



Complaints Handling Procedure

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1. Introduction

The Council for Catholic Maintained Schools (CCMS) is committed to ensuring that each and every person whom we serve is treated with the upmost dignity and respect.

These procedures have been developed in line with guidance from the Office of the Northern Ireland Public Service Ombudsman and apply to members of the public who receive, request or are directly affected by our services.

Further information on procedures for Boards of Governors who wish to raise a concern is detailed in Section 8.

2. Our Commitment

The CCMS welcomes feedback, comments and complaints regarding our service, and we are committed to:

- Acting in accordance with the law and relevant guidelines;
- Ensuring that staff are equipped and empowered to resolve complaints
- Listening to ensure that the complaint and the outcome sought are both understood
- Ensuring that complaints are managed and reviewed by someone at an appropriate level with no direct involvement in the issue
- Acting fairly towards staff who have been complained about as well as towards complainants
- Acknowledging mistakes, apologising where appropriate and using lessons learned to improve our service.

3. What is a complaint?

A complaint is an expression of dissatisfaction about the service provided by CCMS or on our behalf.

This list is not exhaustive, but a complaint may relate to:

- Failure of the CCMS and/or its officers and/or its Educational Associates¹ and to implement agreed actions or follow agreed policy or procedures
- The CCMS and/or its officers and/or its Educational Associates acting unfairly, discourteously or dishonestly
- Failure to provide a satisfactory service or standard of service
- Disagreement with a decision where no other remedial procedure exists.

4. What can I not use this procedure for?

This list is not exhaustive, however this procedure is **not** appropriate for complaints concerning:

¹ Employed directly by CCMS as opposed to those engaged directly by schools

- Matters for which there are already other statutory procedures, for example, employment issues
- Matters over which the CCMS has no control, for example, curriculum matters, admissions appeals, suspensions or expulsions
- School complaints, including matters within the remit of Boards of Governors e.g. uniform policies, admissions criteria and decisions, timetables, conduct of teaching staff . These should be raised directly with the school as they are dealt with under schools' individual complaints procedures
- A routine first-time request for a service
- Issues that are currently in court or have already been heard by a court or statutory tribunal; including where CCMS has been notified of a pre-action protocol. If action commences after receipt of the complaint investigation will cease and the complaint will be considered closed. If you decide to take legal action you should let us know
- Disagreement with a decision where there is a statutory procedure for challenging that decision or an established appeals process otherwise in place (within CCMS or other relevant body) e.g. schools' admissions procedures
- A request for information under the Data Protection or Freedom of Information legislation
- A grievance by a staff member or a grievance relating to employment or recruitment
- A concern raised internally by a member of staff e.g. a whistleblowing concern
- A concern about a child or an adult's safety (relevant Child Protection Policies will be considered)
- An attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision
- Abuse or unsubstantiated allegations about our organisation or staff considered to be unreasonable or vexatious (see Appendix 2)
- A concern about the actions or service of a different organisation or body, where we have no involvement or statutory remit in the issue (except where the other organisation is directly delivering services on our behalf).
- Complaints outside the reporting timescales indicated within this policy.

If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

4. Who can complain?

This procedure applies to members of the public who receive, request or are directly affected by our services or services provided on our behalf. If you are making a complaint on someone else's behalf, you will need to have and share with us, their written consent.

Boards of Governors are excluded from the definition of a member of the public in the Public Services Ombudsman Act (Northern Ireland) 2016. Further information on how Boards of Governors and Principals can provide feedback or raise concerns is outlined later in the document.

5. How long do I have to make a complaint?

You must make your initial complaint within six months of:

- The event you want to complain about; or
- Finding out that you have a reason to complain.

If you feel that the time limit should not apply to your complaint, please tell us why. Complaints will only be accepted after this time limit in exceptional circumstances and CCMS is under no obligation to investigate a complaint after this timeframe has elapsed.

6. How to make a complaint

It is easier to resolve issues if they are raised early and directly with the service concerned, so we encourage you to engage with a member of staff in the relevant service first.

If you feel the issue is still not resolved and you wish to make a complaint, you can do this:

In writing

Complaints
Council for Catholic Maintained Schools
Linen Hill House, 23 Linenhall Street
Lisburn
BT28 1FJ

By phone

028 9201 3014

By email

Send an email marked '**Complaint**' to info@ccmsschools.com

When making a complaint, you should provide as much information as possible including:

- Your name and contact details;
- What your complaint is about;
- What you have already done to try and resolve it;
- Which department within CCMS you have contacted;
- What you would like us to do.

