
309 Personnel & Employee Relations AP – Dispute Resolution

Purpose:

To provide a process to resolve concerns and complaints identified by parents, students, staff or community members in a cooperative and timely manner.

Guiding Principles:

- The division is committed to open and transparent communications with the affected parties. Concerns or complaints should be viewed as an opportunity to resolve issues and improve relationships.
- Concerns or complaints are most appropriately resolved at the level of the complaint or concern (at the source).
- All concerns or complaints will be treated seriously; investigated and resolved as quickly as possible.
- Concerns and complaints are managed in a respectful, courteous, and proactive manner; attempting to come to a mutually acceptable resolution
- The division has established a process for managing concerns and complaints that is fair, impartial, and considers the confidentiality of the people involved (see 310 – Respectful Working Environments).

General:

- This procedure applies to concerns and/or complaints from all students, parents, community members and PRPS staff, except for matters expressly provided for in any other PRPS Administrative Procedure (see 310 – Respectful Working Environments).
- All PRPS employees are responsible to understand this administrative procedure before addressing concerns and/or complaints.
- Concerns and/or complaints can be provided verbally or in writing.
 - At any stage of investigating a concern or complaint, the complainant may be asked to document the complaint in writing.
- Concerns and complaints must be presented at an appropriate place and time.
 - Unless in an emergency situation or having immediate safety implications, concerns or complaints should NOT be in the presence of students and/or uninvolved co-workers.
 - As may be practical, for any direct staff involvement, efforts should be made to deal with a concern and/or complaint outside of that particular staff member's instructional/working portion for their school day.
 - In general, unless in an emergency situation or having immediate safety implications, during any aspects of seeking a resolution, all parties have the right to re-schedule meetings to a time/location that allows for a less stress-inducing approach for the discussions to take place. Every effort should be made to re-schedule within one (1) working day of the initial meeting date/time.

- All individuals involved have the right to be accompanied by legal representation. Refer to 310 – Staff Complaints – “Investigation Process” -- part c. *Note: the direct supervisor represents the “investigator” for purposes of this aspect of the procedure.*)
- The individual issuing a concern and/or complaint will be protected under the Public Interest Disclosure (Whistleblower Protection) Regulation and corresponding PRPS policy EL17 – Public Interest Disclosure (Whistleblower Protection).
- Any anonymous concerns and/or complaints will NOT be formally considered, copied, distributed, repeated, responded to, or formally entertained by employees of PRPS or the Division, unless the complaint alleges an illegal matter, relevant safety issue, or a child protection concern. In those situations, employees will ensure the appropriate supervisor is communicated with, as well as referring the matter to the appropriate authorities, including, but not exclusive to, the police or to Child and Family Services.
- Employee decisions that do not significantly affect the education of a student are within the final authority of the Superintendent, as delegated by the Board of Trustees.

Sequence:

1. Concerns/Complaints Concerning Student and/or School Operations:

If students, parents, or community members have a concern about a school matter, the concern is best resolved at the school level using the following recommended steps:

- ** Step 1: Communicate directly with the teacher involved; for complaints involving general school concerns, communicate directly with School Administration.
- Step 2: If the complaint remains unresolved, communicate with School Administration.
- Step 3: If the complaint remains unresolved, communicate with the Deputy Superintendent.
- Step 4: If the complaint remains unresolved communicate with the Superintendent.

2. Concerns/Complaints Involving Staff or Administration:

If students, parents, employees or community members (inclusive of School Councils) have concerns about school or division administration, the following are the recommended steps to resolve the issue:

- ** Step 1: Communicate directly to the employee who the concern is associated with.
- Step 2: If the complaint remains unresolved, communicate with an appropriate supervisor/manager (may need to be Division Office Personnel).
- Step 3: If the complaint remains unresolved, communicate with the Deputy Superintendent.
- Step 4: If the complaint remains unresolved, communicate with the Superintendent.

Note: If the complaint involves the Superintendent and is not resolved after conversation with the Superintendent, then the complainant would communicate directly with the chair of the Board of Trustees.

