



St Mary's Christian Brothers' Grammar School, Belfast

COMPLAINTS POLICY

January 2019

Complaints Policy and Procedures

Introduction

The Board of Governors has established the following complaints procedures to allow parents/guardians to make complaints about all matters related to school that are not covered under statutory procedures. In addition, there may be circumstances in which they may complain or appeal if they consider that their rights have been ignored, a wrong decision taken or if their child is not being properly taught.

Communication, written or spoken, is valued as part of the partnership between home and school. Co-operation between parents, staff and governors leads to a shared sense of purpose and a good atmosphere in the school. From time to time difficulties and challenges will arise that need prompt and efficient resolution. This Complaints Policy and Procedure sets out clear steps to be followed in the event of a complaint which allows all concerned an opportunity to express and resolve concerns at an early stage.

Complaints are not always easy to define. It is therefore important to keep in mind a distinction between concerns, problems and complaints. They can often arise from the consequences or perceived consequences of resource allocations, operational difficulties, working practices or individual actions.

Policy

Complainants will be treated seriously and courteously and given the time they require to be heard. It is important to the school that the complainants have confidence in these procedures and know that their cases will be impartially investigated.

Complainants will be advised at the earliest possible stage of:

- The possibility of resolution of the matter at an informal stage
- The extent of the procedure for dealing with it
- The way in which the complaint is likely to be handled.

Where there are established statutory or other procedures for dealing with a complaint, these will be followed. These guidelines do not cover those matters already provided for such as:

- Admissions to schools
- Exclusions
- Special Educational Provision (SEN Tribunal)
- School re-organisation
- Matters concerned with the curriculum
- Serious complaints against staff
- Child Protection issues
- Public examinations.

It may be that action under the complaints procedure may lead to action being initiated under other (e.g. statutory) procedures. In these cases the investigations under the complaints procedure will be suspended until action under the procedure (including appeals) has been concluded. The complainant will be advised that alternative action is being taken, but will have to remain confidential until that procedure has been completed. They will also be told the likely timescale in the final resolution of their complaint which will result.

Student Complaints

The principles that apply to parental complaints should also be applied to complaints and concerns from pupils. One important difference from the handling of parental complaints is that pupils should be able to raise concerns with any member of staff with whom they feel comfortable.

In more complex situations, once the matter is resolved, the outcome should be discussed with the pupil by a member of staff. Complaints that appear trivial still need to be handled seriously. Young people may test the

complaints procedures on relatively minor issues before finding the confidence to raise something painful, such as bullying.

Complaints, and ways of dealing with them, also need to be explained to pupils. Personal and Social Education programs can be of use, not only in teaching pupils how they may support and act as mentors to others, but also in encouraging them to understand that their views matter. All students are provided with a copy of the following guidelines for making complaints and expressing concerns in their School Diary (**Appendix 1**).

Definition of a Complaint

For schools, a complaint within the terms of the procedures described here is an expression of dissatisfaction verbally or in writing by parents/guardians of children who attend the school. All complaints from parents/guardians of children who attend the school will be investigated as such. After initial investigation of the complaint, a decision might be made to use the discipline (or other appropriate) procedure against a member of staff.

Anonymous complaints would not normally be considered under this procedure.

This procedure outlines the informal and formal stages by which a complaint may be made against the school (**Appendix 2**). At all stages the aim of the policy is to reach a mutual understanding of the problems so that improvements can be made where necessary.

Where agreement cannot be reached, the aim of the procedure is to ensure that all parties are treated fairly.

Conciliation between school and the parents/guardians can be considered at any time, within the informal or formal stages.

Your responsibilities as a person making a complaint -

In making your complaint we would expect 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 you raise; AND
- use these procedures fully and engage in them at the appropriate levels.

Rights of parties involved during the investigation -

The process is non-adversarial and does not provide a role for any other statutory or non-statutory body

Complainant

The complainant may be accompanied by another person where it is accepted, by the Principal and Board of Governors, that this will assist the investigation and resolution of the complaint.

Staff

Staff may seek the advice and support from their professional body or trade union and may also be accompanied by another person where it is accepted, by the Principal and Board of Governors, that this will assist the investigation and resolution of the complaint.

A member of staff who is directly referred to in a complaint will be provided with a written copy of the complaint and details of any information brought by the parent/carer before being required to respond to the matters raised.

Legal Representation -Legal representation or representation by person(s) acting in a professional capacity is not permitted within this procedure.

