

COMPLAINTS HANDLING

Policy Statement



- Dealing with Complaints – Initial Concerns
- Dealing with Complaints – Formal Procedures
- Framework of Principles
- Investigating Complaints
- Resolving Complaints
- Vexatious Complaints
- Time Limits

Summary:

Governing Bodies of all maintained schools and maintained nursery schools are now required, to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised.

M Houston
Principal

Additional Notes

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Board of Governors

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Consultation

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Overview

1. Governing Bodies of all maintained schools and maintained nursery schools are now required, to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised.
2. Many schools already have a complaints procedure in place. This document is Ulidia Integrated College's complaints procedure.

A framework of principles can be found at paragraph 8. LEAs are already required to set up a procedure for dealing with certain types of complaints, for example, complaints about the curriculum or collective worship in a school.

This complaints procedure does not replace the arrangements made for those types of complaint. In addition, there are certain complaints which fall outside the remit of the complaints procedure, for example, staff grievances or disciplinary procedures.

3. It is recommended that the governing body ensures that any third party providers offering community facilities or services through the school premises, or using school facilities have their own complaints procedure in place.

Part 1: General Principles of complaints

Dealing with Complaints – Initial concerns

4. Schools need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

5. These key messages deal with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where appropriate.

Dealing with Complaints – Formal procedures

6. The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

7. The Principal will coordinate all complaints unless in cases where the complaint is against the Principal, when the complaint will be coordinated by the Chair of Governors.

Framework of Principles

8. An effective Complaints Procedure will:
 - encourage resolution of problems by informal means wherever possible;
 - be easily accessible and publicised;
 - be simple to understand and use;
 - be impartial;
 - be non-adversarial;
 - allow swift handling with established time-limits for action and keeping people informed of the progress;
 - ensure a full and fair investigation by an independent person where necessary;
 - respect people's desire for confidentiality;

- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide information to the school's senior management team so that services can be improved.

Investigating Complaints

9. It is suggested that at each stage, the person investigating the makes sure that they:
- establish what has happened so far, and who has been involved;
 - clarify the nature of the complaint and what remains unresolved;
 - meet with the complainant or contact them (if unsure or further information is necessary);
 - clarify what the complainant feels would put things right;
 - interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
 - conduct the interview with an open mind and be prepared to persist in the questioning;
 - keep notes of the interview.

Resolving Complaints

10. At each stage in the procedure schools will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:
- an apology;
 - an explanation;
 - an admission that the situation could have been handled differently or better;
 - an assurance that the event complained of will not recur;
 - an explanation of the steps that have been taken to ensure that it will not happen again;
 - an undertaking to review school policies in light of the complaint.
11. It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

12. An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Vexatious Complaints

13. If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Time-Limits

14. Complaints need to be considered, and resolved, as quickly and efficiently as possible. An effective complaints procedure will have realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

Part 2: The Formal Complaints Procedure

15. In Ulidia Integrated College we aim to work closely with parents/guardians in supporting all aspects of the child's development and well-being. Any concerns a parent/guardian may have will be taken seriously and dealt with in a professional manner. We have the best interests of all our students and their families at the centre of all we do. In this regard, we encourage anyone with a concern to speak to us as soon as possible. If concerns are dealt with at an early stage, then they are more likely to be resolved and there is no unnecessary dissatisfaction. Many issues can be addressed simply by talking to the relevant staff member in school who will be happy to help. Open communication and regular engagement between the school staff and the wide range of users is vital to the effective management of the school. If a parent/guardian has any issue, then they should talk to the Form Teacher / Year Head as soon as possible. In some instances, it might be appropriate for a parent/guardian to raise their concern directly with the Principal. We take all concerns seriously and make every effort to resolve matters as quickly as possible.

16. **Aims of Complaints Procedure**

Our school ethos promotes open communication with parents/guardians and encourages a continuing dialogue between home and school throughout a student's education. The aim of this policy is to ensure that a complaint is managed sympathetically, efficiently, at the appropriate level and resolved as soon as possible. We will try to resolve every complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances.

