches of the Alcohol, Drugs, and Other Harmful Substances Policy**
- decide to take no further action.

We comply with any reporting requirements, including mandatory Teaching Council reporting.

Matters involving board members

Board members are required to comply with mandatory **code of conduct** requirements.

To resolve a concern or complaint involving board members, the person managing the concern or complaint may:

- discuss the concern with the board member
- reinforce mandatory code of conduct requirements
- decide not to take any further action.

If there are significant or persistent breaches of the code, the board may apply sanctions, including censuring a board member or requesting that the Minister of Education remove them from the board. See **Sanctions for failure to comply with the code of conduct** (Ministry of Education).

These sanctions don't apply to the principal. Matters involving the principal are managed through our procedures for matters involving staff.

Matters involving other members of the school community

Members of our school community are expected to comply with our conduct expectations. See **Community Conduct Expectations**.

To resolve a concern or complaint involving members of the school community, we may:

- meet with the person who raised the concern or complaint
- arrange a meeting or mediation (this may be facilitated by a third party)
- notify the person who is the subject of the concern or complaint of any required resolution, and the possible outcomes of not meeting these requirements
- revoke a person's permission to be on school grounds (i.e. trespass them)
- seek a restraining order
- decide not to take any further action.

In some instances, it may be appropriate to refer behaviour to a third party for resolution (e.g. if unacceptable behaviour occurs at a sports event or sports venue, then it may be appropriate to involve the governing body of that sport, event, or venue).

Other matters

To resolve matters that do not fit into the above categories (e.g. a concern about our school procedures or someone who is not part of our school community), we may:

- meet with the person who raised the concern or complaint
- notify the person/organisation that is the subject of a concern or complaint (e.g. another school, a contractor or external provider)
- investigate the matter
- take any other appropriate action relevant to the circumstances, at the sole discretion of the school.