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

1. The First Stage (Informal) - Dealing with Concerns and Complaints

1.1 Guidelines

- 1.1.1 It is hoped that all complaints and concerns are resolved as early and as informally as possible. Parents/guardians need not only to be listened to but also to feel that they have been listened to by staff. St. Mary's offers an advice sheet on how to approach the school with a problem (**Appendix 3**).
- 1.1.2 The vast majority of concerns and complaints can be resolved informally. There are many occasions where concerns are resolved straightaway through the class teacher.
- 1.1.3 Parents must feel able to raise concerns with members of staff without any formality, either in person by appointment, by telephone or in writing. Please observe the school's existing protocols for arranging and conducting such meetings and follow the school's policy with respect to access to members of teaching staff. On occasions it may be appropriate for someone to act on behalf of a parent. A parent/guardian may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.

1.2 Procedures

- 1.2.1 Parents/guardians will be given an opportunity to discuss their concern with the appropriate member of staff who will clarify the nature of the concern and reassure them that the school wants to hear about it. The member of staff may explain to the parents/guardians how the situation arose. It may be helpful to identify at this point what sort of outcome the parent/guardian is looking for.
- 1.2.2 The member of staff will need to respond appropriately, taking into account the seriousness of the complaint. Hopefully, the appropriate member of staff can resolve the matter immediately.
- 1.2.3 If the member of staff first contacted cannot deal immediately with the matter, they will make a clear note of the date, the name of the pupil and of the complainant and the nature of the complaint (**Appendix 4**). Depending on the nature of the complaint, the Head of Department, Year Head or Vice-Principal may be involved. The Principal will be informed.
- 1.2.4 Where the concern relates to the Principal, the parent should be advised to contact the Chairperson of the Board of Governors.
- 1.2.5 The member of staff dealing with the concern or complaint will make sure that the parent/guardian is clear what action (if any) or monitoring of the situation has been agreed, putting this in writing if this seems the best way of making things clear.
- 1.2.6 Where no satisfactory solution has been found within 10 school working days, parents/guardians should be given clear information, both orally and in writing, about how to proceed with their complaint and about any independent advice available to them.

2. The Second Stage (Formal) - Referral to the Principal/Chairperson of the Governors for Formal Investigation

2.1 Guidelines

- 2.1.1 By now it will have become clear that the concern is a definite complaint. In some cases, the Principal will already have been involved in looking at the matter; in others it will be his/her first involvement. In either case, it will be helpful for the Principal (or member of staff designated to investigate) to use these guidelines to ensure consistency among cases, and to make sure that nothing happens at this stage which could make it difficult for later stages to proceed smoothly.
- 2.1.2 As the Principal has responsibility for the day-to-day running of the school, he/she has responsibility for the implementation of a complaints system, including the decisions about his/her own involvement at the various stages. One of the reasons for having the various 'stages' in a complaints procedure is to reassure complainants that more than one person is hearing their complaint.
- 2.1.3 The Principal will make arrangements to ensure that his/her involvement will not predominate at every stage of a particular complaint. For example, arrangements may be made for other staff to deal with the concerns of parents/guardians at Stage 1, while the Principal deals with contacts with parents/guardians at Stage 2. **Even at Stage 2 the Principal may designate another member of staff to collect some of the information from the various parties involved.**

2.2 Procedures

- 2.2.1 Complaints should normally be in a written format. In exceptional cases the school will consider progressing an oral complaint where there are sufficient grounds to do so. The Principal (or designated member of staff) will acknowledge the complaint orally or in writing within three working days of receiving the written complaint.
- 2.2.2 Schools should be sensitive to the needs of the parent/guardian who may have literacy difficulties or for whom English is not their first language.
- 2.2.3 The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This will normally be within 10 school working days; if this proves unworkable, a letter will be sent explaining the reason for the delay and giving a revised target date.
- 2.2.4 It may be possible even at this stage to reach an agreed solution to the problem. There may still be a mediation format to discuss the complaint in private without invoking formal procedures. The aim here is to progress the matter for the good of the pupil, their parents/guardians and the school. Such a route would be seen as an attempt to resolve the complaint informally and would not compromise the complainant's right to move to more formal procedures at any time.
Prolonging a complaint longer than is necessary may be harmful to any or all parties involved.
- 2.2.5 The Principal will provide an opportunity for the complainant to meet him or her to supplement any information provided previously. It will be made clear to the complainant that if they wish, they may be accompanied to any meeting by a friend, relative, representative or advocate who can speak on their behalf and that interpreting facilities are available if needed.
- 2.2.6 If necessary, the Principal will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. In some circumstances, another member of staff with whom the pupil feels comfortable will be asked to attend. At all times, a parent/guardian will be invited to be present when the Principal interviews a pupil. The Principal will keep written records of meetings, telephone conversations and other contacts.
- 2.2.7 Once all the relevant facts have been established, the Principal will then produce a written response to the complainant, and/or may wish to meet the complainant to discuss/resolve the matter directly. A written response will include a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint. If any action is to be taken against a member of staff, to protect the rights of the staff concerned, the phrase '**Appropriate action has or will be taken**' should be used.
- 2.2.8 The complainant will be advised that should they wish to take the complaint further they should notify the Chairperson of the Board of Governors within 10 school working days of receiving the outcome letter. Normally, the Chairperson will arrange that a Governors' Complaints Committee should investigate on the parents/carers behalf, and would also chair the Governors' Complaints Committee unless a chair of that Committee has already been designated by the governing body.
- 2.2.9 Where the complaint is against the Principal, arrangements should be made for the initial investigation to be conducted by a single Governor (usually the Chairperson of the Board of Governors, or Vice Chairperson of the Board of Governors), or a suitably constituted Governors' Complaints Committee who will carry out all the Stage 2 procedures.

