

Pacific Montessori Society

COMPLAINTS AND APPEALS POLICY

Effective Date: April 20, 2009

POLICY STATEMENT

The Pacific Montessori Society expects all students, staff and other members of the Pacific Montessori Society to be treated with respect and courtesy, in accordance with the *Code of Conduct*.

Decisions made by staff and the Board of Directors of the Pacific Montessori Society that affect the rights of a student, parents/caregivers or staff shall be made by following procedures that are fair and seen to be fair.

When disagreements lead to complaints or appeals of decisions, these shall be addressed using procedures that are fair and seen to be fair.

POLICY RATIONALE

Procedural fairness promotes integrity and consistency in decision-making, which in turn helps to avoid misunderstandings and disputes. Procedural fairness can help members of the Society resolve disagreements internally and reduces the likelihood of recourse to the court system or a statutory tribunal such as the Human Rights Commission.

At Selkirk Montessori School we value respect for each other. This allows students, staff and society members to feel safe, to develop a sense of belonging, to forge friendships with peers and maintain respectful relationships. With this sense of community, teaching and learning thrive.

SCOPE

All complaints and appeals of decisions made by staff are to be resolved internally, if possible, by following this policy.

The complainant or appellant may be a student, parents/caregivers or staff.

This policy covers disciplinary, educational and administrative decisions.

POLICY AND PROCEDURES

I. Purpose

Fair procedures reassure students, parents/caregivers and staff that they and their interests will be treated with respect and dignity.

II. Awareness

Through programs, staff shall help raise awareness of the *Code of Conduct* and how students can incorporate it in their daily behaviours.

Procedures for raising and addressing complaints and appeals shall be well communicated to students, parents/caregivers and staff.

III. Principles of Procedural Fairness

When staff are making a decision that may affect the rights of a member of the society, the expectation of procedural fairness is more likely to be met by adhering to the following principles:

- Inform the person whose rights may be affected that a decision on a matter is being considered.
- Provide an opportunity for the person to make an oral or written submission on the matter.
- Provide an opportunity for the person to present witnesses.
- Provide an opportunity for the person to respond to all other information submitted that might influence the decision, before the decision is made.
- Act in a manner that is unbiased, fair and open-minded. This may include taking steps to ensure that the potential for bias is avoided and seen to be avoided.
- After the decision is made, inform the person about the reasons for the decision.
- Assure the person that there will be no retribution for pursuing a review or appeal.

IV. Procedures for Bringing Forward and Addressing Complaints and Appeals

The following stages of process correspond to the stages of intervention in the following policies:

- *Child Protection Policy*
- *Discipline Policy*
- *Harassment and Bullying Prevention and Management Policy*

A complainant is encouraged to begin by talking to the decision-maker about why they disagree with the decision. A discussion may help to clarify the reasons for, and lead to acceptance of, the decision.

If initial discussion does not lead to acceptance or satisfactory adjustment of the decision, the next step would be to appeal for a review of the decision at the next higher stage. To ensure a lack of bias in a review, a complainant/appellant may request, or staff may suggest, that an appeal be brought to a higher stage.

Stage 1

The **complaint is resolved by the complainant and the staff that made the initial decision.** For example, parents/caregivers may complain that a teacher exercised inappropriate discipline.

Stage 2

A decision by the Academic Head leads to a complaint to the Academic Head, or an unresolved complaint from Stage 1 is appealed to the Academic Head, and **the complainant/appellant and Academic Head resolve the issue.**

The Academic Head shall document a summary of these events, including names, times and methods of communication, and retain a copy in administrative files. The Academic Head may choose to inform the Board.

Stage 3

A complaint or appeal from Stage 2 is not resolved, and **the complainant/appellant and Academic Head agree to involve other authorities to help resolve the issue.** For example, they may agree to use a mediator, panel of other educators or psychologist with relevant experience/expertise that can provide an unbiased review of the matter. The decision on how to proceed shall be documented in a formal plan.

The Academic Head shall document a summary of these events, including names, times and methods of communication, and retain a copy in administrative files. A copy of all written submissions to the review shall also be retained in administrative files. The Academic Head may choose to inform the Board.

Stage 4

A Stage 2 complaint or an appeal from Stage 2 or Stage 3 is unresolved, and the complainant/appellant appeals the matter in writing to the Board of Directors. **The Board or a subcommittee of the Board reviews the matter and makes a final internal decision.**

- Board members with close out-of-school or family ties to, or adversarial relationships with the appellant shall not participate in the review.
- Board members who made or participated in a previous decision on the matter being appealed may provide testimony but should not participate in the decision.
- All parties to the matter, or their representatives, shall be in attendance for all evidence that is presented to the review.

The Board shall document a summary of these events, including names, times and methods of communication, and retain a copy in administrative files. A copy of all written submissions to the review shall also be retained in administrative files.

V. Process and Timelines

To enable timely responses to complaints and appeals as they arise, the Academic Head may delegate his/her authority under this policy to the Administrative Head or another teacher for periods when the Academic Head is unavailable.

Time is of the essence in dealing with some complaints and appeals, since undesired effects of the decision being appealed may continue during the appeal process.

Stages 1 and 2:

Proceed in a timely manner at discretion of staff and Academic Head.

Stage 3:

Once the appellant and Academic Head agree on a Stage 3 response, a plan for the review shall be completed in 5-10 working days.

Stage 4:

The Board shall acknowledge receipt of a written appeal within 5 working days and initiate a formal review process within 30 calendar days of receiving a written appeal.

VI. Higher Appeals

Parties involved may seek resolution through other means outside the school.

DEFINITIONS

The following definitions are intended to enhance understanding of this policy. They are descriptive only and not intended to be used for any legal actions.

Staff

Any individual who is employed by the Pacific Montessori Society, including an independent contractor who has entered into an agreement with the Society.

REFERENCES

Procedural Fairness Best Practice Guidelines for Independent Schools. Federation of Independent School Associations

Child Protection Policy

Code of Conduct

Discipline Policy

Harassment and Bullying Prevention and Management Policy