



# Complaints Policy

<b>Date of next policy review</b>	<b>September 2021</b>
<b>Name of person responsible for this policy</b>	<b>Mr Chris Fulton</b>
<b>Issued to</b>	<b>Staff, governors, parents</b>
<b>Date of issue</b>	<b>September 2019</b>

## **Purpose**

The purpose of the Complaints Policy is to provide parents with an equitable and consistent means of having concerns and complaints heard and to ensure that where required, appropriate action for resolution is taken.

## **Definition of terms**

E.A. – Education Authority

## **Policy statement**

1. The policy is designed to ensure that wherever possible, an informal resolution is attempted.
2. All stages of the complaints procedure should be investigatory rather than adversarial
3. The procedure is intended to be extended to those persons who may have a legitimate complaint relating to the school and where the complaint may not be pursued through a statutory complaint procedure.
4. The responsibility for dealing with the general complaint rests solely with the school. The procedures of EA and other agencies are expected to reflect existing legislation and ensure that any non statutory complaint received by them will be directed to the school immediately and that the complainant be informed accordingly.
5. An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances. These would include serious concerns such as child protection issues or bullying allegations, where the school would either involve appropriate external agencies or else conduct its own internal review.
6. To allow for proper investigation, complaints should be brought to the attention of the school as soon as possible. Any matter raised more than 3 months after the event being complained of will not normally be considered, save in exceptional circumstances.
7. Investigation of any complaint or review request will begin within 5 school days of receipt, save in exceptional circumstances. The investigation will be completed as soon as reasonable practicable.

## **Procedure**

Complaining about the actions of a member of staff other than the Principal

1. Informal stage

The complainant is normally expected to arrange to communicate directly with the member of staff<sup>1</sup> concerned. This may be by letter, by telephone, or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage. (in the case of serious concerns it may be appropriate to address them directly to the Principal. An unreasonable refusal to attempt an informal resolution may result in the procedure being terminated forthwith. (any dispute in relation to the 'reasonableness ' may be determined through the review process.

## 2. Formal stage

If the complaint is not resolved at the informal stage the complainant must normally put the complaint in writing and pass it to the Principal<sup>2</sup> who will be responsible for its investigation<sup>3,4</sup>

The complainant should normally include details which might assist the investigation, such as names of potential witnesses, dates and times of events and copies of relevant documents. In addition the Principal<sup>2</sup> may meet with the complainant to clarify the complaint.<sup>3</sup>

The Principal<sup>2</sup> will collect such other evidence as he/she deems necessary. Where this involves an interview with a member of staff, who is the subject of the complaint, that member of staff may be accompanied by a friend or representative if they wish.

The investigation will begin as soon as possible and when it has been conducted, the complainant and the member of staff concerned, will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The concern is not substantiated by the evidence
- The concern was substantiated in part or in full. (some details may then be given of the action the school may be taking to review procedures etc. But details of the investigation or of any disciplinary procedures will not be released.
- The matter has been fully investigated and that the appropriate procedures are being followed which are strictly confidential.

The complainant will be told that consideration of their complaint by the Principal is now concluded.

If the complainant is not satisfied with the manner in which the process has been followed, the complainant may request that the Board of Governors review the process followed by the Principal<sup>2</sup> in handling the complaint. Any such request must be made in writing within 2 weeks of receiving notice of the outcome from the Principal<sup>2</sup> and include a statement specifying any perceived failure to follow the procedure.

The procedure described in part C will be followed.

If the complainant considers that the decision of the Principal is perverse, or that the Principal has acted unreasonably in considering the complaint, then the complainant may bring a complaint against the Principal under Part B of this procedure. This will provide an opportunity for the evidence to support such a complaint to be investigated.

### Part B

#### Complaining about the actions of the Principal

##### 1. Informal stage

The complainant is normally expected to arrange to communicate directly with the Principal. This may be by letter, by telephone, or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage. (in the case of serious

concerns it may be appropriate to address them directly with the Chair of the Board of Governors<sup>6</sup>.) If the matter is not resolved, if both parties agree, then a third party may be invited to act as mediator at a further meeting. An unreasonable refusal to attempt an informal resolution may result in the procedure being terminated forthwith. (any dispute in relation to the 'reasonableness' may be determined through the review process.

