

## Good complaints handling by school boards

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This guide sets out the key 'need to know' information about good complaints handling by school boards. It also explains the Ombudsman's role in relation to complaints about the administrative conduct of schools.<sup>1</sup>

Further information about managing complaints is available on the Ministry of Education website: [www.minedu.govt.nz](http://www.minedu.govt.nz) and our website [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

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### Why have a complaints handling process?

Complaints might be seen as a nuisance, but there is value in having an effective complaints handling process. Complaint handling can help a school to resolve a problem before it becomes worse, and promote good relations with parents and other community members.

Parents might be feeling angry or frustrated, find it difficult to explain the problem, or just not be comfortable raising their concerns. Having an effective complaints handling process means there is somewhere for parents to go.

Complaints can also be a window into what is going on. Complaints provide information about any problems that might be occurring within the school, and an opportunity to sort out those problems before they escalate and cause widespread concern.

### What should a complaints handling process look like?

Every school should have a formal complaints handling process which parents can access when they have a problem.

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<sup>1</sup> School boards constituted under subpart 5 of Part 3 of the Education and Training Act 2020 are listed in Schedule 1 of the Ombudsmen Act 1975 (the Act), which means they are an 'organisation' for the purposes of the Act, and for the Official Information Act 1982. School boards were formerly known as school boards of trustees, prior to the commencement of the Education and Training Act 2020, on 1 August 2020.

## Design

The design of a school's complaints handling process should:

- have clear procedures for both staff and parents to follow
- be accessible, with advice available to parents about the complaints system and how to access it
- allow for resolution at the lowest level possible, including the ability for the child's teacher to resolve complaints where appropriate
- provide for referral of a complaint to senior staff where necessary, and an ability for a staff member not previously involved in the matter to consider the complaint
- include regular oversight by the school principal and board, with reports provided on complaints received and their outcome, and the information used to improve the services provided by the school generally.

## Progress

When a complaint is received by a school, steps should be taken to make sure it is progressed, such as by:

- acknowledging to the person that the complaint has been received
- deciding who will deal with the complaint, what priority it will be given, and when it should be completed
- if the matter cannot be resolved immediately, determining what action needs to be taken to consider the complaint and who needs to be consulted
- explaining the outcome to the person making the complaint, and providing reasons for any decisions made or remedies offered
- recording the complaint and its outcome, and reporting to the school principal and board as appropriate.

## Fairness

A complaints handling process should allow:

- all complaints to be judged fairly on their merits
- confidentiality to be protected, with the complaint considered in private and information only disclosed if necessary to properly review the matter of concern
- anyone to comment on any proposed finding that is adverse to them before that finding is confirmed.

### Case study – the “Niggles Process”

The following is based on an example of a school's complaints handling process,<sup>2</sup> as explained to parents in the school newsletter

### Niggles Process

As parents we all have times when we need to share our niggles, and it is often best to do so before they escalate into something larger. It is important for the school to know parents' concerns as we value the partnership between home and school.

To help parents know who to talk to about any issues the process is outlined below. There are a number of options available to you.

- If it is in relation to something that is happening in the classroom, the first point of contact must be the classroom teacher.
- If you are not satisfied with the outcome there you should talk to the relevant syndicate leader. They, along with the principal, make up the management team of the school.
- If you are not satisfied with the outcome after talking to the syndicate leader or it is a more generic issue you should talk to the principal.
- If it is a generic issue, or you are still not satisfied after talking to the principal, you should contact the board by sending a letter outlining your concerns for consideration and discussion. Your letter should be addressed to the board, c/o the chairman, labelled 'In Confidence', and either posted or handed to office staff who will pass it on unopened.

It is important to remember that we all have the children's best interests at heart.

### What is the Ombudsman's role?

It can sometimes be useful to have someone independent to step into the middle of a dispute and have a look at a problem. An external review of a complaint can help to either uphold a school's actions as correct or resolve the problem – and allows the person making the complaint to feel they have been heard.

The Ombudsman acts impartially to consider complaints from people who are unhappy with a school's response to their complaint. When we receive a complaint an investigator assisting the Ombudsman may contact the school to make informal enquiries about the complaint. If the Ombudsman decides to

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<sup>2</sup> Example originally sourced from Maungaraki School.

investigate a complaint he or she will write to the chair of the board providing details of the complaint and any response that may be sought. If the matter cannot be resolved, the Ombudsman will form an independent opinion on whether the school has acted reasonably and fairly. Before forming any adverse opinion the Ombudsman will give affected parties an opportunity to comment. Where the Ombudsman finds that a complaint has merit, they can make any recommendations they think fit.