

March  
2019

# COMPLAINTS PROCEDURE



Policy Created: November 2005  
 Date Reviewed: December 2010  
 January 2018  
 March 2019  
 Review: As required

## 1 INTRODUCTION

The purpose of this document is to make it clear how people can raise legitimate concerns or register complaints with the school.

Please note that concerns about: school admissions, expulsions and exclusions of children from school; statutory assessments of special educational needs; school development proposals; and child protection/safeguarding have separate specific policy documents relating to them. The Headmaster/Chair of the Board of Governors may advise on the appropriate procedure to use when the complaint is raised.

In general, anonymous complaints will be disregarded unless substantiated by another party. It is at the discretion of the Board of Governors to decide whether the gravity of any anonymous complaint warrants further investigation.

## 2 OUTLINE STRUCTURE

This complaints procedure has three stages:

1. The **Initial Approach** to register a concern
2. **Formal Complaint** (to the Headmaster or Chair of Governors for investigation)
3. **Appeal** (to Board of Governors)

A summary is included in Appendix A.

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### Stage 1 – The Initial Approach (Informal Stage)

- 1.1 The first approach will normally be regarded as the raising of **a concern**. It is the school's experience that the vast majority of such concerns are resolved informally.
- 1.2 People should feel able to raise concerns with the appropriate member of staff without any formality, either in person, by telephone or in writing. **However, due to the busy nature of school life and the demands of the timetable it will usually be necessary to make an appointment to see a particular member of staff at the school and during school hours.**

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- 1.3 During discussion the member of staff will clarify with the parent the nature of the concern. It will be important to establish whether the person is asking a question or expressing an opinion rather than raising a concern. It may be appropriate to identify the sort of outcome which is being sought.
- 1.4 If a concern is being raised, the member of staff approached should deal with it informally ensuring that a written record (of date, name, nature of concern, action taken and outcome) is made. If necessary, the matter should be referred to the appropriate senior member of staff eg Year Head, Head of Department (including Head of Prep Dept) or member of the School Management Team.
- 1.5 Where appropriate, the school may offer mediation to resolve a concern or complaint at any stage of the process.

**Stage 2 – Formal Complaint**

- 2.1 Where a concern is not resolved at the preliminary stage and a formal complaint is made it should be done so in writing (see 2.2 below) to the Headmaster. The Headmaster (or designated Vice-Principal) will acknowledge the complaint in writing, as soon as possible after receiving the written complaint (within 10 school days) and will indicate that the formal complaint stage of the procedure has been initiated. If the complaint refers to the Headmaster, the person should write to the Chair of the Board of Governors.
- 2.2 Complainants are requested to submit their complaint in writing using the school's Complaints Form (Appendix C). Where a submission in writing may present difficulties, please contact the school which will make reasonable arrangements to support the complainant in this process.
- 2.3 The Headmaster (or designated Vice-Principal) will provide an opportunity for the complainant to meet with him/her to supplement any information provided previously. The complainant may be accompanied to the meeting by a friend or relative; however, at this stage legal representation would not be appropriate.
- 2.4 If necessary, the Headmaster (or designated Vice-Principal) will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil may also be interviewed. Pupils will normally be interviewed with a parent or guardian present but in some circumstances this may not be possible eg where this would cause serious delay in the investigation of an urgent matter. In such cases a member of staff with whom the pupil feels comfortable will be asked to attend and parents will be informed afterwards that the meeting has taken place and who was present. At the meeting the critical importance of confidentiality will be stressed to all from whom information is sought.
- 2.5 If a member of staff is complained against they will be treated in a fair way and be given an opportunity to put their case. The staff member's rights and reputation will be protected while the complaint is investigated thoroughly and impartially. However, it is underlined that the complaints procedure does not in any way detract from teachers' rights as prescribed under the 'Disciplinary Procedures for Teachers, including Principals and Vice-Principals, in grant-aided schools with fully delegated

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budgets (TNC 2007/5)'. The Disciplinary Procedures will be utilized and take precedence over the Complaints Procedure if appropriate following the initial investigation. Similarly, if the complaint is deemed to involve a Child Protection issue, the school's Child Protection Policy will be followed and if criminal activity is alleged then the matter will be referred to the police.

- 2.6 The Headmaster (or designated Vice-Principal) will keep written records of meetings, telephone conversations and other documentation.
- 2.7 When all the relevant facts have been established, the Headmaster (or designated Vice-Principal) may wish to meet the complainant to discuss the matter directly and will make a written response to the complainant (normally within 20 school days from the date of receipt of the complaint). The written response will include an explanation of the decision and the reasons for it. Where appropriate, it will also include the action the school will take to resolve the complaint. The complainant will be advised that should he/she wish to take the complaint further he/she should notify the Chair of the Board of Governors within 2 weeks of receiving the outcome letter.