## 2. Formal stage

If the complaint is not resolved at the informal stage the complainant must normally put the complaint in writing and pass it to the Chair of the Board of Governors<sup>6</sup> who will determine which of the agreed procedures to invoke<sup>3,4</sup>

If it is determined that the complaint is 'general' the Chair<sup>6</sup> will arrange for its investigation

The complainant should normally include details which might assist the investigation, such as names of potential witnesses, dates and times of events and copies of relevant documents. In addition the Chair<sup>6</sup> may meet with the complainant to clarify the complaint.<sup>3</sup>

The Chair<sup>6</sup> will collect such other evidence as he/she deems necessary.

This may include the interviewing of witnesses and others who may provide relevant information.

The Principal will be provided with a copy of the complaint and any additional evidence presented by the complainant or collected by the Chair<sup>6</sup>

Once there has been an opportunity for the Principal to consider this he/she will be invited to meet separately with the Chair<sup>6</sup>, in order to present written and oral evidence in response. The Principal may be accompanied by a friend or representative.

When the investigation has been concluded the complainant and the Principal will be informed in writing of the outcome. The complainant will not be informed of any disciplinary/capability action.

The complainant will be told that consideration of their complaint by the Chair<sup>6</sup> is now concluded.

If the complainant is not satisfied with the manner in which the process has been followed, or considers that the decision of the Chair<sup>6</sup> is perverse, or that the Chair<sup>6</sup> has acted unreasonably in considering the complaint, the complainant may request that the Board of Governors review the process followed by the Chair<sup>6</sup> in handling the complaint. Any such request must be made in writing within 2 weeks of receiving notice of the outcome from the Chair<sup>6</sup> and include a statement specifying any perceived failure to follow the procedure.

## Part C

### Review Process

Any review of the process followed by the Principal or the Chair shall be conducted by a panel of 3 members of the Board of Governors.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

The panel will first receive written evidence from the complainant.  
The panel will then invite the Principal or Chair, as appropriate to make a response to the complaint.

The panel may also have access to the records kept of the process followed.

The complainant, and the Principal or Chair, as appropriate will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The concern is not substantiated by the evidence
- The concern was substantiated in part or in full but that the procedural failure did not affect the outcome significantly, so the matter is now closed.
- The concern was substantiated in part or in full and the Board of Governors will take steps to prevent a recurrence or to rectify the situation ( where this is practicable)

#### Notes

The complainant is not entitled to access any details of the investigation except for any statements that may have been provided by their child. Any information relating to the application of disciplinary procedures is strictly confidential. <sup>7</sup>

If the complainant is dissatisfied with the outcome of the investigation by the Panel of the Board of Governors, they may forward their complaint to the Northern Ireland Public Services Ombudsman.

Contact details for 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: 02890 233821

Freephone: 0800 34 34 24

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

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

## Superscripts

1. or other designated post holder. Middle manager, such as Head of Key Stage, Vice Principal
2. Or other designated member of staff on behalf of the Principal ( in such case the Principal must be satisfied that the process has been conducted properly and accept responsibility for the same)
3. Alternatively the complainant may be referred back to the informal stage of the procedure
4. If the complainant is judged to be vexatious, then the complainant will be informed that their complaint will not be accepted and will not be investigated
5. It may be appropriate to offer the complainant the opportunity to be accompanied by a friend at any such meeting
6. or designated governor responsible for investigating complaints
7. for the avoidance of doubt, it may be helpful to specify the persons who are allowed access to the records

**How can a parent/guardian  
make a complaint**

**I have a concern/complaint**

**1. I can talk to the class teacher**



**2. If I wish to discuss the concern/complaint further I can  
talk to  
Mrs Orr (head of Key Stage 1) / Mrs Miskelly (Head of Key  
Stage 2)**



**3. If I wish to discuss the concern/complaint further I can  
talk to or Mrs Kernaghan (Vice Principal)**



**4. If I wish to discuss the concern/complaint further I can  
talk to or Mr Fulton ( Principal)**



**5. If I am still concerned I can write to Mrs J Rodgers  
chairperson of the Board of Governors Victoria Primary  
School (sent via school reception)**