



TCDSB Policy Register

Complaint Against A Staff Member H.M.30

Policy

A complaint against a staff member will be dealt with in a just, timely manner that respects the dignity and rights of all parties involved.

Regulations:

1. Members of Board and administrative staff will make every reasonable effort to encourage and support resolution of the matter at the local level by the parties most directly involved in the matter. When dealing with conflict between staff and the TCDSB community or between different members of the TCDSB community, reference should be made to *Policy H.M.19, Conflict Resolution* for specific advice and procedures.

2. Responding to a complaint will be governed by the following principles and practices:

- a) Complainants have a right to have their complaint (i.e. expression of dissatisfaction or allegation) dealt with in an appropriate and timely manner.
- b) Anonymous complaints shall not be acted upon.
- c) Efforts to address the complaint will be consistent with applicable provisions of Collective Agreements, legislation and policies.
- d) Where the complainant has dealt directly with the staff member and is not satisfied with the response or the manner in which the matter was addressed, the complainant or the staff member may ask the superordinate to assist with the resolution process.
- e) A staff member has a right to be informed, as soon as practicable (usually within three working days), of the nature and the specifics of a complaint. A staff member has a right to be aware of, and present at, a committee meeting of the Board where a complaint is to be heard, as well as other meetings involving the complainant and superordinates or trustees.
- f) The staff member, the complainant or the superordinate may choose to involve another party in addressing the complaint. Such a person may be a representative of one of the parties and/or someone with relevant knowledge or skills. Where any person involved is represented by a solicitor, the other persons involved will be advised so that they may obtain their own legal advice.
- g) Consideration could be given, in appropriate cases, to involvement of a person trained in conflict mediation, where both parties agree to and will abide by a mediated solution.
- h) The extent to which the complaint resolution process is documented in writing depends on the circumstances and the parties involved. Where there are requests to submit specific materials or responses in writing, board staff and the complainant are expected to respond to such requests to the extent that is reasonable and in the best interests of the parties.
- i) Where there is more than one concern being addressed or where the issue is complex, the superordinate will, under normal circumstances, ask that the concerns be set out in writing and that the discussions focus on the contents of the submission.

j) Students may register a complaint against a staff member in a manner appropriate to the particular school and grade level or may ask their parent/guardian to do so. As an alternative, students who have attained the age of majority may follow the policies as outlined for parents/guardians and other ratepayers.

3. Where the complaint is also the focus of a grievance arbitration or under review by the Human Rights Commission, the process described herein may be modified.

4. Staff who are employed under a collective agreement may request that a representative of their union or association or other representative be present, where appropriate. Non-union staff may request the attendance of a representative of their choice.

5. As with any written record generated within the Board, the Municipal Freedom of Information and Protection of Privacy Act governs the creation, retention, disclosure, alteration, and destruction of any written material.

BM p , 3 Nov 97; BM p 633, 6 Nov 95.