

Edmund Rice College



Complaints Procedure Policy

Contents	Page
1. Introduction	3
1.1 School Information	
1.2 Communication Chart	
2. Scope of the Complaints Procedure	5
2.1 Complaints with Established Procedures	
2.2 Anonymous Complaints	
3. Aims of the Complaints Procedure	5
3.1 When dealing with Complaints	
3.2 Availability of Procedure	
4. Complaints Procedure - at a Glance	6
4.1 Time Limit	
4.2 Stage One	
4.3 Stage Two	
4.4 Northern Ireland Public Services Ombudsman	
5. What to Expect Under this Procedure	8
5.1 Your rights as a person making a complaint	
5.2 Your responsibilities as a person making a complaint	
5.3 Rights of parties involved during the investigation	
5.4 Timeframes	
5.5 Equality	
5.6 Unreasonable complaints	

1. Introduction

We hope that issues can be addressed by talking to the relevant staff. Open communication and regular engagement between the school, parents/carers and other stakeholders is vital to nurturing positive relationships within the whole school community.

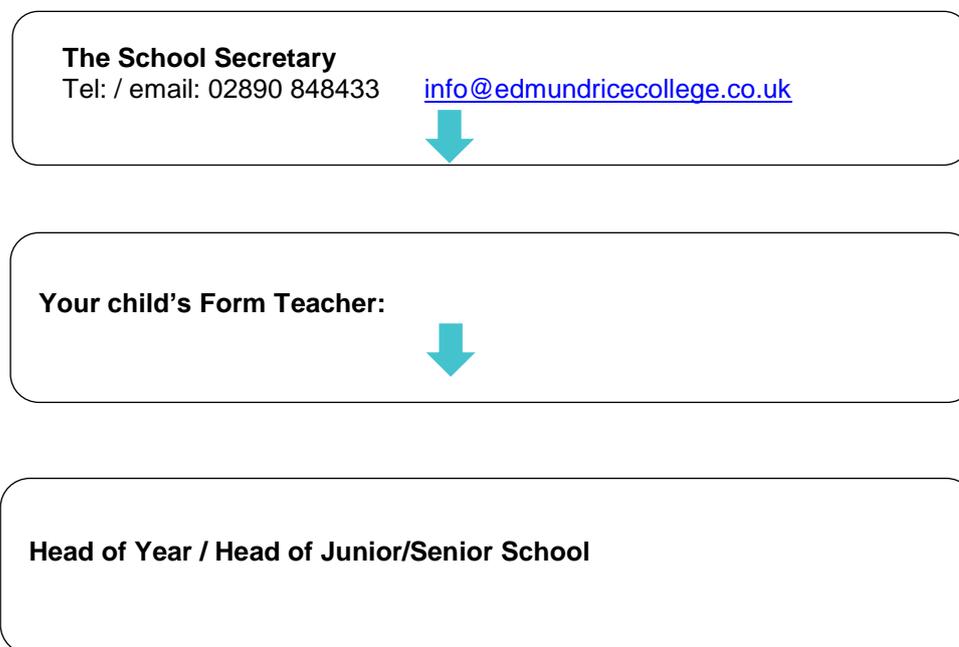
1.1. School Information

Here at Edmund Rice College, we take complaints seriously. We have the best interests of all our pupils and their families at the centre of all we do. Edmund Rice College values parents and carers opinions and feedback. We encourage anyone with a worry to speak to us as soon as possible. If issues are dealt with at an early stage, then they are more likely to be resolved leaving no unnecessary dissatisfaction.

We welcome communication with our staff. Parents / carers can do this by contacting staff as outlined below:

We take all issues seriously and make every effort to resolve matters as quickly as possible.

1.2. Communication Chart



If you wish to make a complaint, please follow the School Complaints Procedure attached

Scope of the Complaints Procedure

A complaint is described as an expression of dissatisfaction with our work.

2.1 Complaints with Established Procedures

Our school Complaints Procedure sets out how any expression of dissatisfaction relating to the school will be managed. By taking complaints seriously at the earliest possible stage, it is hoped that they can be resolved quickly and effectively.

