

1600: COMPLAINTS AGAINST STAFF OR VOLUNTEERS (AP)

Approved: 19 11 12
Amended: 21 12 14

POLICY

Persons who have complaints against staff or volunteers are required first to discuss the matter with the person directly concerned before raising the complaint to a higher level of authority/responsibility. At any time in the process, a complainant may request the assistance of a support person or advocate to help both navigate the process and communicate concerns.

A person receiving a complaint should not attempt to obtain a resolution until assurance is provided that the complaint has been considered at earlier steps of the complaint process.

This Administrative Procedure does not apply to

- **Allegations of child abuse, which should be considered under Policy 520 – Child Abuse and/or Neglect**
- **Allegations of employee misconduct, which should be directed to the Principal or Superintendent, or**
- **situations for which union or other formal grievance processes have been developed.**

Regulations

- 1.0 The Board believes that the following process provides a fair and efficient method for resolving complaints:
 - 1.1 Step 1: attempt to resolve the issue at the source by contacting the school district employee that you have a concern with.
 - 1.2 Step 2: involve the school district employee’s immediate supervisor if a resolution is not reached in Step 1.
 - 1.3 Step 3: involve a District Senior Manager if a resolution is not reached in Step 2.
 - 1.4 Step 4: involve the Superintendent of Schools if a resolution is not reached in Step 3.
 - 1.5 Step 5: appeal to the Board of Education if a resolution is not reached in Step 4 (Policy 115: Appeal of a Decision by an Employee).
 - 1.6 Appeal to the Superintendent of Achievement (under section 11. 1 of the *School Act*) if a resolution is not reached in Step 5 and the appeal is on “allowable grounds” as defined in the Appeals Regulation of the *School Act*.

- 2.0 To maintain the integrity of the process, the Superintendent and Board of Education will not become involved in the dispute until Step 4 or Step 5 accordingly.
 - 2.1 Complainants are requested to not copy correspondence to the Superintendent and the Board of Education remains at arms-length to be in a position to review the matter in the event it is appealed to Step 4 or 5.
- 3.0 Members of the general public can be excused for not being aware of this Board Policy and Regulation, and if members of the public approach a trustee or staff member directly it is expected that the trustee or staff member will advise them of the correct procedure and available supports.
- 4.0 All board employees are expected to be aware of this policy and will not approach trustee or Senior Staff directly and will follow the procedures established in this administrative procedure.
- 5.0 The Board of Education published the “Communicating Effectively” protocol document (Appendix 1) to assist in guiding the complaint process. The protocol document can be viewed the district website [here](#).
- 6.0 Anonymous complaints addressed to the Board of Education, Superintendent or Secretary-Treasurer, or brought to the attention of the same, will not be accepted under the scope of this policy.



School District 70 Pacific Rim

COMMUNICATING EFFECTIVELY

Mission

To educate students in safe, inclusive, and engaging learning environments where every student develops the knowledge, skills, and abilities to be a lifelong learner and productive member of our global society.

Vision

To be a professional learning community that celebrates diversity, engages learners, and fosters achievement.

These statements act as a guide for the School District's decisions around learning priorities, practices, policies, and processes. We recognize that from time to time, in working towards a common mission and vision, differences may arise. The following general guidelines assist in effectively identifying, expressing, and resolving potential differences:

- Start with the person whose action has given rise to the concern or problem
- Ensure interactions are respectful, thoughtful, open, and solution-focused
- Respect each person's right to confidentiality
- Give each step in the process a chance to address the issue before proceeding to the next step
- Parent/student advocates are welcome in supporting parents both navigate the process and communicate their concerns. Parents can turn to their PAC, DPAC, or local nation for support and guidance through the complaint process.

