

Complaints Procedure

Moneynick Primary School

January 2020



Signed: _____ (Principal)

Date: _____

Signed: _____ (Chair)

Date: _____

1 INTRODUCTION

- 1.1 This procedure is intended to be a good practice guide which will apply to most general complaints received by Moneynick Primary 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 should be dealt with through procedures that have been adopted for these purposes.
- 1.2 The school will make all parents aware of the existence and operation of the school's complaints procedure, through the distribution of a letter at the start of the school year. **(See Appendix 1)**

2. GENERAL PRINCIPLES

- 2.1 Parents should always know how they can raise concerns or lodge a complaint with the school. Complaints procedures should be easily accessible and well publicized.
- 2.2 Procedures should be as speedy as possible, consistent and fair to all.
- 2.3 A complaint is distinct from any formal disciplinary procedure. Staff who may be questioned as part of a complaints procedure must be treated fairly and have an opportunity to put their case. They should be offered support in dealing with any consideration of a complaint.
- 2.4 Confidentiality is vital. All conversations and correspondence must be treated with discretion. Parents must feel confident that a complaint will not disadvantage their child. Anonymous complaints should be disregarded unless someone is prepared to substantiate the complaint. All parties to a complaint should realise that some information may have to be shared to carry out a thorough investigation.
- 2.5 If the outcome of a complaint is that a school is shown to be at fault, then the school should look at making amends in an appropriate way.
- 2.6 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.

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

GUIDELINES – STAGE ONE

- 2.8 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.
- 2.9 Each school aims 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.
- 2.10 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.

3. PROCEDURE – STAGE ONE

- 3.1 Parents should have an opportunity for informal discussion of any concerns with an appropriate member of staff. 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.
- 3.2 If the member of staff first contacted cannot deal with the matter immediately, she should make a firm arrangement to deal with it at a future date or refer the matter to another member of staff. In either case a note of the name, date and contact details of the complainant should be taken.
- 3.3 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.
- 3.4 The principal will 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 should make a note of the date, time, details and outcome and inform the principal.

- 3.5 The principal may decide to deal directly with a matter at this stage if this seems the most appropriate course of action.
- 3.6 If the complaint relates to the principal, the complainant should be advised to contact the Chairperson of the Board of Governors.
- 3.7 The staff member dealing with the complaint should make sure that the complainant is clear what will happen next (if anything). This should be put in writing only if it seems the best way of making the outcome clear.
- 3.8 If no satisfactory solution has been found within 10 days, the complainant should be asked if they wish their concern to be considered further. If so, they should be given clear information on how to proceed and any advice and support that may be available to them.

4 GUIDELINES – STAGE TWO

- 4.1 At this stage it becomes clear that the concern is a definite complaint. The principal should 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 involved at this stage to avoid prejudicing their possible future involvement.
- 4.2 The principal should have responsibility for the implementation of the complaints process, including the decision about her own involvement at various stages. One of the reasons for having different stages in the procedure is to reassure parents that their concern is being heard by more than one person. The principal should therefore, try and make arrangements that ensure that their involvement does not predominate at every stage. Arrangements would 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 their Chairperson of the Board of Governors carries out Stage Two.

5 *PROCEDURE – STAGE TWO*

- 5.1 Parents who wish to pursue a complaint to Stage Two should be asked to put the complaint in writing to their individual school. The principal (or designated member of staff) should 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 should be informed of when it is likely to be concluded.
- 5.2 The principal (or designated member of staff) should provide an opportunity for the complainant to meet her. The complainant should, 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.
- 5.3 If necessary, the principal (or designated member of staff) should interview any witnesses and take statements from those involved. If the complaint centers 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 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 should be borne in mind (see general principles 2.4).
- 5.4 The principal (or designated staff member) should keep written records of meetings, telephone conversations and other documentation.
- 5.5 Once all the relevant facts have been established, the principal (or designated member of staff) should arrange a meeting with the complainant to discuss or resolve the matter. This meeting should be followed up with a letter setting out the outcome of the meeting. The complainant should be advised in this letter that if they wish to take the complaint further s/he should notify the Chairperson of the Board of Governors within 5 weeks of receiving the letter detailing the outcome of the complaint.
- 5.6 If the complaint is against the action of the principal and 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.

6 GUIDELINES – STAGE THREE

- 6.1 Complaints only rarely reach this formal stage, but it is important that governing bodies are prepared to deal with them when necessary. At this stage, the school will seek advice from Schools Branch, EA, County Hall.
- 6.2 It is important that this stage of review by the Board of Governors is impartial and independent and is seen to be so. Complaints should not therefore be considered by the full Governors of the school as potential conflicts of interest may arise. The Board of Governors should therefore 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. If individual Governors are approached by parents or others with complaints, they should 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.
- 6.3 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 governing body to view any complaint as being against the school rather than an individual staff member whose actions may have led to the original complaint.

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

- 7.1 The following procedure should be followed upon receipt of a written request from the complainant for the complaint to proceed to Stage Three.
- 7.2 The Chairperson of the sub-committee should write acknowledging receipt of the written request and informing the complainant that it will be heard by a sub-committee 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.