**Stage 3 – Appeal to the Board of Governors Committee**

- 3.1 If a complainant is not satisfied by the Headmaster's response he/she may write to the Board of Governors asking them to review the decision. This will be considered by a sub-committee consisting of 3 members of the Board of Governors. The sub-committee of the Board will: review the complaint; consider if the complaints procedure is applicable (see Introduction); and consider the most appropriate response (for example: the use of mediation (see section 1.5), whether further investigation is required, whether a complaint hearing is required).
- 3.2 Where a submission in writing may present difficulties, please contact the school which will make reasonable arrangements to support the complainant in this process.
- 3.3 Individual governors must avoid getting involved prior to this stage. If a parent approaches a governor, the governor should inform the parent of the school's complaints procedure. It may be appropriate to direct the parent to a particular member of staff.
- 3.4 Receipt of a written request for appeal will be acknowledged in writing. A complaint hearing will normally be heard by this sub-committee of the Board within 20 school days of receipt of the letter (dependent on school holidays and the availability of personnel).
- 3.5 The sub-committee members should have had no prior involvement with the complaint. Normally the sub-committee will be chaired by the Chair or Vice-Chair of the Board of Governors. The Headmaster will not sit on the sub-committee.
- 3.6 All relevant correspondence will be sent to each sub-committee member as soon as possible. The hearing will be arranged and any relevant witnesses, the Headmaster and the complainant will be informed of the date, time and place of the hearing at least 5 days in advance.

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- 3.7 Written evidence may be submitted to the sub-committee and all relevant documentation will be sent to all concerned, including the complainant, in advance of the meeting.
- 3.8 The Chair of the sub-committee will ensure that its proceedings are properly minuted. The aim of the hearing should be to resolve the complaint and achieve a reconciliation between the school and the complainant.
- 3.9 The hearing should permit:
- the complainant to express the complaint;
  - the Headmaster to explain the school's response;
  - each party to respond to questions.

Subject to the approval of the Chair, member(s) of staff or other witnesses may be called and asked questions.

- 3.10 The Headmaster will normally be in attendance throughout the hearing and available to clarify the school's position generally or any relevant decision taken and to answer any questions.
- 3.11 The normal procedure for a complaint hearing will be as follows:
- the Chair will introduce all parties and explain their role;
  - the Chair will explain that the purpose of the hearing is to review the complaint, try to resolve it and achieve a reconciliation between the school and the complainant (and that it may only be possible to establish the facts and make recommendations about future action);
  - the complainant is given the opportunity to describe his/her complaint and may call witnesses;
  - clarification may be sought by members of the sub-committee or by the Headmaster;
  - the Headmaster will respond to the complaint and may call witnesses;
  - clarification may be sought by members of the sub-committee or the complainant;
  - the Headmaster will be given the opportunity to sum up;
  - the complainant will be given the opportunity to sum up;
  - both parties will leave the room to allow the panel to deliberate and then allowed to depart if not required any further.
- 3.12 The sub-committee will consider the complaint and the evidence presented and reach a majority decision regarding the most appropriate action to resolve the complaint and, where appropriate, make recommendations to change the school systems or procedures to try to ensure that problems of a similar nature do not happen again.
- 3.13 A written statement outlining the Panel's decision will normally be sent after the hearing to both the complainant and the Headmaster within 15 school days.

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### 4 NORTHERN IRELAND PUBLIC SERVICES OMBUDSMAN (NIPSO)

If the complainant remains dissatisfied, he/she 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. You have the right to complain to the Ombudsman if you feel you have been treated unfairly or have received a poor service from a school and your complaint has not been resolved to your satisfaction.

A complaint should normally be referred to the NIPSO within 6 months of the final response from the school. The school must advise in its concluding letter that the complaint may be referred to the NIPSO if you remain dissatisfied.

Contact details for the 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: 028 90233821

Freephone: 0800343424

Email: [nipso@nipso.org.uk](mailto:nipso@nipso.org.uk)

Web: [www.nipso.org.uk](http://www.nipso.org.uk)

### 5 UNREASONABLE COMPLAINTS

Sullivan Upper School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. The school will not normally limit the contact complainants have with the school. However, the school does not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Consequently, the School has adopted a "Policy and Procedure for dealing with unreasonable and/or persistent complaints", in which guidance is given to help identify situations where complaints may be considered unreasonably persistent and/or vexatious. The actions to be taken in such circumstances are also specified.

