

Complaints Related to a Member of the Management Team

Policy No. 201.2R

REGULATIONS

1. In order for these procedures to be activated, a complaint must be made in writing to, or in person at a meeting with, a member of the Executive of the school district. (Executive members include: the Superintendent of Schools, Secretary-Treasurer and Assistant Superintendents) Written complaints, or meeting notes signed by the complainant, received by the Board or an individual Trustee, by another member of the management team, or by any other employee will be referred immediately to the Superintendent of Schools, unless the Superintendent of Schools is the subject of the complaint (in that case, see #2 below). Anonymous complaints will not be addressed under this procedure.
2. If the Superintendent of Schools is the subject of the complaint, the matter will be referred to the Chairperson the Board, who will name another member of the Executive, in place of the Superintendent of Schools, to follow through the rest of these procedures.
3. On receipt of the of the complaint, the Superintendent of Schools will inform the member of the management team that a complaint has been made, along with a general statement of the nature of the complaint.
4. The Superintendent of Schools will undertake a preliminary inquiry to determine whether the facts of the complaint warrant further inquiry. If the Superintendent of Schools decides that the facts do not warrant further inquiry, the complainant will be so notified in writing. The Superintendent of Schools will then advise in writing the member of the management that the facts of the complaint have been judged not to warrant further inquiry. Appeals from the decision of the Superintendent of Schools may be made, where deemed necessary, by the complainant through the *Appeals Procedure Bylaw No. 302.16*. Copies of correspondence referred to in this section will be kept in the Superintendent of School's Office file.
5. If the Superintendent of Schools determines the facts of the complaint warrant further inquiry, he or she will give written notification to the:
 - Member of the management team who is the subject of the complaint, that a complaint is to be inquired into, with a general statement as to the nature of the complaint, and the identity of the complainant, and invite the member to involve the Nechako Lakes Administrators' Association, should he or she choose to do so;
 - Board, confidentially, that because of a complaint an inquiry has begun, with a general statement as to the nature of the complaint, along with the source of the complaint, and the name of the management team member against whom the complaint has been made; and,
 - Notify the complainant that an inquiry into the complaint will be conducted.

6. The Superintendent of Schools will invite the management team member against whom the complaint has been made to provide his or her opinion as to the nature of the inquiry that should be conducted. The member of the management team against whom the complaint has been made is entitled to make a presentation to the Superintendent of Schools, assisted by an advocate, if he or she wishes. The Superintendent of Schools will then determine the nature of the inquiry that will be conducted, and may determine that the inquiry will be conducted through a process internal to the district, or through the services of an inquirer not connected to the district.
7. The decision of the Superintendent of Schools as to the nature of the inquiry will be communicated to the member of the management team against whom the complaint has been made.
8. The Superintendent of Schools will ensure that the inquiry is conducted as expeditiously and thoroughly as possible, given the particular nature of the complaint.
9. The report of the inquiry shall be a confidential document and will be shared with the member of the management team against whom the complaint was made. The only copy to be retained by the Board will remain in the Superintendent's Office file.
10. The Superintendent of Schools may refer portions of the report to legal advisors or members of the Executive, and may consult confidentially with others, (e.g. officers of associations) to assist in the determination of the appropriate action to be taken in respect of the complaint.
11. In the event that the Superintendent of Schools determines that Board consideration and resolution is required, the Superintendent of Schools will refer the matter to an in-camera meeting of the Board. The member of the management team involved will be informed of the time and date of the meeting, and may attend to make a presentation to the Board. He or she may be accompanied by an advocate. In the event that the Superintendent of Schools determines that the matter can be resolved without the need for Board consideration and resolution, the Superintendent of Schools will notify the Board in writing when the matter has been resolved.
12. If the matter is referred to the Board as indicated in the previous section, the Board will then decide the disposition of the complaint, such decision of the Board to be final. The decisions of the Board will be communicated to the member of the management team in writing. Any decision that involves employment consequences for a member of the management team will be subject to the individual provisions of the applicable contract of employment and any recourse to the Courts or other adjudicative provisions in the employment contract.
13. Unless precluded by freedom of information and privacy legislation, the Board will advise the complainant, in writing, of the general nature of its decision in regard to the complaint. The complainant shall be informed of his or her right to make use of the services of the Ombudsman's Office, if desired.