7. What happens when I complain?

When your complaint is received, it is logged and we determine if it should be dealt with under this policy, who should deal with it and what should happen next depending on the nature of the issue(s).

If your complaint will not be dealt with under this policy, we will advise you of this.

Stage 1

We will always try to resolve any complaint informally first.

We aim to make contact within 10 working days from initial receipt of the complaint. This may be a verbal response or written response. If our response time is likely to exceed this timeframe, we will advise you of this.

Should you wish to invoke the next stage of the procedure (see below), you should be satisfied that you were treated fairly and courteously.

If a complaint proceeds to court, tribunal or another established appeals mechanism proceedings, during this time the investigation will cease, and the complaint will be closed. This includes where notice of a pre-action protocol has been received.

Stage 2

If you are not satisfied with the response at Stage 1, you can request to move your complaint to Stage 2. You must ask for this in writing/email within two months of receiving your Stage 1 response.

We will acknowledge your complaint within 10 working days and confirm the grounds for complaint we will be investigating.

We will investigate your complaint and provide a written response of our findings, including any steps taken to resolve the complaint and any recommendations. We aim to issue this within 25 working days. Where further time is required we will advise you of this.

If a complaint proceeds to court, tribunal or another established appeals mechanism proceedings, during this time the investigation will cease, and the complaint will be closed. This includes where notice of a pre-action protocol has been received.

8. Boards of Governors

This procedure relates to complaints by members of the public. The Public Services Ombudsman Act (Northern Ireland) 2016 clarifies that Board of Governors are excluded from this definition, and as such this procedure does not apply.

It is though important that our schools have the opportunity to provide feedback or raise concerns with us.

We encourage schools to resolve these informally with the relevant officer(s) wherever possible. There are also a number of existing procedures which can be used e.g.HR procedures, grievance etc.

If these are not appropriate, Boards of Governors are asked to direct their concerns to the relevant Senior Officer, or if necessary, Director or Chief Executive.

CCMS is not accountable for duties outside its remit; including matters that are the operational responsibility of schools or another body, departmental policy, or legislative/regulatory requirements.

9. Anonymous Complaints

Whilst it is preferable that all complaints are made by a named individual whereby a response can be issued, any complaints irrespective of their nature or origin which are made anonymously will be handled in line with these procedures.

10. Whistle Blowing

Where appropriate, any complaints (internal or external) relating to whistle blowing, whether or not they are anonymous, shall be referred to and dealt with under the whistle blowing policy.

11. Unacceptable Behaviour & Vexatious Complainants

There may be exceptional circumstances where a complainant, either individually or collectively as part of a group or campaign, is considered to demonstrate unacceptable or vexatious behaviour. The CCMS will aim to identify proportionate ways of responding to these situations.

Unacceptable and vexatious behaviours are categorised under the following, and further information is contained in Appendices 1 & 2:

- Aggressive and/or abusive behaviour.
- Unreasonable demands.
- Unreasonable persistence.

Any threat or use of physical violence, verbal abuse or harassment towards the CCMS or its officers will result in the termination of all direct contact with the complainant. The complaint will also no longer be processed, and incidents of threat or use of physical violence will be reported to the police.

Where a complainant is demonstrating unacceptable behaviour, a decision may be taken to restrict contact with the complainant through one or more of the following:

- i. Only taking telephone calls at set times on set days;
- ii. Arrange for only one member of staff to deal with calls and correspondence;
- iii. Establish an appointment process;
- iv. Only accept contact in writing;
- v. Undertake other appropriate action – advising the complainant of the action to be taken and why.
- vi. Written advice to modify their behaviour and that any continuance may adversely impact the processing of their complaint.

If a complainant continues to correspond on a wide range of issues, and this action is considered excessive, they will be advised to limit or focus their requests accordingly.

If, during the course of managing a complaint, an officer or the CCMS encounters an individual whose behaviour is unacceptable, they will restrict contact immediately and inform their line manager who will liaise with a member of the Senior Leadership Team and decide on the action to be taken in cases of unacceptable behaviour by complainants.

Complainants will be informed, in writing, why a decision has been made to restrict future contact, the restricted contact arrangements, and, if relevant, the length of time that these restrictions will be in place. Complainant behaviour will continue to be monitored and agreed action(s) amended to reflect conduct and modified behaviour.

12. What if I am still dissatisfied?

After we have given you our final decision, if you are dissatisfied with our decision or the way we dealt with your complaint, you can contact the Northern Ireland Public Service Ombudsman (NIPSO). The NIPSO is the final stage for complaints about public services in NI. This includes complaints about the CCMS. In most instances, the Ombudsman will only investigate a complaint after all the organisation's internal processes have been exhausted.