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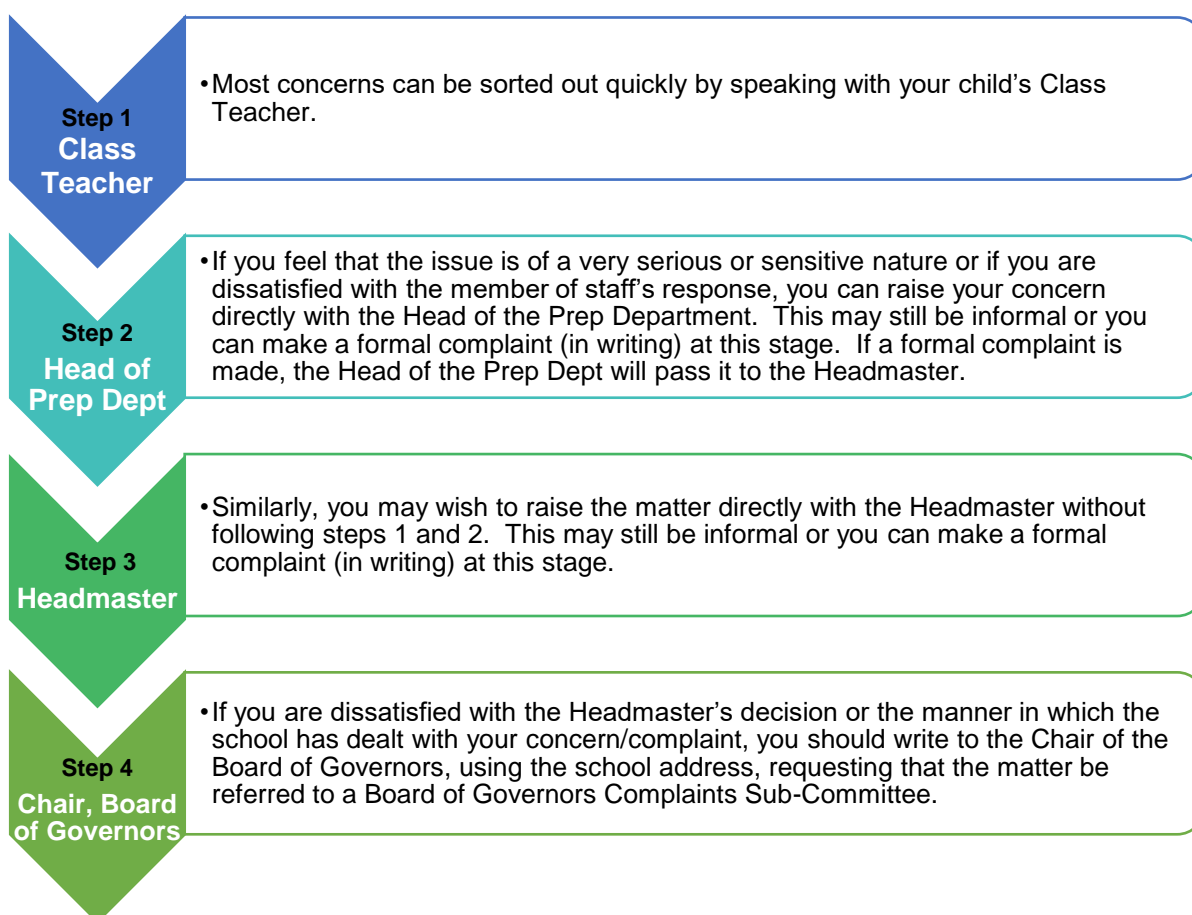
**COMPLAINTS PROCEDURE****APPENDIX A****COMPLAINTS PROCEDURE - SUMMARY*****Guidelines for parents***

If you have a concern, please let us know as soon as possible as it becomes difficult to investigate properly an incident or problem which has happened some time previously. In general, you will need an appointment to discuss your concern and you can make one by telephoning or calling at school reception.

Tables 1 and 2 summarise the procedures and steps of progression to be followed by parents in raising a concern or making a complaint.