Some examples of complaints dealt with:

- Not following school policy
- Communication delays / lack of communication
- Difficulties in staff / pupil relationships

This procedure should not be used for complaints with separate established procedures, however if your complaint relates to the school's failure to correctly administer any of these procedures, then you may complain by means of this procedure.

Some examples of statutory procedures and appeal mechanisms, which are not part of the school's complaints procedure, are listed below. The list is not exhaustive. The principal/ chair of governors will advise on the appropriate procedure to use when a complaint is raised.

Exceptions
<ul style="list-style-type: none">• Admissions / Expulsions / Exclusion of children from school• Statutory assessments of Special Educational Needs (SEN)• School Development Proposals• Child Protection / Safeguarding

2.2 Anonymous Complaints

The school will not normally investigate anonymous complaints, unless deemed by the chairperson of the board of governors to be of a very serious nature. The decision of dealing with such complaints will be at the discretion of the chairperson of the board of governors.

2. Aims of the Complaints Procedure

2.1. When dealing with Complaints

Our school aims to:

- Encourage resolution as quickly as possible;
- Provide timely responses;
- Keep complainants informed of progress;
- Ensure a full and fair investigation of your complaint;
- Have due regard for the rights and responsibilities of all parties involved;
- Respect confidentiality;
- Fully address complaints and provide an effective response;
- Take appropriate action to rectify the issue and prevent it happening again;
- Be responsive to learning from outcomes that will inform and improve practice within the school.
- Provide a process that is simple to understand and use;
- be impartial;
- be non-adversarial.

2.2. Availability of Procedure

A copy of this Procedure is available on our school's website or is available from the school on request.

3. Complaints Procedure – At a Glance

Stage One

Write to the Principal

Stage Two

Write to the Chairperson of Board of Governors

3.1. Time Limit

To enable complaints to be resolved, please contact the school as soon as possible. Unless there are exceptional circumstances, complaints will normally only be considered within 6 months of the date of the incident(s) about which you are complaining.

3.2. Stage One

When making a complaint, contact the school principal who will arrange for the complaint to be investigated. **If the complaint is about the principal, proceed to Stage Two.** The school requires complaints to be made in writing. Where this may present difficulties, please contact the school which will make reasonable arrangements to support you with this process.

When writing your complaint, please provide clear information and include the following:

- Your name and contact details
- What your complaint is about – please try to be specific
- What you have already done to try to resolve it and
- What you would like the school to do to resolve your complaint

The principal will normally acknowledge the complaint as soon as possible but within 10 school working days. This will be a short response and you will be sent a copy of, (or a link to) the school's complaints procedure. A final response will normally be made within 20 school working days of receipt of the complaint. This response will be issued in writing and will indicate with reasons whether the complaint has been upheld, partially upheld or not upheld. ***If, for any reason, the consideration of a complaint takes longer to complete, you will be informed of revised time limits and kept updated on progress.***

These timeframes may need to be reviewed if complaints are ongoing during school holiday periods.

If you remain unhappy with the outcome at Stage One, the complaint may be progressed to Stage Two which is overseen by the board of governors.

3.3. Stage Two

If your complaint is about the principal or if the complaint is unresolved after Stage One, write to the chairperson of the board of governors, Mr Ciaran Toner 96-100 Hightown Road, BT36 7AU. Where this may present difficulties, please contact the school which will make reasonable arrangements to support you with this process. The letter can be left at the school office and marked '*private and confidential*'. The chairperson will convene a committee to consider the complaint.

In the case of the complaint being about the principal, this committee will investigate the complaint.

Please provide clear information and include the following:

- Reason(s) why you disagree with the stage one findings
- Any aspect in which you think that the school's complaints procedure was not fully followed

The chairperson of the committee will normally acknowledge the complaint as soon as possible but at least within 10 school working days. A final response will normally be made within 20 school working days from date of receipt of the second letter. The response will be issued by the chairperson of the committee and will indicate, with reasons, whether the complaint has been upheld, partially upheld or not upheld.

If, for any reason, the review of a complaint takes longer to complete, complainants will be informed of revised time limits and kept updated on progress.

These timeframes may need to be reviewed if complaints are ongoing during school holiday periods.

3.4. Northern Ireland Public Services Ombudsman (NIPSO) www.nipso.org.uk

If following Stage Two you remain dissatisfied with the outcome of your complaint, you 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 that 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 NIPSO within six 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 NIPSO are provided below.

