



WAIMEA COLLEGE

Policies and Procedures

Policy:	NAG 3 - Staff Conduct Complaints and Discipline
Date Approved:	December 2020
Review Date:	2023

Rationale

The individual concerns of all staff and students need to be recognised and the wider interests of both the school and community protected and enhanced. All complainants and staff have a right to fair, non-threatening treatment. The school environment should be such that parents/caregivers, staff and students feel able to come forward with concerns and know all matters will be dealt with fairly and in confidence if requested.

[Concerns related to students, either by staff or other students are dealt with in the school's Discipline and Guidance procedures.]

Purpose

- 1 To ensure the safety of the complainant and that the rights and dignity of employees are given full consideration.
- 2 To ensure that in the case of a complaint against an employee, action is guided by the relevant employment contract and principles of natural justice.
- 3 To ensure that appropriate communication and consultation takes place, wherever possible, with complainants and employees.
- 4 To provide clear guidance to the Senior Leadership Team in respect of any allegations received and how to deal with these in fair and appropriate ways.

Guidelines

- 1 Complaints will be referred in the first instance to the appropriate area of management e.g, complaints about the Principal would be referred to the Board of Trustees; Senior Leadership to the Principal; curriculum/teaching to HODs, Support Staff to the Resource Manager.
- 2 All complaints will be taken seriously. Formal complaints against staff should identify both parties and relate to serious specific issues.
- 3 Where appropriate there will be early consultation with all parties concerned.
- 4 Guidance and support will be available to staff and students when necessary.
- 5 If a complaint is to become the subject of formal disciplinary investigation, then this shall be conducted in accordance with relevant employment contract provisions and follow the principles of natural justice.
- 6 Complainants and employees will be kept informed of the outcome of any investigation.
- 7 Police and other outside agencies should only be involved after consultation with parents/caregivers.

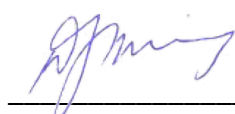
Procedural guidelines in serious allegations against staff

(e.g. Physical Assault, Sexual Allegations)

- 1 The Senior Leadership Team is to be notified immediately, preferably in writing.
- 2 Records will be kept of any comments, complaints or allegations by the complainant and any follow-up action taken.
- 3 The person against whom the complaint is made is notified of the allegation and:
 - a. In most cases should be notified of the identity of the complainant. In exceptional circumstances, the complainant's identity may be withheld.
 - b. Should be advised of their right to seek support/advice from a representative organisation such as the PPTA, NZEI or independent legal advice.
- 4 Wherever practicable the initial investigation is to be carried out by a Deputy Principal (being separate from the Principal to provide separation of duties and independence).
- 5 The employee be asked to provide a response to the complaint and the Principal will decide whether to recommend that the Board consider initiating a formal disciplinary investigation.
- 6 The Board Chairperson is notified and the decision to investigate a complaint against an employee of the school should be made in consultation with the Board of Trustees.
- 7 In cases of sexual or criminal allegations, NZ Police and Oranga Tamariki Ministry will only be informed after consultation with the complainant or parent/caregivers of the complainant.
- 8 The Board may establish a disciplinary committee to carry out the investigation.
- 9 Ongoing guidance and support will be available to parties concerned.
- 10 When it has been determined that a disciplinary investigation is appropriate the Board/disciplinary committee will:
 - a. Carry out the investigation
 - b. Reach a decision and decide appropriate action.
- 11 All parties will be notified of the action taken were appropriate.
- 12 The Board will comply with the relevant collective agreement or individual employment agreement and with the principles of natural justice.
- 13 Wherever these guidelines are inconsistent with the provisions of the appropriate employment agreement, the provisions of the agreement will prevail.

Date Adopted: 3 December 2020

Chairperson:



Waimea College Board of Trustees