When dealing with complaints the school will:

- encourage resolution of all concerns and complaints as quickly as possible
- provide timely responses to concerns and complaints
- keep parents/guardians informed of progress
- ensure a full and fair investigation of a complaint where appropriate
- have due regard for the rights and responsibilities of all parties involved
- respect confidentiality
- fully address concerns and complaints and provide an effective response
- take appropriate action to rectify the issue and prevent it happening again where appropriate
- be responsive to learning from outcomes which will inform and improve practice within the school.

Policy Statement

17. Any issues which arise are normally dealt with informally through discussion and parents /guardians are fully involved in key decisions which affect their child's career. We publish contact details for pastoral and academic staff on our school website and school app and further details are available from the school office. We encourage parents/guardians to use these channels should an issue arise as we need to know as soon as possible if there is any cause for dissatisfaction or concern. Parents/guardians can be assured that all concerns and complaints will be treated seriously and confidentially.

Correspondence, statements and records relating to individual complaints will be kept confidential except where there is a legal requirement to share this information. Complaints will always be dealt with in accordance with this policy. Parents/guardians and students should never feel (or be made to feel) that a complaint will be taken amiss or will adversely affect a student or her opportunities at this school.

The Complaints Procedure – At a Glance

Timescales

18. Please contact the school as soon as possible, unless there are exceptional circumstances. Complaints will normally only be considered within 6 months

of origin of the complaint to the school. We aim to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. When we refer to working days, we mean Monday to Friday, when the School is open during term time. The dates of terms are published on the School's website.

Acknowledgement

19. We will acknowledge a written notification by telephone, e-mail or letter within five working days of receipt during term time. In the holidays the acknowledgement will be made as soon as is practicable and not later than five working days beyond the start of the next term or half term. Depending on the nature of the complaint, the appropriate member of staff will arrange to either speak with the parent/guardian over the phone or invite them to a meeting, within ten working days.

The Three Stages of the Complaints Procedure:

This policy describes a three stage procedure:

Stage 1: Informal raising of a concern/complaint notified orally or in writing to a member of staff

Stage 2: A formal complaint in writing to the Principal

Stage 3: A formal complaint in writing to a Chairperson of Board of Governors

Stage 1: Informal Resolution

20. It is hoped that all complaints and concerns will be resolved quickly and informally. If a parent/guardian has a concern or a complaint, they should normally first contact their daughter's Form Teacher. It is anticipated that Form Teachers themselves will be able to resolve the majority of concerns to the parent's/guardian's satisfaction, although it might be necessary to consult the subject teacher if the concern is of an academic nature or with the Year Head if the concern is of a pastoral nature. Similarly, Form Teachers might need to refer to the Vice Principal or Principal if the concern is about a disciplinary matter. In some instances, it might be appropriate for a parent/guardian to raise their concern directly with the Principal. The Form Teacher will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within a reasonable period of time (normally 14 days), or in the event that the Form Teacher and the parents/guardians fail to reach a satisfactory solution, then parents/guardians will be advised to proceed to Stage 2 of the complaints procedure.

Stage 2: A formal complaint in writing to the Principal

21. If the concern or complaint cannot be resolved on an informal basis, then parents/guardians should put their concern in writing to the Principal. (sample form at the end of this policy)

Parents/guardians should provide as much information as possible including;

- name and contact details
- what the complaint is about
- what has already been done to try to resolve it and
- what the parent/guardian would like the school to do to resolve the complaint.

Receipt of the complaint will be acknowledged, and the Principal will decide, after considering the complaint, the appropriate course of action to take. In most cases, the Principal will meet with the parents/guardians, normally within 14 working days of receiving the complaint if it is in term time, to discuss the matter. If possible, a resolution will be reached at this stage. The School aims to resolve all complaints within 21 working days of receiving the complaint. It might be necessary to carry out further investigation, for example where there are other parties involved. Once the Principal is satisfied that all of the relevant facts have been established, a decision will be made and parents/guardians will be informed of this decision during a prearranged meeting or directly in writing. The Principal will also give reasons for his/her decision. If parents/guardians are still not satisfied, they should proceed to Stage 3 with their complaint. These timeframes may need to be reviewed if complaints are ongoing during school holiday periods.