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

4. What To Expect Under This Procedure

4.1. Your rights as a person making a complaint

In dealing with complaints we will ensure:

- Fair treatment;
- Courtesy;
- A timely response;
- Accurate advice;
- Respect for privacy – complaints will be treated as confidentially as possible allowing for the possibility of consultation with other appropriate parties about the complaint; and
- Clear reasons for decisions.

4.2. Your responsibilities as a person making a complaint

When making a complaint it is important that you:

- Raise issues in a timely manner
- Treat our staff with respect and courtesy
- Provide accurate and concise information in relation to the issues raised
- Use these procedures fully and engage with them at the appropriate levels

4.3. Rights of parties involved during the investigation

Where a meeting is arranged parties may be accompanied but not represented by another person.

Complainant: - should be informed that they may be accompanied but not represented by another person during the process e.g. spouse, friend, family member or interpreter, provided this person is not offering legal representation or acting in an official capacity.

If the complainant feels unable to speak on their own behalf, they may avail of support from outside agencies as agreed with the school. (*Local MLAs / Councillors / Citizens' Advice Bureau / Parenting NI / Children's commissioner*)

Staff Members: - should be informed that they may be accompanied or represented by another person during the process e.g. union representative, colleague¹

Pupils: permission should be sought from parents / guardians and parent, guardian or other nominated adult should accompany pupils.

It may be appropriate to seek a written statement if a person is unable to meet for any reason.

Parties should normally be informed when a complaint is made against them and be able to see relevant correspondence.

This Procedure does not take away from the statutory rights of any of the participants.

¹ For information on workers' statutory rights to be accompanied, this should be read in accordance with Section 3 of the LRA's Code of Practice on Disciplinary and Grievance Procedures (Paras 110-116).

4.4. Timeframes

Stage One – Normally acknowledge as soon as possible but at least within 10 school working days, with final response normally provided within 20 school working days

Stage Two – Normally acknowledge as soon as possible but at least within 10 school working days, with final response normally provided within 20 school working days

If, for any reason, the consideration / review of a complaint takes longer to complete, complainants will be informed of revised time limits and kept updated on progress.

These timeframes may need to be reviewed if complaints are ongoing during school holiday periods.

4.5. Equality

The school requires complaints to be made in writing. Where this may present difficulties, please contact the school which will make reasonable arrangements to support the complainant with this process.

4.6. 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 has been reviewed by the Ombudsman, the complainant remains dissatisfied. The school must balance the rights of an individual to make a complaint and have it fairly investigated with the rights of staff not to be subjected to unacceptable actions or behaviour.

Any decision to treat a complainant as unreasonable must take into account the need to ensure that the complaints procedure is being fairly applied and every attempt has been made to communicate and address concerns about behaviour/conduct with the complainant. In the event that such a decision has been taken, the complainant will be advised accordingly.

Appendices

Appendices

Appendix One:	Record of School Complaints
Appendix Two:	Draft Letter of Acknowledgement to Complainant
Appendix Three:	Unreasonable Complaints Guidance
Appendix Four:	Glossary of Abbreviations

APPENDIX TWO: *Draft Letter of Acknowledgement*

Name
Address

Dear

I acknowledge receipt of your letter of complaint which was received on .././20... We will carry out an investigation of the issues in line with our complaints procedure and will respond to you by (*insert a date 20 days from receipt of the letter*).

As part of our investigation, we may wish to speak to you and if that is the case we will be in touch to arrange this.

I enclose a copy of our schools' complaints procedure for your information.

Yours sincerely

Principal's Signature
Contact details

APPENDIX THREE: *Unreasonable Complaints Guidance*

Guidance on unreasonable complaints

On occasion, people can pursue complaints in a way that is deemed unacceptable either through their behaviour, persistence or the nature of the complaint. The school must balance the rights of an individual to make a complaint and have it fairly investigated with the rights of staff not to be subjected to unacceptable actions or behaviour.

Unreasonable complaints are time consuming; they can be extremely stressful and upsetting and can take up valuable resources and staff time. Whilst the school makes every effort to respond with patience and sympathy to the needs of all complainants, there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.

