

**Complaints**

**Procedure**

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| **Responsibility of:** **Date ratified by BOG** **Date of Review**  | Mr. J. Costelloe (Principal) **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

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1. INTRODUCTION

## This procedure will be applied to general complaints received by the school. It is not intended to cover those matters for which there is a specific statutory requirement. Separate procedures exist for appeals relating to special educational needs, school admissions and exclusions. Child Protection and staff discipline issues are dealt with through procedures that have been adopted for these purposes. This procedure will be reviewed at least every 3 years. The word parent is used throughout this document and should be taken to mean, parent, guardian, carer or any other person who wishes to make a complaint in regard to the school.

1. GENERAL PRINCIPLES

## Parents should always know how they can raise concerns or lodge a complaint with the school. Annex A of this procedure ‘What to do if you have a complaint about School’ will be given to parents/carers when their child first joins the school. The full procedure will be made available on the school website and on request from the school office. A reminder will be included in the first school newsletter of each new school year.

## The procedure is designed to be as speedy as possible, consistent with fairness to all.

## A complaint is distinct from any formal disciplinary procedure. Staff who may be questioned as part of a complaints procedure will be treated fairly and have an opportunity to put their case.

## Confidentiality is vital. All conversations and correspondence will be treated with discretion. Parents must feel confident that a complaint will not disadvantage their child. Anonymous complaints will be disregarded unless someone is prepared to substantiate the complaint. All parties to a complaint should realize that some information may have to be shared to carry out a thorough investigation.

## If the outcome of a complaint is that the school shown to be at fault, then the outcome will be discussed at the next Board of Governors meeting and the school will look at making amends in an appropriate way.

## All staff and governors in schools should have the opportunity to take part in training to raise their awareness of the procedures and develop their skills in dealing with people who wish to complain.

## All complaints should be recorded and monitored to allow any lessons to be learned by the school.

1. GUIDELINES – STAGE ONE

## The vast majority of concerns and complaints can be resolved informally, often straight away by the class teacher or principal, depending on whom the parent makes contact with first.

## The school will aim to ensure that parents feel able to raise concerns with staff without undue formality, either in person, by telephone or in writing. There may be occasions when it is appropriate for someone to act on behalf of a parent in such an approach.

## Parents may not be clear at first that they are making a complaint. They may wish to ask a question or express an opinion. A preliminary discussion with school staff may be needed to clarify the issue and help to decide whether the parent wishes to take the matter further.

1. PROCEDURE – STAGE ONE

## Parents should have an opportunity for informal discussion of any concerns with an appropriate member of staff. This should be the class teacher or principal in the first instance and staff should encourage parents to take this step first. This discussion should aim to clarify

## The nature of the parent’s concern and assure them that the school wishes to hear about it. The discussion should also aim to clarify what kind of outcome the parent is seeking.

## If the member of staff first contacted cannot deal with the matter immediately, s/he should make a firm arrangement to deal with it by a confirmed future date or inform the parent that

## they will be referring the matter to another member of staff. In either case a note of the name, date and contact details of the complainant and details of the complaint should be taken.

## If the matter is referred, either because the person first contacted is not available or the matter is best dealt with by another member of staff, then the first contact should check later to make sure the referral has been successful.

## The principal must ensure that staff have guidelines about when and to whom to refer a matter. In all cases, members of staff dealing with a complaint at this stage must make a note of the date, time, details and outcome and inform the principal.

## The principal may decide to deal directly with a matter at this stage if this seems the most appropriate course of action.

## If the complaint relates to the principal, the complainant must be advised to contact the Chairperson of the Board of Governors.

## The staff member dealing with the complaint must make sure that the complainant is clear what will happen next (if anything). This must be put in writing only if it seems the best way of making the outcome clear.

## If no satisfactory solution has been found within 10 days, the complainant must be asked if they wish their concern to be considered further. If so, they must be given clear information on how to proceed and any advice and support that may be available to them.