**PREP DEPARTMENT**

Table 1





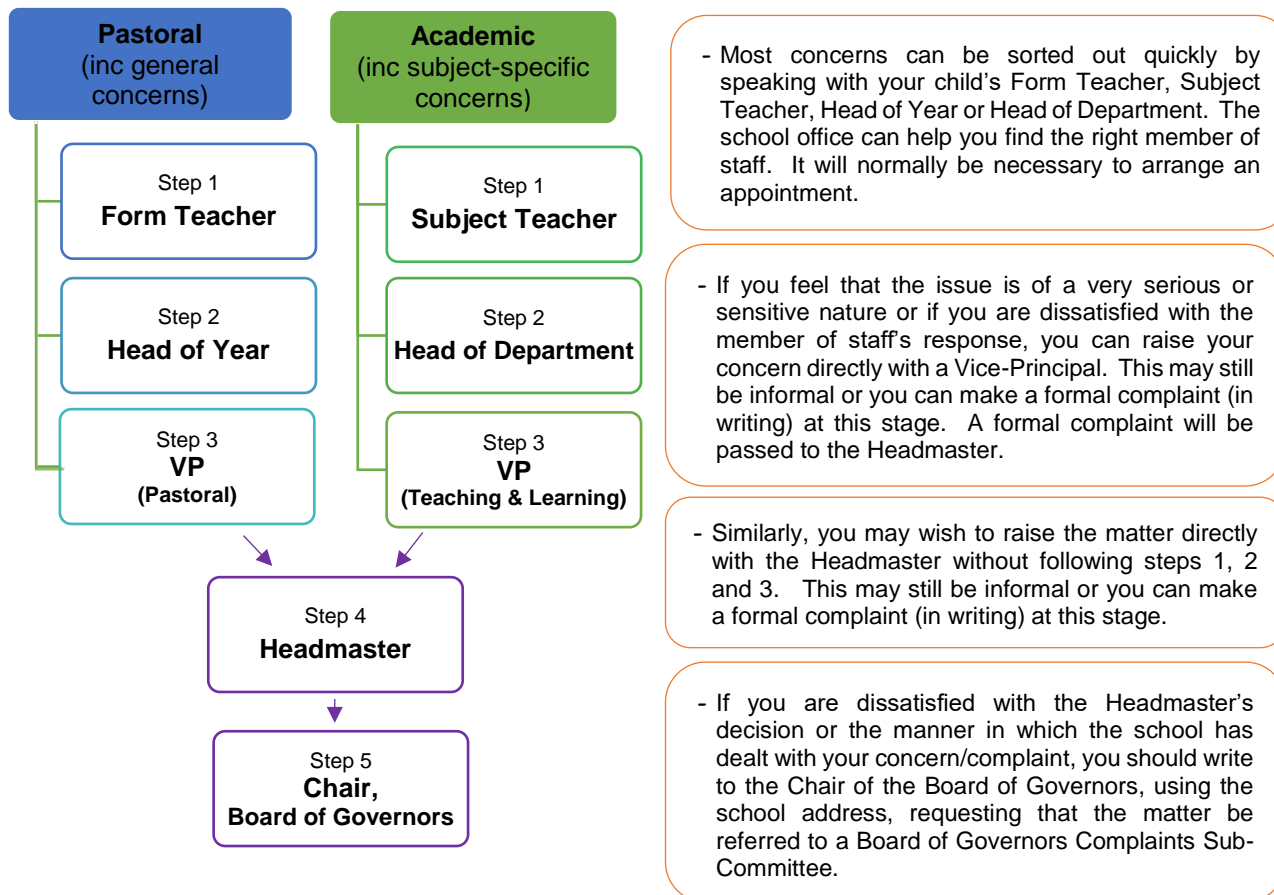
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## GRAMMAR SCHOOL

Table 2



### Notes for guidance:

- All staff will make every effort to resolve your concern informally. They will make sure that they understand what you feel is wrong and will explain their actions to you. They will ask what you would like the school to do to put things right. This does not mean that in every case they will come round to your point of view, but it will help both you and the school to understand both sides of the question. It may also help prevent a similar concern arising again.
- Contacting the Headmaster - You should contact the Headmaster's PA (giving a brief outline of the issue) who will arrange an appointment to meet the Headmaster. The Headmaster (or designated Vice-Principal) will ask to meet you for a discussion of the concern. You may be accompanied by a friend or relation if you wish. The Headmaster will conduct a full investigation of the complaint and may interview any members of staff or pupils involved. You will receive a written response to your complaint.
- If your complaint is about the Headmaster or the action of the Headmaster, then you should refer it to the Chair of the Board of Governors. You may write to him/her at the school address.