The NIPSO is an independent organisation and the service provided is free.

You can ask the NIPSO to look at your complaint if:

- You have gone all the way through the CCMS's Complaints Handling Procedure
- It is less than 6 months since you received correspondence from the CCMS informing you that the complaints handling procedure is complete and of your right to refer your complaint to NIPSO.

You can contact the NIPSO at:

The Northern Ireland Public Services Ombudsman

33 Wellington Place

Belfast

BT1 6HN

Tel Freephone: 0800 34 34 24

Email: nipso@nipso.org.uk

Website: www.nipso.org.uk

Email: ombudsman@ni-ombudsman.org.uk

APPENDIX ONE: UNACCEPTABLE BEHAVIOURS

The CCMS has adopted the Northern Ireland Public Services Ombudsman's definition of Unacceptable Behaviours.

For the purpose of this policy, unacceptable behaviours are categorised as follows:

1. Aggressive and/or abusive behaviour
2. Unreasonable demands
3. Unreasonable persistence.

Aggressive and/or abusive behaviour

The CCMS and its Officers can expect to be treated courteously and with respect. Violence or abuse towards staff or Council members is unacceptable. Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) which may cause an individual to feel afraid, threatened and/or abused.

Examples include threats, physical violence, personal verbal abuse, derogatory remarks and rudeness. The CCMS also considers inflammatory statements and unsubstantiated allegations may be regarded as abusive behaviour.

Unreasonable demands

Complainants may make unreasonable demands through the amount of information or the resolution that they seek, the nature and scale of service expected, or the number of approaches they make. Vexatious complaints fall under this heading.

The CCMS has adopted the Northern Ireland Public Services Ombudsman's definition, provided at Appendix 2. What amounts to unreasonable demands will depend on the circumstances of the complaint, e.g. the seriousness of the issues.

Examples include demanding responses within an unreasonable timeframe, continual or repeated phone calls or letters, frustrating the complaints process, repeatedly changing the substance and focus of the complaint, or raising unrelated concerns. Such demands may be considered unacceptable when they consume a disproportionate amount of time and resources.

Unreasonable persistence

Some complainants may persist in disagreeing with the action or decision taken in relation to their complaint, will not or cannot accept that the Council is unable to assist them further, or contact the Council persistently about the same issue.

Examples include a persistent refusal to accept a decision made in relation to a complaint, persistent refusal to accept explanations relating to what the Council can or cannot do, and continuing to pursue a complaint without presenting any new information. Whilst the way these complainants approach Council may be reasonable, the persistent behaviour is not, and will be considered unacceptable when they consume a disproportionate amount of time and resources.

APPENDIX TWO: VEXATIOUS COMPLAINANTS

The CCMS has adopted the Northern Ireland Public Services Ombudsman's definition of Vexatious Complainants.

A complainant may be defined as 'habitual' or 'vexatious' where current or previous contact with them demonstrates that they:

1. Change the substance of a complaint, continually raise new issues, or seek to prolong contact by continually raising further concerns or questions upon receipt of a response whilst the complaint is being addressed. Care must be taken not to discard new issues that are significantly different from the original complaint as these might need to be addressed as separate complaints.
2. Are unwilling to accept documented evidence as being factual; deny receipt of an adequate response in spite of correspondence specifically answering their questions; or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
3. Do not clearly identify the precise issues that they wish to have investigated, despite reasonable efforts of staff and, where appropriate, third party advisors to help them specify their concerns; and/or where the concerns identified are not within the CCMS's remit to investigate.
4. Focus on a trivial matter to an extent that is out of proportion to its significance, and continue to focus on this point. It is recognised that determining what is a 'trivial' matter can be subjective, and careful judgement must be used in applying this criteria.
5. Have, in the course of their complaint, had an excessive number of contacts with the CCMS placing unreasonable demands on staff. A contact may be in person or by telephone, letter or fax. Discretion must be used in determining the precise number of 'excessive contacts' applicable under this section, using judgement based on the specific circumstances of each individual case.
6. Have harassed, been personally abusive, or verbally aggressive on more than one occasion towards staff dealing with their complaint. Staff must recognise that complainants may sometimes act out of character at times of stress, anxiety, or distress and should make reasonable allowances for this. All incidents of harassment must be recorded.
7. Are known to have recorded meetings or face-to-face / telephone conversations without the prior knowledge and consent of other parties involved.
8. Display unreasonable demands or expectations, and fail to accept that these may be unreasonable, i.e. insist on responses to complaints or enquiries being provided more urgently than is either reasonable or normal practice.

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