Stage 3: A formal complaint in writing to a Chairperson of Board of Governors

This stage of the Complaints Procedure will only be necessary should the matter not be resolved at the former two stages. If this stage has been reached, parents/guardians should write to the Chairperson of the Board of Governors (care of the school and marked 'private and confidential'). Where this may present difficulties, they should contact the school which will make reasonable arrangements to support the complainant with this process. The complaint will normally be acknowledged within 5 working days. The Chairperson will convene a committee as soon as practicable and normally within 21 days to review the complaint. If possible, the committee will resolve the parent's/guardian's concern immediately without the need for further investigation.

Where further investigation is required, the committee will decide how it should be carried out. After due consideration of all the relevant facts, the committee will, within 7 working days of the ending of the hearing, consider whether to uphold the complaint, in whole or in part, or dismiss the complaint. The Chairperson of the committee will write to the parents /guardians informing them of its decision and the reasons for it within 28 working days from the date of receipt of the complaint.

If following Stage 3 of the complaints procedure, parents/guardians should remain dissatisfied with the outcome of their complaint, they can refer the matter to the Office of the Northern Ireland Public Services Ombudsman (NIPSO).

The Ombudsman provides a free, independent and impartial service for handling complaints about schools in Northern Ireland. Parents/guardians have the right to complain to the Ombudsman if they feel that they have been treated unfairly or have received a poor service from the school and their complaint has not been resolved to their satisfaction. A complaint should normally be referred to NIPSO within six months of the final response from the School.

Contact details for NIPSO are:

Northern Ireland Public Services Ombudsman

Office of the Northern Ireland Public Services Ombudsman
Progressive House
33 Wellington Place Belfast BT1 6HN

Freepost: FREEPOST NIPSO

Telephone: 02890 233821 Freephone: 0800 34 34 24

Email: nipso@nipso.org.uk

Web: www.nipso.org.uk

Unreasonable Complaints

The school is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. There will be occasions when, despite all stages of the complaints procedure having been completed and the complaint having been reviewed by the Ombudsman, the complainant remains dissatisfied.

If they try to re-open the same issue, the Chair of Governors will inform them that the procedure has been completed and that the matter is now closed. If the complainant repeatedly continues to contact the school with the same issue it may choose not to respond. A copy of this Complaints Procedure is available from the Main Office on request.

Annex A

The Complaints Procedure

Stage One: Complaint Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they know what to do when they receive a complaint.

It would assist the procedure if the school respected the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaints co-ordinator can refer the complainant to another staff member. Where the complaint concerns the Principal, the complaints co-ordinator can refer the complainant to the chair of governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. It would be useful if governors did not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

Stage Two: Complaint Heard by Principal

The Principal's influence will already have shaped the way complaints are handled in the school. At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The head may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

Stage Three: Complaint Heard by Governing Bodies Complaints Appeal Panel

The complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a GB complaints panel.

The governors' appeal hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

Individual complaints would not be heard by the whole GB at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The governing body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

The procedure adopted by the panel for hearing appeals would normally be part of the school's complaints procedure. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.

The Remit of the Complaints Appeal Panel

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

There are several points which any governor sitting on a complaints panel needs to remember:

- It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- The governors sitting on the panel need to be aware of the complaints procedure.

Roles and Responsibilities - The Role of the Clerk

The Department strongly recommends that any panel or group of governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

The Role of the Chair of the Governing Body or the Nominated Governor

The nominated governor role:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the clerk to arrange the panel.

The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Panel's Decision

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The headteacher may question both the complainant and the witnesses after each has spoken.
- The headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

Annex B

Example of a complaint form

Please complete and return to Mr M Houston, Principal, who will acknowledge receipt and explain what action will be taken.

Your name:	Pupil's Name
Your relationship to the pupil:	
Address	Daytime Telephone
	Evening Telephone
	Postcode
Your Complaint	
What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signature	Date