1. GUIDELINES – STAGE TWO

## At this stage it becomes clear that the concern is a definite complaint. The principal must ensure that the guidelines and procedure are used consistently at this stage to make sure nothing happens which would prejudice the later stages of the procedure. In particular, Governors should not become directly involved at this stage to avoid prejudicing their possible future involvement.

## The principal has responsibility for the day to day implementation of the complaints process, including the decision about his/her own involvement at various stages. The Board of Governors has overall responsibility for the implementation of the Complaints Policy and process at a strategic level.

##  One of the reasons for having different stages in the procedure is to re-assure parents that their concern is being heard by more than one person. The principal must therefore, try and make arrangements that ensure that their involvement does not predominate at every stage. Arrangements must normally be made for other staff to deal with complaints at Stage One, whilst the principal deals with those that proceed to Stage Two. Even at Stage Two, the principal may designate another member of staff to carry any investigation required. Conversely, the principal may have been so involved at Stage One that the Chairperson of the Board of Governors carries out Stage Two.

1. PROCEDURE – STAGE TWO

## Parents who wish to pursue a complaint to Stage Two will be asked to put the complaint in writing to the school. The principal (or designated member of staff) will acknowledge the complaint orally or in writing within 3 days of receipt giving a brief explanation of the complaints procedures and a target date for providing a response. Ideally, this should be within 10 days. If it is not possible to deal with the matter in this time, the complainant must be informed of when it is likely to be concluded. If the complaint is against the action of the principal, or the principal has been very closely involved at Stage One, the Chairperson of the Board of Governors should carry out all the Stage Two procedures.

## The principal (or designated member of staff) will provide an opportunity for the complainant to meet him/her. The complainant will, if s/he wishes, be allowed to be accompanied by a friend or relative who can speak on his/her behalf. Interpreting facilities should be made available if required.

## If necessary, the principal (or designated member of staff) will interview any witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil may also be interviewed, normally with the parent/guardian present. In some circumstances this may not be possible and a senior member of staff with whom the pupil feels comfortable

## should attend with him/her. If a member of staff is complained against, the needs of that person must be borne in mind (see general principles 2.4).

## The principal (or designate) will keep written records of meetings, telephone conversations and other documentation.

## Once all the relevant facts have been established, the principal (or designate) will arrange a meeting with the complainant to discuss or resolve the matter. This meeting will be followed up with a letter to the complainant setting out the outcome of the meeting. The complainant will be advised in this letter that if they wish to take the complaint further s/he will be required to notify the Chairperson of the Board of Governors in writing within 5 weeks of receiving the letter detailing the outcome of the complaint.

**GUIDELINES – STAGE THREE**

## It is important that the Board of Governors are prepared to deal with complaints if they reach this stage. It is important that this stage of the complaints process, as with all stages, is conducted by the Board of Governors in an impartial and transparent manner. Complaints must not therefore be considered by the full Board of Governors as potential conflicts of interest may arise. If the complainant or immediate family member is a serving member of the board then that governor should also temporarily withdraw from governing duties until the complaint is resolved to ensure the smooth running of the school and to prevent conflicts of interest from arising.

## The Board of Governors will establish a sub-committee to deal with complaints. While the sub-committee should consist of at least 3 voting Governors in order to quorate it is recommended that they be nominated from a pool of 5. This should ensure that there are always sufficient Governors with no conflict of interest to constitute the sub-committee. It is important that individual Governors do not get involved in looking into complaints before this stage to avoid prejudicing their potential involvement however they should be made aware of them in general terms. If individual Governors are approached by parents or others with complaints, they must not enter into any discussion of the issue but refer the complainant to the school’s complaints procedure, making the necessary introduction to a member of staff or principal if appropriate.

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## Complaints that reach this stage will do so because the complainant is not satisfied with the response so far. In this situation it is perhaps helpful for the Board of Governors to view any complaint as being against the school rather than an individual staff member whose actions may have led to the original complaint.