3. Concerns/Complaints Involving/Between Employees:

If an employee has a concern or complaint involving another employee, the following are the recommended steps to resolve the issue:

- ** Step 1: The employee shall communicate with the fellow employee; consideration made for the Code of Professional Conduct for Teachers and Teacher Leaders.
- Step 2: If the complaint remains unresolved, communicate with the employee's principal/supervisor/manager.
- Step 3: If the complaint remains unresolved, communicate with the Deputy Superintendent.
- Step 4: If the complaint remains unresolved, communicate with the Superintendent.

4. Concerns/Complaints About Safety of School, Property, Facilities or Equipment:

Where a person has a concern relating to the safety of school, division property, facilities or equipment, the individual shall contact the appropriate school or department directly.

5. Concerns/Complaints About Student Transportation:

If a student, parent, or employee has a concern involving student transportation, the following are the recommended steps to resolve the issue:

- ** Step 1: Communicate with the Director of Transportation.
- Step 2: If the complaint remains unresolved, communicate with the Secretary Treasurer.
- Step 3: If the complaint remains unresolved, communicate with the Superintendent. Note: Steps 2 and 3 may occur simultaneously.

**NOTE:

- Any employee/individual who does not want to directly address a concern or complaint as indicated in Step 1, may seek assistance from an appropriate principal/supervisor/manager.
 - The principal/supervisor/manager's role is to ensure the concern/complaint can be addressed in a safe manner for ALL individuals involved. (See "Reporting" – 310 – *Respectful Working Environments for further clarity and suggested methodology for Step 1*)

Investigating a Concern or Complaint

- Many concerns or complaints can be managed quickly, without a significant investigation. These types of concerns may be directly addressed through face-to-face interactions or by email/phone communications.
- Any request for written documentation shall outline:
 - The nature of the complaint, and

- o The steps taken to date or at the previous levels to resolve the matter directly with the employees involved.
- Upon receiving a concern or complaint, each PRPS employee involved in bringing about resolution to the complaint:
 - o Shall gather all appropriate information, and
 - o May involve other members of school or division leadership where appropriate.
- If appropriate in terms of context, any written concern and/or complaint that rises to the level of the Deputy Superintendent or Superintendent, having followed all the steps outlined in this administrative procedure, will then follow 310 – Respectful Working Environments, for resolution of the concern and/or complaint.

Role of the Trustee

- As representatives and advocates for their constituents, a Trustee may assist by directing the parents / guardians / community members to the appropriate staff member at the school or, if necessary, by referring concerns or complaints to the Superintendent.
- Trustees shall direct the parents / guardians / community member to the appropriate resolution process for the specific concern. Trustees shall have regard for and support Board Policies and Administrative Procedures in their communication with constituents.

Role of School Council

- School Councils were established to act in an advisory capacity to school principals on educational matters and shall not be used as a forum to discuss parent / guardian / student / teacher issues.
- School Council member complaints about staff members shall be dealt with by individual guardians/parents and follow the process as outlined within.
 - o See previous – 2. Concerns/Complaints Involving Staff or Administration.
- School Councils shall include a process for resolving internal School Council disputes in their School Council by-laws.

Confidentiality

- A concern or complaint must be handled in a confidential manner.
- When required and/or appropriate, the information about the concern and/or complaint and the identity of the person lodging the concern and/or complaint will be disclosed to:
 - o Individual(s) named in the concern and/or complaint
 - o Individual(s) who need to be contacted for information about the concern and/or complaint
 - o Individual(s) responding to the concern and/or complaint as part of their duties in the resolution process

Appeals

Education Act - Section 42(2): Where a decision that significantly affects the education of a student or of a child enrolled in an early childhood services program operated by the board is made by an employee of the board or an employee authorized by the board under section 52(1) to make a decision,

- a. A parent of the student or child, and

- b. In the case of a student who is 16 years of age or older, either a parent of the student or the student,

may appeal that decision to the board within a reasonable time from the date that the parent or student was informed of the decision.

Appeals under Section 42(2) will follow PRPS policy GP#11 – Appeals Concerning Student Matters.

Other Matters

- Where the complaint involves a school expulsion or suspension the procedure to be followed is outlined in 205 – Suspension and Expulsion of Students.

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