

# Concerns and Complaints Policy/Kaupapahere me te Pānui mō ngā Āwangawanga me ngā Nawe

Version 2

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Document Approver: Chief Executive

Document Owner: People & Culture

## Applies To | Ko Wai Whakahāngaitia

All staff, Board Members and Community.

## General Principles | Mātāpono Whānui

The Governing Board is committed to concerns and complaints being managed sensitively, efficiently and with fairness at the appropriate level and resolved as soon as possible.

- To ensure consistency when dealing with complaints.
- To deal with complaints in line with set procedures.
- To put in place corrective or disciplinary action as required, while maintaining the dignity of those involved.

## Related Procedures or Processes and Documents | Pākanga Tukanga me Pukapuka

N/A.

## References | Tohutoro / Huānga ki

Education (Early Childhood Education) Regulations 2008.

Licensing Criteria for Early Childhood Education and Care Services 2008: GMA7.

KTCA Part 6, Complaints, Competency and Discipline.

Kindergarten Taranaki Conduct and Disciplinary Policy.

Kindergarten Taranaki Professional Standards Policy.

## Display Document | Whakamātakitaki Pukapuka – Yes

## Practice Statement | Whakaharatau Tauākī – Required - No

## Policy Review Cycle | Kaupapa Arotake Hurihangā

This policy will be reviewed every three years and in conjunction with reviews of the related procedures or processes and documents outlined above.

## Definitions | Tautuhi

Concern	What might be considered to be a less serious or minor problem. It is a situation that would be best fixed by direct contact and informal consultation with the people involved.
Complaint	What might be considered to be a more serious and significant problem. This may be a situation that is more significant and requires a more formal process for resolution. It may be something considered to be a breach against a professional standard or code of ethics. It may be a concern that has not been dealt with to the satisfaction of the person raising the concern.

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## Harassment

Physical, verbal, written or visual behaviours that relate to things such as race, ethnic or national origin, gender, age, disability, marital or family status, religious or ethical belief, political opinion, sexual orientation, physical appearance or membership/non-membership of any organisation and it is unwelcome or offensive to the recipient.

## Policy

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- The Governing Board is committed to mediation as a means of resolving complaints.
- The Board will ensure that complaints are dealt with at the appropriate level.
- All unresolved or major disputes are to be resolved under New Zealand law and according to the relevant employment agreements.
- In all cases Kindergarten Taranaki, in dealing with complaints, will act as a good employer.
- Where required, outside mediation or legal advice will be sought.

## Guidelines

1. Kindergarten Taranaki will make a genuine effort to resolve all concerns and complaints.
2. Anyone with a concern is encouraged to discuss the matter directly with the person involved as soon as possible, to prevent issues escalating.
3. Concerns will be dealt with by Kindergarten Taranaki using the concerns procedures set out in the Concerns and Complaints Process.
4. If the concern is not resolved through this process, a formal complaint may be made. This should be made in writing to either the Chief Executive or the Chair of the Governing Board. The complaints procedures set out in the Concerns and Complaints Process will be followed once a complaint has been received. It is helpful for the complaint to include as many details as possible, including details of efforts to resolve the issue.
5. Depending on the nature of the complaint, the matter may be referred to the Governing Board for consideration and action.
6. Any complaint will be treated in confidence, however, any person included in a complaint must be informed of the details of the complaint and be given an opportunity to address the complaint.
7. If a complainant is not satisfied with the outcome, they may appeal to the Governing Board, or the Ministry of Education.

## Procedure

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This process outlines how concerns and complaints can be raised and dealt with expediently and fairly. The Kindergarten Taranaki Concerns and Complaints poster is to be displayed in a prominent place on the Kindergarten Noticeboard.

All concerns or complaints raised will be treated sensitively and with fairness to all concerned and the principles of natural justice will be applied. A concern or complaint constitutes an allegation only, until it is fully investigated.

# Concerns and Complaints Policy/Kaupapahere me te Pānui mō ngā Āwangawanga me ngā Nawe

## Concerns

1. In the first instance the person with the concern should make every effort to resolve it with the other person(s) or between the people in dispute. The use of a support person may be appropriate when approaching or meeting with the other person.
2. If the above course of action is not appropriate the following guidelines are to be followed:

- 2.1 Concerns about Teachers, Kindergarten Administrators, and other Kindergarten support staff should be referred to the Head Teacher.

Where concerns impact on the ability of a kindergarten team to provide a professional service Head Teachers are required to take steps to remedy the situation as part of their leadership role using Appendix 1 - Concerns and Complaints Process and the Professional Guidance Form.