Everyone has the right to be treated with respect. No member of staff is expected to continue with any engagement that is of an abusive or aggressive nature. For example, staff may end telephone calls or meetings where this occurs. It is important that staff are clear about how to deal with these situations when they arise and that complainants are aware of how unreasonable complaints and/or behaviour will be managed.

Guide for Staff

All complaints must be managed in accordance with the school's complaints procedure. The stages of the procedure are designed to ensure that complainants have the opportunity of rigorous scrutiny of their issues.

Any decision to treat a complainant as unreasonable must take into account the need to ensure that the complaints procedure is being fairly applied and every attempt has been made to communicate and address concerns about behaviour/conduct with the complainant. People may act out of character in a time of trouble, anxiety or distress. There may have been upsetting or distressing circumstances leading up to a complaint. Reasonable allowances should be made for this. However, we do consider actions that result in unreasonable demands on our office or unreasonable behaviour towards staff to be unacceptable. It is these actions we aim to manage under this policy.

It is also important to consider that due to some disabilities and medical conditions some people may be potentially more aggressive. Whilst we will never tolerate aggressive behaviour, you should think carefully about whether this may be the cause and make reasonable and appropriate allowances.

Complainants may be deemed to be unreasonable where they:

- Persist in pursuing a complaint where the school's complaints process has been properly implemented and exhausted;
- Persistently change the substance of a complaint or continually raise new issues whilst the complaint is being addressed. Care must be taken not to disregard new issues which are significantly different from the original complaint;
- Repeatedly do not clearly identify the precise issues which they wish to be investigated, despite the reasonable efforts of staff to help them specify their concerns;
- Have threatened verbally with or without the use of foul and abusive language or used or threatened to use physical violence towards employees;
- Have had an excessive contact with the school, placing unreasonable demands on employees. Such contact may be in person, by telephone, letter, email or fax or any other means;
- Have harassed or been verbally abusive or aggressive towards employees;
- Are known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved;
- Have made unjustified complaints about staff who are trying to deal with the issues, and seek to have them replaced;

- Make unreasonable demands of the school and its employees and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or outside the timeframes set out in the school's complaints procedure; and
- Make repetitive complaints and allegations which ignore the replies which the school has previously supplied.
- A complainant may display one or a combination of the above examples. The list is not exhaustive and each case must be considered on its own merit.

Options for Dealing with Unreasonable Complainants

The decision to treat a complainant as unreasonable should not be taken lightly. The following questions should be considered:

- Has the complaint been, or is it being, investigated properly in line with the school's complaints procedure?
- Has communication with the complainant been timely, adequate and accessible?
- Has the complainant provided any significant new information that might affect the school's view of the complaint?

The options below can then be considered:

Consider offering the complainant a meeting with a member of staff of appropriate seniority provided there has been no verbal abuse or threat of violence. A communication (in a suitable format for the complainant), setting out responsibilities of the parties involved if the school is to continue processing the complaint. If the terms are not met, consideration will then be given to implementing one or more actions set out below.

Decline contact with the complainant, either in person, by telephone, by fax, by letter, by email or any combination of these, provided that one form of contact is maintained. This may also mean that one named member of staff will be nominated to maintain contact.

Notify the complainant, in writing, that the school has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will also be notified that the correspondence is at an end, advising that they are being treated as an unreasonable complainant and that the school does not intend to engage in further correspondence dealing with the complaint.

Temporarily suspend all contact with the complainant, while seeking advice or guidance from EA legal advisers, health, safety and security staff or other relevant agencies for example PSNI. This temporary suspension of contact may include the blocking of emails from the complainant to staff who may have been subjected to harassment.

Once a decision has been reached to use any of the actions above, the principal or chairperson of governors should advise the complainant of their right to a review of the decision. A review will be undertaken 4 months after the decision.

APPENDIX FOUR: *Abbreviations Used*

CCEA Council for the Curriculum, Examinations and Assessment

CCMS Council for Catholic Maintained Schools

CnaG Comhairle Na Gaelscolaíochta

CSSC Controlled Schools' Support Council

DE Department of Education

EA Education Authority

ETI Education and Training Inspectorate

NICIE Northern Ireland Council for Integrated Education