1. PROCEDURE – STAGE THREE REVIEW BY THE BOARD OF GOVERNORS

##  The following procedure must be followed upon receipt of a written request from the complainant for the complaint to proceed to Stage Three.

## The Chairperson of the sub-committee will write acknowledging receipt of the written request and informing the complainant that it will be heard by a subcommittee of the Board of Governors within 20 working days of receipt. The letter should also inform the complainant that they have the right to (a) submit any further documents relevant to the complaint and that these must be received in time for circulation to the sub-committee (b) attend a meeting of the sub-committee to speak to their complaint and to provide Governors with an opportunity to seek clarification of the issues involved.

## The Chairperson of the sub-committee will convene a meeting of the subcommittee. In establishing the sub-committee the Board of Governors should nominate its membership in accordance with Paragraph 7.2 above. The subcommittee will elect its chair.

## The sub-committee members must have had no conflict of interest with the complainant or involvement with the complaint. In circumstances where the complaint relates to the principal he/she must not have a place on the sub-committee. Board of Governors should have regard to the advantages of having a mix of different type of Governor on the sub-committee and be sensitive to issues of equal opportunity in the composition of the sub-committee. The teacher representative must not be a member of the sub-committee.

## All relevant correspondence and documentation must be given to each subcommittee member. The Chairperson should ensure that the complainant, any member/s of staff involved and any other witnesses are given 5 days’ notice in writing of the date, time and place of the meeting. Each individual invited to the meeting must meet separately with the sub-committee. The letter of notification to the complainant must also inform him/her of their right to be accompanied by a friend/relative. The principal or a teacher who is the subject of a complaint should be advised of their right to be accompanied by a colleague or friend. Legal representation on behalf of any party involved should not be permitted. The Chairperson must ensure that interpretation facilities are offered and made available if required. The letter must set out the procedure for the conduct of the meeting (see annex B) and the complainants right to submit further related written evidence to the sub-committee.

## The Chairperson should invite the principal to attend the hearing and prepare a written report for the committee in response to the complaint. The principal may also invite any other members of staff directly involved in matters raised by the complainant to respond in writing and/or in person to the complaint. Any involvement of other staff is at the discretion of the chair of the sub- committee. Any relevant documents must be received by all concerned (including the complainant) at least five days before the meeting of the sub-committee.

## The Chairperson of the sub-committee must ensure that the meeting is properly Minuted.

## The aim of the meeting is to resolve the complaint and achieve reconciliation between school and the complainant.

##  However, it may only be possible to establish the facts of a situation and make recommendations about future action which will satisfy the complainant that their complaint has been taken seriously.

## The Chairperson must try and ensure that the proceedings are as informal as possible and that the complainant feels at ease.

## At the conclusion of each interview, the Chairperson should explain that the subcommittee will consider its decision and write to both parties with the outcome within two weeks.

## Following the interview process, and the withdrawal in turn of those concerned, the sub-committee should consider its decision. This must include: a decision on the complaint; appropriate action to be taken by the school; and where appropriate, recommendations on changes to the school’s systems or procedures to ensure similar problems do not arise in the future.

## The school will ensure that a copy of all correspondence and notes is kept on file in the school. This must be separately from pupils’ personal records.

1. NORTHERN IRELAND PUBLIC SERVICES OMBUDSMAN

## If the complainant feels that their complaint has not been dealt with properly then they must be informed in writing within two weeks of the day on which the complaints procedure has been exhausted that that they can contact the Northern Ireland Ombudsman.

## The Northern Ireland Ombudsman deals with complaints from people who believe they have suffered injustice as a result of poor administration - or the wrong applications of rules by government departments and public bodies such as the school.

## See Annex C for details on how the complainant should contact the Northern Ireland Public Services Ombudsman. The complainant must be informed that they have 6 months from the date on which the complaints procedure has been exhausted to contact NIPSO.