3. The Third Stage – Writing to the Chairperson of the Board of Governors or Governors’ Complaints Committee

3.1 Guidelines

Complaints rarely reach this formal level. It is important that this appeal should not only be independent and impartial on behalf of the governing body, but that it is seen to be so. As such the appeal should be dealt with by governors who have had no prior knowledge or involvement in the case.

- 3.1.1 As this may be the last chance for a solution or compromise to be reached, every effort should be made to **mediate** and **conciliate**.
- 3.1.2 Complaint appeals should normally be in a written format. In exceptional cases the school will consider progressing an oral complaint appeal where there are sufficient grounds to do so. This complaint should state clearly why the complainant feels their case has not been dealt with and should be based on evidence or supported by witness statements.
- 3.1.3 All complaints which reach this stage will have done so because the complainant has not been satisfied by the Principal's response at the earlier stage of the procedure or the original investigation by the Chairperson of the Board of Governors, Vice Chairperson of the Board of Governors or Governors’ Complaints Committee if the complaint had been about the Principal.
- 3.1.4 In the unlikely event of pupils needing to be interviewed, extreme care will need to be taken. A single Governor should interview the child, after gaining parental permission. The parent should be invited to attend but if they are unable, parents/guardians could nominate a member of staff to accompany the child.

3.2 Procedures

- 3.2.1 Upon receipt of a written request by the complainant for the complaint to proceed to Stage 3, the procedures outlined below will be followed:
 - 1. The Chairperson of the Board of Governors will write to the complainant to acknowledge receipt of the written request within 10 school working days.
 - 2. The acknowledgement will inform the complainant that the complaint will be investigated by the Chair of Governors or members of the school's Governors’ Complaints Committee, as appropriate, within 25 school working days of receiving the request.
 - 3. The letter will also explain that the complainant has the right to submit any further documents relevant to the complaint.
 - 4. Documents must be received in time for them to be sent to the members of the Committee, if the Chairperson of the Board of Governors is not conducting the investigation on his/her own.
- 3.2.2 If the investigation is being conducted by a Governors’ Complaints Committee, the Chairperson of the Board of Governors will convene a Committee elected from the members of the Governing Body. The Committee members will be governors who have had no prior involvement with the complaint. Generally it is not appropriate for the Principal or staff to have a place on the Committee. Governors will want to bear in mind the advantages of having a parent/guardian (who is also a Governor) on the Governors’ Complaints Committee. Governors will also want to be sensitive to issues of race, gender and religious affiliation.
- 3.2.3 The Chairperson/Vice Chairperson will ensure that the Committee hears the complaint within 20 school working days of receiving the request. All relevant correspondence regarding the complaint will be given to each Governor’s Complaints Committee member as soon as the composition of the Committee is confirmed.
- 3.2.4 The Chair/Vice-Chair will write and inform the complainant, Principal, any relevant witnesses and members of the Governors’ Complaints Committee at least ten school working days in advance, of the date, time and place of the meeting. The details of the complaint available at that time should also be sent in writing to the Principal.
- 3.2.5 The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/advocate/interpreter. The letter will also explain how the meeting will be conducted and the complainant's right to submit further written evidence to the Committee, at least five school working days in advance of the meeting. The Chair/Vice Chair of the Governing Body will invite the

Principal, to attend the Governors' Complaints Committee meeting and prepare a written report for the Committee in response to the complaint.