Serious or dangerous issues that may be a breach of ECE Regulations, professional standards or the Practising Teacher Criteria or concerns that could be seen as incompetence, misconduct or serious misconduct must be communicated the Senior Teacher or Chief Executive immediately.

- 2.2 Concerns about Head Teachers and Association staff should be referred to the Chief Executive.
- 2.3 Concerns about the Chief Executive or a Governing Board member should be referred to the Chairperson of the Board, except where the complaint concerns the Chairperson in which case it shall be addressed to the Deputy Chairperson.

## Complaints

Complaints should preferably be made in writing to either the Chief Executive or the Chairperson of the Governing Board. The person making the complaint should explain specifically what it is about, what has been done to get it resolved to date and what they would like done to resolve the situation.

1. The Chief Executive or Chairperson of the Governing Board will exercise discretion in investigating the complaint raised in consultation with the People and Culture Team Leader to:
  - 1.1. Deal with the matter informally as they see fit in the circumstances.
  - 1.2. Commence a formal investigation.
2. Outcomes from the investigation may result in the following:
  - 2.1. Team building, professional development, counselling or any other strategies as agreed.
  - 2.2. Instigation of an advice and guidance programme.
  - 2.3. Initiation of an appropriate competency or disciplinary process.

If incompetence, misconduct or serious misconduct is an alleged outcome as a result of the process above then the appropriate competency or disciplinary process will be initiated.

## Appendix 1 - Concerns and Complaints Process

This process is used by Head Teachers to deal with concerns/issues that impact on a team's ability to provide a professional service.

Serious or dangerous issues that may be a breach of regulations, professional standards or the Practicing Teacher Criteria that could be seen as incompetence, misconduct or serious misconduct must be communicated to the Senior Teacher, People and Culture Leader, or Chief Executive immediately.

### Head Teacher Flow chart

Step 1	A concern/issue regarding a Teacher, Kindergarten Administrator (KA) or other Kindergarten support staff is identified and comes to the attention of the Head Teacher.
Step 2	Head Teacher reviews the concern /issue in accordance with relevant documents including Job Description, Kindergarten Taranaki policies, procedures, appraisals, ECE Regulations, staff group contract. If still uncertain, they ask their Senior Teacher for guidance.
Step 3	Head Teacher meets with the staff member privately to discuss the concern/issue and requirements. They may use verbal, written and/or role modeling methods to ensure the staff member understands the issue and action(s) required to address it within an appropriate time frame. The Head Teacher will provide professional guidance as appropriate. Keep minutes of this meeting for both parties.
Step 4	In accordance with the appropriate time frame the Head Teacher meets with the staff member to give specific feedback. If there is no change in the concern / issue, the Head Teacher reiterates the issue(s) and required actions verbally and in writing on the Professional Guidance Form. A copy of the Professional Guidance Form will be given to the staff member and a copy sent to the Senior Teacher (for teachers and other support staff) or People and Culture Team Leader (for KA).
Step 5	If the concern / issue remain, the staff member is required to meet with the Head Teacher and Senior Teacher and People and Culture Team Leader. A formal Advice and Guidance Programme will be initiated and agreed with the staff member. The programme will include; <ul style="list-style-type: none"> <li>• Specific matter(s) of concern</li> <li>• The corrective actions(s) required to address these matter(s)</li> <li>• Appropriate support and guidance as necessary</li> <li>• The timeframe within which this action(s) must be undertaken</li> <li>• An indicator of what will happen if the expectations are not met</li> </ul>
Step 6	Action Plan progress shall be evaluated in writing by the Head Teacher, Senior Teacher, or People and Culture Team Leader, (whoever is appropriate in the circumstances) in accordance with stipulated time frame. A copy will be given to the staff member for comment and forwarded to the Senior Teacher and People and Culture Team Leader.
Step 7	If the Advice and Guidance Programme does not resolve the concern/issue, the matter is passed to the Chief Executive at this point, reference will be made to the Conduct and Disciplinary Policy.

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## Forms

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1. Professional Guidance Form.



## Concerns and Complaints

# Help us improve our service to you!

- \* Kindergarten Taranaki seeks to provide a learning environment of mutual respect and courtesy. We encourage you to raise with our teachers any matters that concern you about our services.
- \* It is important that any concerns or complaints are resolved so that you and your child can continue to experience a positive and happy time with us.
- \* Kindergarten Taranaki has a process for raising Concerns and Complaints. Please use this process to address any issues you may have.

- \* Your concerns will be acknowledged
- \* You will be given an estimated time for resolution
- \* You will be treated with confidentiality, courtesy and respect
- \* Your concerns will be considered fairly
- \* You have the right to refer to the Chief Executive



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