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- d) If your complaint is referred to the Board of Governors Complaints Sub-Committee, it will be heard by a group of 3 governors who have no previous knowledge of the complaint and so will be able to give a fresh assessment. You will be invited to attend and speak to the panel at a hearing which the Headmaster will also attend. The Complaints Procedures policy explains how these hearings operate.



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## APPENDIX B

### SULLIVAN UPPER SCHOOL

#### Concerns and Complaints Procedure

#### *Guidance Notes for Members of Staff*

#### General

The overriding principle for staff receiving concerns expressed by other individuals, is to reassure them that they will be dealt with as soon as possible by the appropriate member of staff. Concerns and complaints are recognised as a valuable way in which organisations receive first-hand feedback about core activities and can provide opportunities to develop and revise practice and procedure to meet objectives more efficiently and effectively. Complainants may be parents, pupils, neighbours, members of the public, elected representatives or other school staff. **However, no member of staff is required or expected to have to listen to foul or abusive language or to be placed in a potentially hazardous or threatening situation.** Indeed the Board of Governors is fully committed to meeting its obligations as an employer by protecting and safeguarding the welfare of all staff in the widest sense. It will therefore support and defend staff against allegations that are malicious and/or vexatious, will facilitate links with and guidance from appropriate professional bodies and will seek to provide suitable training opportunities. Good internal communications and teamworking within the school are essential to developing appropriate practice and responding effectively to legitimately expressed concerns or complaints.

#### **If you receive a complaint about another member of staff or some aspect of the school not personal to yourself -**

Given current trends it is virtually certain that at some point in the career of everyone working in schools, teachers and non-teachers alike will be informed about some concern a parent, pupil or other person has about the school. This might be about the running of the school, a school policy or decision, school finance, the behaviour of pupils, the actions of another member of staff or some similar occurrence. It is important to listen carefully to such concerns and to reassure the person that they will be treated with respect and that their worries will be addressed. In most cases it should be possible to deal with the matter then and there in an informal way or to pass it on to someone more appropriate or knowledgeable who can resolve it. This is the **initial approach** or **informal stage** as outlined in **Stage 1** of the main document.

If, however, the concern is about another member of staff, for whom you have no direct responsibility, you will not be able to deal with the issue yourself and you should refer the matter speedily to someone who does have appropriate responsibility eg Year Head, Head of Department or member of the School Management Team. Please be prepared to make and keep a brief written record of the matter indicating the date, nature, circumstances and any action taken as this may be needed later.

#### **If a complaint is made about you**

If the concern is about you personally and you hear or receive it directly from the person voicing the concern, it may also be possible to deal with the matter informally and quickly. In such cases

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you should inform the member of staff to whom you are accountable fully and as soon as is practicable thereafter.

If the concern about some aspect of your work is made to another member of staff you will be informed by an appropriate colleague and may be asked to provide evidence. No assumption about the legitimacy of the concern will be made and obviously spurious, unfounded, trivial or malicious allegations will be either ignored or if necessary referred to the police.

It is recognised that the voicing of complaints against a member of staff, although rare, can be traumatic and upsetting for the member of staff concerned. Therefore all efforts will be made within the terms of this policy document to handle matters with sensitivity and tact and to maintain the confidentiality of information to key personnel. However, with apparently legitimate cases, you will be expected to co-operate fully with the school-based investigation. In most cases it is expected that the matter can be resolved quickly and amicably and will have stemmed from a communications failure, a genuine misunderstanding or an honestly made mistake.

In more serious cases involving a formal complaint (**Stage 2**) or which, following investigation, is judged to have some foundation, further action may be considered appropriate. This could take the form of some internal discussion with agreed changes to practice and procedure or the provision of support and advice.

In exceptional cases it may be necessary to invoke the school's disciplinary procedures and/or other policies such as that relating to Child Protection. In any event the rights of the employee will not be adversely affected and their access to independent professional advice and the support of a colleague or friend at any formal meeting will be maintained, as will their right to invoke other school policies such as the Grievance Procedure and to appeal any decision forthcoming as a result of the school's response at Stage 2 of the process.

If a complaint moves to Stage 3 of the procedure, members of staff may, subject to the approval of the Chair, be called to the hearing and asked questions.

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## APPENDIX C

Please complete and return to the Headmaster who will acknowledge receipt and explain what action will be taken.

<b>Your Name:</b>
<b>Pupil's Name:</b>
<b>Your relationship to the pupil:</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Daytime telephone number:</b>
<b>Evening telephone number:</b>
<b>Please give details of your complaint:</b>

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**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:**

**Official Use**

**Date acknowledgement sent:**

**By whom:**

**Complaint referred to:**

**Date:**