**GUIDANCE NOTES FOR PARENTS**

***What to do if you have a complaint about School***

**If you have a concern or complaint**

As a school, we welcome suggestions for reviewing and enhancing our support for your child. It would be appreciated if you have a concern that you tell us as soon as possible as it can be difficult to investigate an incident or problem which may have happened some time ago.

**What to do first**

Most concerns and complaints can be sorted out quickly by speaking with your child’s class teacher either by telephone or through a pre-arranged appointment.

If you have a complaint which you feel should be considered by the Principal, you should contact him/her as soon as possible. It is usually best to discuss the problem face to face. To do this you may need an appointment which can be arranged by contacting the school office. The same arrangement applies if you wish to speak with a member of the teaching staff.

The Principal or member of staff will make every effort to resolve your problem speedily and efficiently. They will discuss what you feel went wrong, and they will explain what will be done to follow up your complaint. As well as helping to resolve the immediate difficulty it is hoped that speaking with you will help to prevent a similar problem arising again.

**What to do next**

If you have addressed your complaint to a teacher and are dissatisfied with the response you can make your concern known to the Principal.

If your complaint relates to the Principal, then it should be referred to the Chairperson of the Board of Governors. You can write to the Chairperson at the school address.

You may also find it helpful to have a copy of the school’s Complaints Procedure as this explains in detail the procedure to be followed in the event of a complaint against the school. This document is available from the school office or on the school website.

A full investigation will be conducted as soon as possible. As part of the investigation you or others may be asked for additional information following which you will receive a response to your complaint.

**If you are still unhappy**

A review can be made by the Board of Governors.

**Procedure for the Conduct of a Meeting to Hear a Complaint**

1. The Chairperson of the sub-committee will invite each party concerned (the complainant and any member of staff as appropriate) to a separate interview, introducing and explaining the role of the sub-committee.
2. The Chairperson will explain that the purpose of the hearing is to review a complaint and try to resolve the complaint and achieve reconciliation between the school and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action.
3. The Chairperson must then ascertain whether the proposed procedure is acceptable. If so, the meeting will proceed along the following lines:
	1. the complainant will be given the opportunity to present the complaint directly to the sub-committee and to include any additional information relevant to the complaint;
	2. the sub-committee may seek clarification from the complainant before they withdraw from the meeting;
	3. any member of staff involved will be given the opportunity to present a response to the complaint directly to the sub-committee and to include any additional information relevant to the complaint;
	4. the sub-committee may seek clarification from the member of staff before they withdraw from the meeting;
	5. following the interview process, the sub-committee will give full consideration to the issues raised.
4. The sub-committee will make a decision on: the complaint; appropriate action to be taken by the school; and where appropriate, recommendations on changes to the school’s systems or procedures to ensure similar problems do not arise in the future.
5. The decision will be confirmed to all those involved in writing within two weeks.

At this point, if you feel that your complaint has not been dealt with properly then you can contact the Northern Ireland Ombudsman.

**Northern Ireland Ombudsman**

The Northern Ireland Ombudsman deals with complaints from people who believe they have suffered injustice as a result of poor administration - or the wrong applications of rules by government departments and public bodies such as the school.

The Ombudsman can deal with complaints about:

* a government department or agency
* local councils
* health services
* education services

It is important that complaints are dealt with in a timely manner, therefore you should contact the Northern Ireland Ombudsman within 6 months of the complaint decision.

**How to contact the Ombudsman’s Office**

Freepost: Freepost NIPSO

or The Northern Ireland Public Services Ombudsman

Progressive House

33 Wellington Place

BELFAST

BT1 6HN

Telephone: 028 9023 3821 or Freephone: 0800 34 34 24

Text Phone: 028 9089 7789

Email: nipso@nipso.org.uk

or By calling, between 9.00am & 5.00pm, Monday to Friday at the above address.