

**JAMES BAY LOWLANDS
SECONDARY SCHOOL BOARD**

**BOARD GOVERNANCE POLICY
NO. GOV-10**

Date Adopted	October 24, 2018
Last Revised	
Board Motion	5598-10-18

COMPLAINT RESOLUTION

1. PURPOSE

The James Bay Lowlands Secondary School Board has a strong commitment to building positive relationships with all stakeholders. The Board recognizes that from time to time, situations arise which may result in complaints about service delivery. For these situations, the Board has developed a complaint resolution policy.

The purpose of the policy is to ensure that concerns are brought to the attention of the organization and are appropriately dealt with in a clear, fair, and effective way. Wherever possible, the parties are encouraged to seek opportunities to resolve the concern informally.

2. DEFINITION

Complaint: A complaint is defined as any oral or written communication by an adult who is not an employee of the Board who is expressing dissatisfaction with, or criticism of, the actions or methods of an employee of the Board or of policies, procedures, or programs of the school or the Board.

3. GUIDING PRINCIPLES

- 3.1 The Board is committed to open and transparent communications with the community. [See Board Governance Policy GOV-09 Board Communications.]
- 3.2 The Board will be guided by the philosophy set out in Board Governance Policy GOV-01 Values, Vision, and Mission.
- 3.3 The process of addressing public concerns is an opportunity to improve relationships with parents, students, and the community.
- 3.4 Concerns from stakeholders in the education system will be addressed promptly, and concerns resolved as quickly as possible at the level closest to the source of the complaint.
- 3.5 The Board will ensure that the process for the review of complaints shall be fair, impartial, and respectful to the parties involved, and shall be handled in such a way as to protect the privacy of those involved.

4. POLICY

- 4.1 The James Bay Lowlands Secondary School Board recognizes the need for effective communications and a process for dealing with complaints which will foster protection and equity to all parties concerned.
- 4.2 To this end, the Board of Trustees supports a common approach to the disposition of complaints in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* and the procedures and guidelines which are to be maintained and administered by the finance and human resources administrator and/or the supervisory officer.
- 4.3 It shall be a general practice not to accept or respond to anonymous complaints.
- 4.4 Wherever possible, complaints are to be dealt with at the school level.
- 4.5 All complaints will be received and handled with courtesy, diplomacy, promptness and with clear communications.
- 4.6 The complainant may be requested to submit the complaint in writing, with a description of the nature of the complaint, including pertinent details related to the complaint. However, failure of the complainant to comply with such a request does not exempt the employee or immediate supervisor from the responsibility of processing the complaint in accordance with the requirements of this policy.
- 4.7 When required, details of the complaint will be accurately recorded on the prescribed form, Recording and Disposition of Complaints. [See Appendix A.] The details shall include such information as names, dates, particulars of interviews, telephone calls and meetings, actions and decisions taken, and actions regarding disposition or resolution. Records of complaints shall be administered in accordance with record management regulations and Freedom of Information guidelines.
- 4.8 The principal shall maintain a special complaint file into which shall be placed a record of complaints received and their disposition. This file shall remain in the school at all times and shall be retained in accordance with established retention schedules. In the case of a serious or potentially serious complaint, a copy shall be sent to the supervisory officer.
- 4.9 A special complaint file shall be maintained at the board office by the supervisory officer for retention and possible future reference. In the case of a serious or potentially serious complaint, a copy shall also be sent to the finance and human resources administrator.
- 4.10 Note: This policy is not intended to be an appeal mechanism for decisions of the Board of Trustees. Parents and community members have an opportunity to influence Board decisions through a consultation process and/or appearing as a delegation at Board or at a committee of the Board.

- 4.11 School councils were established to act in an advisory capacity to school principals and to the Board on educational matters. They shall not be used as a forum to discuss complaints from parents related to teacher or student issues.