Complaint Protocol

The six-step complaint protocol outlined in the following pages is designed to provide a framework for finding solutions for differences that arise from actions or decisions made throughout our School District. The protocol is based on Administrative Procedure 1600: Complaints Against Employees or Volunteers. It is hoped this process leads quickly and effectively to a satisfactory solution. If a student initiates an appeal, an adult may be present at any stage of the process. Throughout the process every effort be made to ensure confidentiality.

The protocol emphasizes resolving differences closest to their source, and it may be that the principal, district manager or superintendent redirects the complainant to an earlier step in the process before getting involved. This is not meant to make the process longer or more onerous but reflects the importance of involving those closest to the source of the problem and who have the greatest impact in finding a timely resolution.

These guidelines are meant to help you. If you need assistance, please contact the office of the Superintendent at 250-720-2770.

Where to start?

Step 1: Individual School District Employees

Attempt to resolve the issue at the source:

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- ❖ Identify the specific problem (list specific examples that illustrate the problem).
- ❖ Make an appointment to see the person with whom you have a concern, one-on-one.
- ❖ Respectfully express your concerns and ensure mutual understanding of the concerns.
- ❖ Explore possible solutions, including an action plan with times, dates, and follow-up.
- ❖ If a resolution cannot be reached, inform the other party, and move to the next step.

Step 2: Immediate Supervisor – Principals and Managers

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- ❖ Make an appointment with the immediate supervisor. **School Principals supervise teachers and school-based support staff while the Manager of Operations supervises custodians, bus drivers, and trades personnel.**
- ❖ Identify the concern and establish what has been done to reach a solution.
- ❖ The supervisor will help explore further options to resolve the concern.
- ❖ Together set up an action plan with time, date, and follow-up.
- ❖ If a resolution cannot be reached, move to the next step.

Step 3: District Senior Management

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- ❖ Contact the office of the Superintendent and identify the concern and what you have done to resolve it. **Depending on the nature of the complaint, it may be referred to the appropriate District Principal, Director of Instruction, or Assistant Superintendent.**
- ❖ A meeting between you and the appropriate District Senior Manager will be made so that you can explain the problem and what you have done to resolve it. The District Senior Manager will work with you to reach a satisfactory solution.
- ❖ Together set up an action plan with times, dates, and follow-up.
- ❖ If no solution can be reached, the next step is to contact the Superintendent.

Step 4: Superintendent of Schools

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- ❖ Contact the Superintendent in writing within 30 days after the decision from Step 3 was made and identify the concern and what you have done.
- ❖ A meeting date with the Superintendent will be set.
- ❖ You will be advised in writing of the Superintendent's decision.
- ❖ Certain decisions of the Superintendent may be appealed (as per Section 11 of the *School Act*) to the Board of Education.

Step 5: The Board of Education

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- ❖ Only those decisions made by the Superintendent that significantly affect the education, health or safety of a student may be appealed to the Board of Education.
- ❖ After being informed of the decision that is being appealed, a completed Notice of Appeal form must be submitted to the Secretary-Treasurer within fifteen (15) school days.
- ❖ Once a meeting date with the Board of Education has been set, you will have an opportunity to explain your position.
- ❖ You will be notified in writing within 45 days of the Board of Education's decision.
- ❖ Certain decisions of the Board of Education may be appealed under Section 11.1 of the *School Act*.

Step 6: Superintendent of Appeals

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- ❖ The *School Act* states that either a student or a parent/guardian of a student can appeal a decision of a Board of Education.
- ❖ Not all decisions made by a Board of Education can be appealed to a Superintendent of Appeals under Section 11.1 of the *School Act*. The decision must have been made by an employee of a Board of Education and significantly affect the education, health or safety of a student and fall within the allowable grounds.
- ❖ Search online for [Practices and Procedures for Appeals](#) to review the allowable grounds, and to obtain a provincial "Notice of Appeal" form.
- ❖ Submit the Notice of Appeal form and a copy of the Board of Education decision, within 30 days after receiving the decision of the Board of Education, to the office of the Registrar, Student Appeals Branch.