



# NAYLAND COLLEGE PROCEDURE: COMPLAINTS

Policy Reference: EMPLOYER RESPONSIBILITIES NAG 3 / S.D. 17  
ADMINISTRATION NAG 6 / S.D. 9

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## **RATIONALE**

Agreed procedures must be followed and the importance of confidentiality stressed.

The Board will not call public meetings to deal with any complaint involving an employee, nor will Board members speak to any public meeting where this could jeopardise the process of dealing with a complaint.

## **GUIDELINES**

1. Concerns and Complaints may come to staff, Principal or Board Members verbally or in writing.
2. Staff may refer complaints made directly to them, to their Dean, Senior Management or Principal for assistance in having these resolved.
3. Initially all complaints (apart from 2. Above) are dealt with by the Principal, or the Principal's nominee.
  - If the complaint is against the Principal then the Board Chair (or nominee) will perform the Principal's role.
  - In the first instance the Principal will (where appropriate) discuss concerns and complaints about a staff member privately with the staff member concerned.
4. If serious - or unresolved - then the Board Chair is notified
  - in writing (by any party involved), signed - and acknowledged in writing within 7 days
  - the staff member is informed of the concern.
5. The Principal and/or Board Chair then determine the most appropriate course of action and advise those concerned within 14 days.
6. A preliminary investigation may be instigated. This will be carried out by a Board Preliminary Investigation Committee
  - procedures in the Relevant Employment Contract (Section 2.4) are then enacted
  - this committee may consist of one Board member - or two Board members and a representative of the Union
  - it is important that other Board members remain unprejudiced by either formal or informal involvement
7. The staff member must be informed of, and have an opportunity to respond to, the complaint.
8. The Preliminary Investigation Committee receives input from all parties involved, and all relevant information is considered.
  - A concern or complaint may, after considering the person's response and after investigation as appropriate:
    - lack substance and therefore require no further action

- be vague and indeterminable and therefore require no further action
  - have substance which requires action but not necessarily involving the procedures of the Collective Employment Contract because the complaint is not serious enough to warrant that action
  - have substance which necessitates action under the collective Employment Contract in which case the Contract provisions will be invoked whenever necessary
9. A statement as to whether or not there is sufficient evidence to require formal investigation of the complaint is passed on the Board WITHOUT the details or evidence gathered.
10. After considering the recommendation from the Preliminary Investigation, the Board will decide whether or not to proceed with a Formal Investigation.
- When the complaint has been dealt with the Board will invite the parent/caregiver to meet with the Preliminary Investigation Committee so that the parent/caregiver can be informed of the results of the investigation and of the action taken. It would be expected that this would occur within 28 days of the initial complaint being received.

If a Board decides to initiate formal disciplinary procedures, it must then follow the processes clearly stipulated in the Employment Contracts.