- 3.2.6 The Principal may also invite members of staff directly involved in matters raised by the complainant to respond in writing or at the discretion of the Chair to attend the meeting. All concerned, including the complainant, will receive any relevant documents including the Principal's report, at least five school working days prior to the meeting.
- 3.2.7 It is the responsibility of the Chair of the Committee to ensure that the meeting is properly minuted.
- 3.2.8 The aim of the meeting will be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations, which will satisfy the complainant that his or her complaint has at least been taken seriously.
- 3.2.9 The Committee should remember that some parents/guardians are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the Committee. It is therefore recommended the Chair of the Committee ensures that the proceedings are as informal as the situation allows.
- 3.2.10 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.
- 3.2.11 At Stage 3 the complainant and the Principal and any other staff should be interviewed separately, so the Committee can form a clear and unbiased view of the complaint. The interviews, which can be arranged to run consecutively if this is more convenient, should allow:
- The complainant to explain their complaint(s)
 - The Principal to explain the school's response
 - The Governors' Complaints Committee members to have an opportunity to question both the complainant and the Principal
 - Any party to have the right to call witnesses (subject to the approval of the Chair and the Committee having the right to question all the witnesses)
 - Both parents/carers and Principal and staff to have the right of representation at the interview if they so wish.
- 3.2.12 The Chair of the Committee will explain to the complainant and the Principal that the Committee will consider its decision, and a written response will be sent to both parties within 15 school working days.
- 3.2.13 The Committee will then consider the complaint and all the evidence presented and
- a) Reach a unanimous, or at least a majority decision on the complaint
 - b) Decide upon the appropriate action to be taken to resolve the complaint
 - c) Where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again
- 3.2.14 Recommendations will be reported to the governing body at an appropriate time.
- 3.2.15 A written statement outlining the decision of the Committee must be sent to the complainant and Principal. If any action is to be taken against a member of staff, to protect the rights of the staff concerned, only the phrase '**Appropriate action has or will be taken**' should be used.
- 3.2.16 The governors will ensure that a copy of all correspondence and notes are kept on file in the governors' records. These records should be kept separately from the pupil's personal records.
- 3.2.17 The complainant, if still dissatisfied after exhausting these procedures, can proceed to the Appeal Process.

4. Appeals Process – Appeals Sub-Committee of the Board of Governors

- 4.1 If you are dissatisfied with the Board of Governors Committee you may write to the Chairperson of the Board of Governors within 10 working days of receiving written feedback from the Complaints Committee, appealing their decision. Your written request should be as concise as possible and set out specifically the grounds for your appeal.
- 4.2 The Chairperson will be responsible for establishing an Appeals Sub-Committee comprising of at least three members of the Board of Governors who were not involved in the original investigation. You will be invited to a meeting of the Appeals Sub-Committee where your appeal will be heard.

- 4.3 You will receive a written acknowledgement of your letter within 10 working days. This will confirm that your letter has been received and provide you with the date and time of the meeting with the Appeals Sub-Committee at which you will have an opportunity to explain the grounds for your appeal. This meeting will normally take place within 30 working days of your appeal request having been received.
- 4.4 Within 10 working days of this meeting, you should expect a final written response. This will indicate the Governors' findings, their recommendations and the reasons supporting their decisions.
- 4.5 The decision of the Appeals Sub-Committee is final. At the end of the process the Chairperson will inform you, in writing, that the Complaints Procedure has been exhausted and that the matter is considered closed.

Northern Ireland Public Services Ombudsman

If you are dissatisfied with the Appeals Sub-Committee of the Board of Governors, you may contact the Northern Ireland Public Services Ombudsman. Please find contact details below.

Northern Ireland Public Services Ombudsman,

Progressive House
33 Wellington Place,
Belfast, BT1 6HN

Opening Hours: 9.00am - 5.00pm, Monday to Friday (excluding Public Holidays)

- Telephone: 02890 233821
- Text Phone: 02890 897789
- Freephone: 0800 34 34 24
- Email: nipso@nipso.org.uk
- Freepost: Freepost NIPSO

Appendix 1

Student Concerns

Any problems, complaints, or suggestions? If so, the school would like to hear.

➤ **How do I make a complaint?**

By talking about it or by writing it down if you find that easier. You can do it by yourself, or as part of a group, or through your parents.

➤ **To Whom?**

To anyone on staff.

➤ **Does it matter what the issue is?**

No, it can be a big problem or a small one. By discussing it, you may come up with some positive ideas.

➤ **What will happen next?**

If possible, the staff member will deal with it in person. If not, he or she will go on your behalf to someone who can help.

➤ **Do others have to know?**

If you are worried about confidentiality, tell the staff. They will understand and help you.

