

Part 3 – STAFF

Topic:

3.4 – Managing Complaints

Policy Statement

King's College recognises that it may receive complaints about the actions of staff members. King's College will be responsive to complaints received and complaints will be investigated according to a fair process.

Purpose

To ensure that when a complaint is made:

1. It is treated seriously, discreetly, and parties' rights are respected.
2. The complaint is directed to the appropriate person in the first instance. It is expected that all complaints will be drawn to the attention of either the relevant Head of Department, Housemaster, Deputy Headmaster or Headmaster within a reasonable timeframe, and addressed appropriately.
3. The complaint is properly investigated and decisions made only on the basis of sound information and proper evaluation in a timely manner. Legislation requires that when dealing with a potential disciplinary issue the employer must: act fairly and reasonably by sufficiently investigating allegations against a staff member, raising concerns with the staff member before taking any action, giving the staff member a reasonable opportunity to respond to concerns, and genuinely consider the staff member's explanation before taking action.
4. The College reserves the right to escalate a complaint into a disciplinary process.

Topic:

3.4 – Discipline

Policy Statement

King's College expects all staff members to conduct themselves professionally and in accordance with employment agreements, College policies and generally expected standards within the College. Failure to meet these standards may lead to disciplinary action up to and including dismissal.

Purpose

To establish the procedures to be followed when a staff member is involved in a matter that could amount to misconduct or serious misconduct.

The Disciplinary Procedure comprises the following steps:

Step 1: Preliminary Inquiry

- 1.1 If there is an allegation of misconduct the Headmaster, in consultation with the Human Resources Manager, will examine the allegation to determine if an investigation should be commenced.
- 1.2 The staff member will be given the opportunity to be heard with a support person as part of the preliminary inquiry.

Step 2: Advice to Staff Member Concerned

- 2.1 Where it is determined that an investigation under a disciplinary process is to be undertaken the staff member concerned will be advised of this in writing, setting out the nature of the allegation(s).

Step 3: Suspension

- 3.1 Where the seriousness or nature of the incident requires, the Headmaster may suspend the staff member.
- 3.2 A decision to suspend a staff member should only occur after the possibility of suspension has been raised and discussed with the staff member, and reasons are provided for any potential suspension.

Step 4: Staff member disciplinary interview

- 4.1 The staff member concerned will then be advised in writing of the day and time of a meeting to discuss the matter, the right to be represented and possible disciplinary outcomes as a result of the meeting.
- 4.2 Where possible information obtained from the investigation to this time will be provided to the staff member in advance of the meeting.
- 4.3 When the meeting commences the allegations will be reconfirmed to the staff member, together with information obtained to date.

- 4.4 Where a staff member does not have support or representation, it must be established prior to the commencement of the discipline interview that they have agreed to conduct the meeting unrepresented.
- 4.5 During the disciplinary investigation meeting the staff member will be given the opportunity to provide an explanation and ask any questions.

Step 5: Due Consideration

- 5.1 The meeting will be adjourned to consider the explanation of the staff member.
- 5.2 Further investigations and meetings with the staff member may be conducted, if required.

Step 6: Decision

- 6.1 If the Headmaster determines that the allegation is not substantiated no action will be taken against the staff member who shall resume duties as directed.
- 6.2 If the Headmaster determines that the allegation is substantiated, the Headmaster shall consider what if any disciplinary action may be proposed.

Step 7: Implementation – the investigation outcome


- 7.1 The Headmaster will call a meeting to convey the decision reached on the misconduct allegation and to then convey the proposed outcome to the staff member, who will have an opportunity to comment on the proposed outcome.
- 7.2 The Headmaster will consider any final comments before confirming the decision (and putting that in writing).
- 7.3 Copies of letters and other documents relating to a staff member's investigation will be kept in the employee's Personal File. Where an investigation finds the allegations not substantiated against the staff member, the background documentation will be held for three years and destroyed. The documentation kept will clearly identify the reasons for not finding the allegations substantiated.
- 7.4 The Headmaster will report to the Teaching Council of Aotearoa New Zealand in accordance with legislation.

Approved by the Board, 11 May 2021

Ratified by Headmaster and Board Chair:

Signed 
Simon Lamb

Date: 11 May 2021

Signed 
Simon Power

Date: 11 May 2021