

## Part 3 – PEOPLE & CULTURE

Topic:

### 3.4 – Managing Complaints

#### **Policy Statement**

King's College recognises that it may receive complaints about the actions of employees. 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 an employee, raising concerns with the employer before taking any action, giving the employee a reasonable opportunity to respond to concerns, and genuinely consider the employee's explanation before taking action.
4. The College reserves the right to escalate a complaint into a disciplinary process.

Topic:

## 3.4 – Investigation & Discipline

### Policy Statement

King's College expects all employees 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 an employee is involved in a matter that could amount to misconduct or serious misconduct.

The Disciplinary Procedure comprises the following steps:

#### Step 1: Investigation

- 1.1 If there is an allegation of misconduct the Headmaster, in consultation with the People & Culture Director, will examine the allegation to determine if an investigation should be commenced.
- 1.2 The employee will be given the opportunity to be heard with a support person as part of the preliminary inquiry.

#### Step 2: Advise Employees

- 2.1 Where it is determined that an investigation under a disciplinary process is to be undertaken the employee 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 employee.
- 3.2 A decision to suspend an employee should only occur after the possibility of suspension has been raised and discussed with the employee, and reasons are provided for any potential suspension.

#### Step 4: Disciplinary Interview

- 4.1 The employee 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 employee in advance of the meeting.
- 4.3 When the meeting commences the allegations will be reconfirmed to the employee, together with information obtained to date.

Where an employee 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.

- 4.4 During the disciplinary investigation meeting the employee 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 employee.
- 5.2 Further investigations and meetings with the employee may be conducted, if required.

## Step 6: Decision

- 6.1 If the Headmaster determines the allegation is not substantiated no action will be taken against the employee who shall resume duties as directed.

If the Headmaster determines the allegation is substantiated, the Headmaster shall consider what if any disciplinary action may be proposed.

## Step 7: Implementation & Outcome

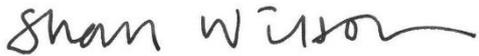
- 7.1 The Headmaster will call a meeting to convey the decision reached on the misconduct allegation and to then convey the proposed outcome to the employee, who will have an opportunity to comment on the proposed outcome.
- 7.2 The Headmaster will consider any final comments before confirming the decision (and putting that in writing).
- 7.3 Copies of letters and other documents relating to an employee's investigation will be kept in the employee's File. Where an investigation finds the allegations not substantiated against the employee, 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, 14 August 2024

Ratified by Headmaster and Board Chair:

Signed   
Simon Lamb

Date: 14 August 2024

Signed   
Shan Wilson

Date: 14 August 2024