Even if you find the issue a difficult one, don't worry; you can approach your teacher who will only be interested in helping you.

Appendix 2: Stages for Handling Complaints

Stage 1 (Informal)

- Expression of concern to member of staff
- Satisfactory outcome reached?
- Yes? **No further action**
- No? **Stage 2**

Stage 2 (Formal)

- Complainant makes written complaint to Principal or Chairperson of Governors if complaint is about Principal
- Investigation conducted by Principal or Chairperson of Governors and reported to complainant
- Satisfactory outcome reached
- Yes? **No further action**
- No? **Stage 3**

Stage 3 (Formal)

- Complainant refers matter to Governors' Complaints Committee
- Investigation by Chairperson of Governors/Complaints Committee of Governors. Complainant and Principal attend.
- Satisfactory outcome reached?
- Yes? **No further action**
- No? Decision with complainant whether to proceed to the appeal process – the final stage.

Appendix 3: How to approach St. Mary's about a problem

When you are faced with a problem and wonder how best to approach our school about it, here are some guidelines:

- Always keep in mind that school personnel want to work with you to solve problems. Do not hesitate to call the school and ask about the problem. If you telephone the school about the problem, school personnel can often explain the incident and you will gain an understanding of what happened. In addition, there will be times when school personnel are unaware of the problem and your call will help them learn about the situation and take action.
- Be aware that sometimes school personnel cannot tell you about the incident or the action taken unless it directly affects you or your child. School personnel cannot give out confidential information.
- Your first contact should be with the person at the school who is responsible for the incident, grade, punishment, etc. It is always best that, if you have a problem involving a teacher, you deal directly with that teacher.
- Teachers cannot talk with you about your child when they are supervising students or teaching lessons but they will meet at a mutually convenient time. If you arrive without an appointment you will not normally be able to meet with teachers. You must call the school and the office staff will inform the teacher of your call and an appointment will be made.
- It is best not to go to the school management about the problem unless you have talked to the teacher and are not satisfied. If this first step is bypassed, it usually results in a chain of conferences/discussions that take time away from solving the problem quickly.
- If you are not satisfied after speaking with the teacher, you can pass on your concern to the Form Teacher who will consult as appropriate with the relevant Head of Department or Year Head. If matters are still unresolved you should contact (as appropriate), the Senior Teacher in charge of the Upper School, one of our Vice-Principals or, finally, the Principal.
- Try not to ask the school administration for something to be done, but be unwilling to have your name and any reference to the incident disclosed to the teacher involved. This ties the hands of school personnel and hampers the process of finding the facts. In such a case, school managers will have to be very general when inquiring about the incident. What they can often do, if you do not want your name divulged or do not want anything done, is to monitor the situation carefully in order to try to avoid future incidents.
- Be sure that you have all the facts. Viewpoints differ, and at times there are hidden reasons for a school action. Students who bring home complaints may be covering for a poor test grade, forgotten home assignments, or a discipline problem. Sometimes, when students describe situations that had nothing to do with them and involve other students, they don't know what actually happened.
- Do not fear that if you talk to a teacher about a problem that the teacher will "take it out on your child." That would not be acceptable by anyone. Keep in mind that sometimes children may think they are being "picked upon" when teachers are trying hard to push them to achieve their potential, do their homework, study more carefully, etc.
- If your child is having a problem with another student while at school, it is best to check the situation with the Form Teacher first. Try to find out why the problem is happening. Teachers cannot make children be friends with each other, but they will insist that children be polite to each other. (Refer to our advice for parents in our Anti-Bullying Policy).
- Be assured that school personnel will listen carefully to your complaint. You should also listen carefully to what school people tell you. Try to understand the problem from the viewpoint of the school.
- Do not expect a school manager or teacher to disagree with you. The problem may be one that is troubling to school personnel, and they may be glad to have your support in dealing with the situation.

The best advice is to engage with school personnel so that you can work together. Our common aim is for the happiness and success of every pupil in St. Mary's.

The school's Complaints Policy and Procedures is available on request.

**Appendix 4 St Mary's Christian Brothers' Grammar School
Record of Complaint**

Name of Complainant	
Pupil's Name	
Date of contact with school	
Nature of Complaint	
What would you regard as a reasonable remedy for your complaint?	
Actions Taken	
<ul style="list-style-type: none">• • • •	
Referred on as a formal complaint?	Yes No <input type="checkbox"/> <input type="checkbox"/>
Signature:	Date:

APPROVALS	
Principal:	
Chair of the Board of Governors:	
Date of Approval by Governors:	
Date of next annual review:	