- 7.3 The Chairperson of the sub-committee should convene a meeting of the sub-committee. In establishing the sub-committee, the Board of Governors should nominate its membership in accordance with Paragraph 6.2 above. The sub-committee should elect its chair.
- 7.4 The committee members should have had no prior involvement with the complaint. In circumstances where the complaint relates to the principal she should 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 should not be a member of the sub-committee.
- 7.5 All relevant correspondence and documentation should be given to each sub-committee 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 hearing. Each individual invited to the meeting should meet separately with the sub-committee. The letter of notification to the complainant should 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 should ensure that interpretation facilities are offered and made available if required. The letter should set out the procedure for the conduct of the meeting (**see Appendix 2**) and the complainant's right to submit further related written evidence to the sub-committee.
- 7.6 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 should be at the discretion of the chair of the committee. Any relevant documents should be received by all concerned (including the complainant) at least five days before the meeting of the committee.

- 7.7 The Chairperson of the sub-committee should ensure that the meeting is properly minuted.
- 7.8 The aim of the meeting is 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 which will satisfy the complainant that their complaint has been taken seriously.
- 7.9 The Chairperson should try and ensure that the proceedings are as informal as possible and that the complainant feels at ease.
- 7.10 At the conclusion of each interview, the Chairperson should explain that the sub-committee will consider its decision and write to both parties with the outcome within 15 days.
- 7.11 Following the interview process and the withdrawal in turn of those concerned, the sub-committee should consider its decision. This should 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.
- 7.12 The school should ensure that a copy of all correspondence and notes is kept on file in the school. This should be separately from pupils' personal records.

8 THE ROLE OF THE EDUCATION AUTHORITY

- 8.1 When the Board receives a general complaint which does not come under one of the areas covered by statutory requirements nor is obviously concerned with child protection or staff disciplinary matters the complainant will be referred to the school's complaints procedure. The complainant will be advised to contact the principal to take the matter further. If the complaint has already involved the principal but has not achieved a satisfactory resolution from the perspective of the complainant or if the complaint is against the principal, the complainant will be referred to the Chairperson of the Board of Governors. In this

situation the principal will be notified of the referral and details of the complaint.

- 8.2 The Education Authority is always available to give advice to principals and schools on the use of complaints procedures. This should normally be through the Primary Officer, Schools Branch in the first instance.
- 8.3 The Education Authority will provide advice and support to complaints sub-committees of Boards of Governors, including attendance of an officer at meetings to hear complaints, where appropriate.
- 8.4 The Education Authority will provide advice to complainants on how they can access complaints procedures and what support is available to them to do this.

9 THE ROLE OF THE PUBLIC SERVICES OMBUDSMAN

From 1 April 2017 the NI Public Services Ombudsman (NIPSO) will have the power to investigate complaints about publicly funded schools.

Once the internal complaints process has been completed, all schools in jurisdiction have a statutory obligation to inform complainants they can make a complaint to the Ombudsman. Schools are required to provide to a complainant a written notice which must state that:

- the internal complaints process has been exhausted
- the complainant may refer the matter to the Ombudsman if he/she remains dissatisfied with the school's response
- the time limit for making such a referral
- how to contact NIPSO

The school must do this within two weeks of the day on which the internal complaints process is exhausted.

Below is an example of how this statement can be worded.

'You have now exhausted our internal complaints procedure. If you remain dissatisfied, you may refer your complaint to the Northern Ireland Public Services Ombudsman. You must make your complaint to the Ombudsman within 6 months of the date of this letter. The NIPSO contact details are...'

Northern Ireland Public Services Ombudsman

Progressive House

33 Wellington Place

BELFAST

BT1 6HN

Freepost: Freepost NIPSO

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

Text Phone: 028 9089 7789

Email: nipso@nipso.org.uk Website: www.nipso.org.uk



Money Nick Primary School
GUIDANCE NOTES FOR PARENTS

If you have a concern or complaint

In Money Nick Primary 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. If you have a complaint which you feel should be considered by the principal, Mrs McConway, you should contact 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, Mrs McConway.

If your complaint relates to the principal, then it should be referred to the Chairperson of your school's Board of Governors, Mr Kevin Traynor. 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.

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.



Money Nick Primary School

Procedure for the Conduct of a Meeting to Hear a Complaint

1. The Chairperson of the sub-committee should 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 should 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 should then ascertain whether the proposed procedure is acceptable. If so, the meeting will proceed along the following lines:
 - (i) 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;
 - (ii) the sub-committee (including the EA Officer) may seek clarification from the complainant before they withdraw from the meeting;
 - (iii) 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;
 - (iv) the sub-committee (including the EA officer) may seek clarification from the member of staff before they withdraw from the meeting;
 - (v) Following the interview process the sub-committee will give full consideration to the issues raised with the EA officer remaining to offer technical and procedural advice.
4. The sub-committee should 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 5 days.