BOARD EXPECTATIONS

5. A Complaint about a Board Employee

- 5.1 The Board expects that the following procedures will be implemented in the event of a complaint expressing dissatisfaction with, or criticism of, the actions or methods of an employee of the Board.
- 5.2 Generally, complaints received directly by an employee shall be dealt with by that employee.
- 5.3 Where the employee is able to resolve the issue to the satisfaction of the complainant, no further action is required.
- 5.4 If the complaint is not resolved to the satisfaction of the complainant, the employee shall immediately inform his or her immediate supervisor of the complaint and provide a copy of the completed complaint form. [See Appendix A.]
- 5.5 In the event that a complaint is received by an employee concerning the actions or methods used by another employee, the former will immediately instruct the complainant to communicate the complaint to the employee whose actions or methods are being criticized.
- 5.6 Where circumstances and sensitivities advise against the complainant dealing directly with the employee concerned, the complaint may be dealt with by the employee's immediate supervisor. The employee is encouraged to consult with and access the support of the Ontario Secondary School Teachers' Federation (OSSTF), or the employee's union or professional association as the case may be.
- 5.7 Where a supervisor receives a complaint regarding an employee, the supervisor shall, at his or her discretion, make a record of the complaint and will, as soon as practical, inform the employee of the nature of the complaint and recommend steps that should be taken to resolve it.
- 5.8 Where a complaint referred to in subsection 5.7 is not resolved to the satisfaction of the complainant, the finance and human resources administrator (if the employee is non-teaching staff) or supervisory officer (if the employee is teaching staff) will be informed of the issue and will advise what additional steps should be taken to resolve the complaint.
- 5.9 Where the finance and human resources administrator or the supervisory officer initially receives a complaint about an employee, the finance and human resources administrator or the supervisory officer will, at his or her discretion, make a record of the complaint, inform the employee's immediate supervisor of the nature of the complaint, and decide who will deal with the complaint.

6. A Complaint about Policies, Procedures, or Programs of the School

- 6.1 The Board expects that the following procedures will be followed when there is a complaint expressing dissatisfaction with, or criticism of, policies, procedures, or programs of the school.
- 6.2 Complaints expressing dissatisfaction with, or criticism of, policies, procedures or programs of the school shall be dealt with in accordance with the provisions of Section 5 above.
- 6.3 Employees are encouraged to inform their immediate supervisor of all complaints expressing dissatisfaction with or criticism of policies, procedures or programs of the school.

7. A Complaint Received by a Trustee

- 7.1 The following procedures are to be followed when a complaint is received by a trustee.
- 7.2 As representatives and advocates for their constituents, a trustee may assist by facilitating communication between a parent or community member and the appropriate member of staff at the school or system level. Parents and community members may contact trustees at any time.
- 7.3 Trustees shall direct the parent or community member to the appropriate resolution process for the specific concern or to the appropriate staff member. Such direction shall take into consideration the status of the issue and what steps, if any, have already been taken to resolve the concern at the time the trustee is contacted. The trustee shall have regard for, and support Board policies and Board decisions in their communication with constituents.

8. A Complaint Made by a Trustee

- 8.1 The following procedures are to be followed when a complaint is made by a trustee.
- 8.2 Where a trustee is the complainant while acting in the role of parent, the trustee shall follow the procedures outlined in this policy.
- 8.3 When a trustee is making a complaint in any situation other than that described in subsection 8.2, the trustee shall ensure that his or her comments are issue-based and not personal, demeaning, or disparaging with regard to Board staff or fellow trustees.
- 8.4 The trustee may meet informally with the Chair of the Board and/or with the supervisory officer to describe the concern and attempt to resolve the issue. Most concerns will be resolved at this level.

- 8.5 If the issue is not resolved, the trustee may bring the complaint to a closed session of the Board for decision-making. If the issue is still not resolved and considered to be of a serious nature, the Board may decide to engage a mediator or investigator, or seek legal advice to address the concern.
- 8.6 If the trustee's concern is that another trustee of the Board has breached the Board's code of conduct, the process set out in Board Governance Policy GOV-11 Code of Conduct: Board Members shall be followed.

REFERENCE DOCUMENTS

Legal:

Education Act: Section 169.1 Duties and Powers of Boards: Positive School Climate
Education Act, Section 171 (1) 38 Powers of Boards: Records Management
Education Act: Subsection 283 (2) Chief Executive Officer: Develop and maintain an effective organization
Municipal Freedom of Information and Protection of Privacy Act
Human Rights Code of Ontario
The Teaching Profession Act
Ontario Regulation 612/00 School Councils and Parent Involvement Committees

Board References:

Board Policy GOV-01 Values, Vision, and Mission
Board Policy GOV-02 Role of the Corporate Board
Board Policy GOV-03 Role of the Supervisory Officer
Board Policy GOV-04 Delegation of Authority
Board Policy GOV-09 Board Communications
Board Policy GOV-11 Code of Conduct: Board Members

APPENDIX A

**JAMES BAY LOWLANDS SECONDARY SCHOOL BOARD
RECORDING AND DISPOSITION OF COMPLAINTS**

In accordance with Board Policy GOV-10 Complaint Resolution, recipients of complaints are required to accurately record details concerning:

1. The nature and circumstances of the complaint
2. Actions and decisions taken
3. The disposition or resolution of the complaint

COMPLAINANT:

Name

Phone

Address

INVESTIGATOR:

Name

PARTICULARS:

Signature

Date Complaint Received

Completion Date: _____