



# **Complaints Procedure for Controlled Schools**

**SELB April 2008**

**Adopted by**

**Rathfriland High School**

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## THE COMPLAINTS PROCEDURE

**SCHOOL NAME:** Rathfriland High School

### 1.1 Scope of Complaints Procedure

**The purpose of the School Complaints Procedure is to address concerns raised mainly by parents/ guardians.**

- I. The procedure covers all matters relating to the actions of staff and the application of school procedures, where they affect individual pupils.
- II. **Where it becomes evident at an early stage that the nature of the complaint should be dealt with according to other established procedures or appeals mechanisms this complaints procedure would be set aside in favour of the alternative procedure such as Child Protection, Special Education, Admissions, Suspensions and Expulsions, Grievance, Discipline, Harassment or Unsatisfactory Teacher Procedure.**
- III. The school will not deal with anonymous complaints and therefore these procedures do not provide for a resolution of anonymous complaints except for the referral of child protection concerns within the scope of Procedures and Guidelines to the appropriate Child Protection Authority.

### 2.1 Aims

Our Complaints Procedure aims to:

- encourage resolution of problems by **informal** means wherever possible;
- be easily **accessible** and **publicised**. Copies will be available on request or via the school web site;
- be **simple** to understand and use;
- be **impartial**;
- be **non-adversarial**;
- allow **swift** handling with established **time limits** for action, keeping people informed of the progress;
- ensure a full and **fair** investigation;
- have due regard for the **rights and responsibilities** of all parties involved;
- respect people's desire for **confidentiality**;
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
- provide **information** to the school's senior management team and Board of Governors so that services can be improved.

### **3.1 What to expect under these Procedures**

#### **(i) Your rights as a person making a complaint**

In dealing with your complaint we will ensure that you receive:

- fair treatment;
- courtesy;
- a timely response;
- accurate advice;
- a co-ordinated response;
- respect for your privacy – concerns will be treated as confidentially as possible, allowing for the possibility that we may have to consult with other appropriate parties about your complaint;
- reasons for our decisions.

Where there are grounds to your complaint we will acknowledge this and address the issues you have raised. If after investigation it is judged there are no grounds for your complaint, you will be advised accordingly.

#### **(ii) Your responsibilities as a person making a complaint**

In raising an issue we would expect that you:

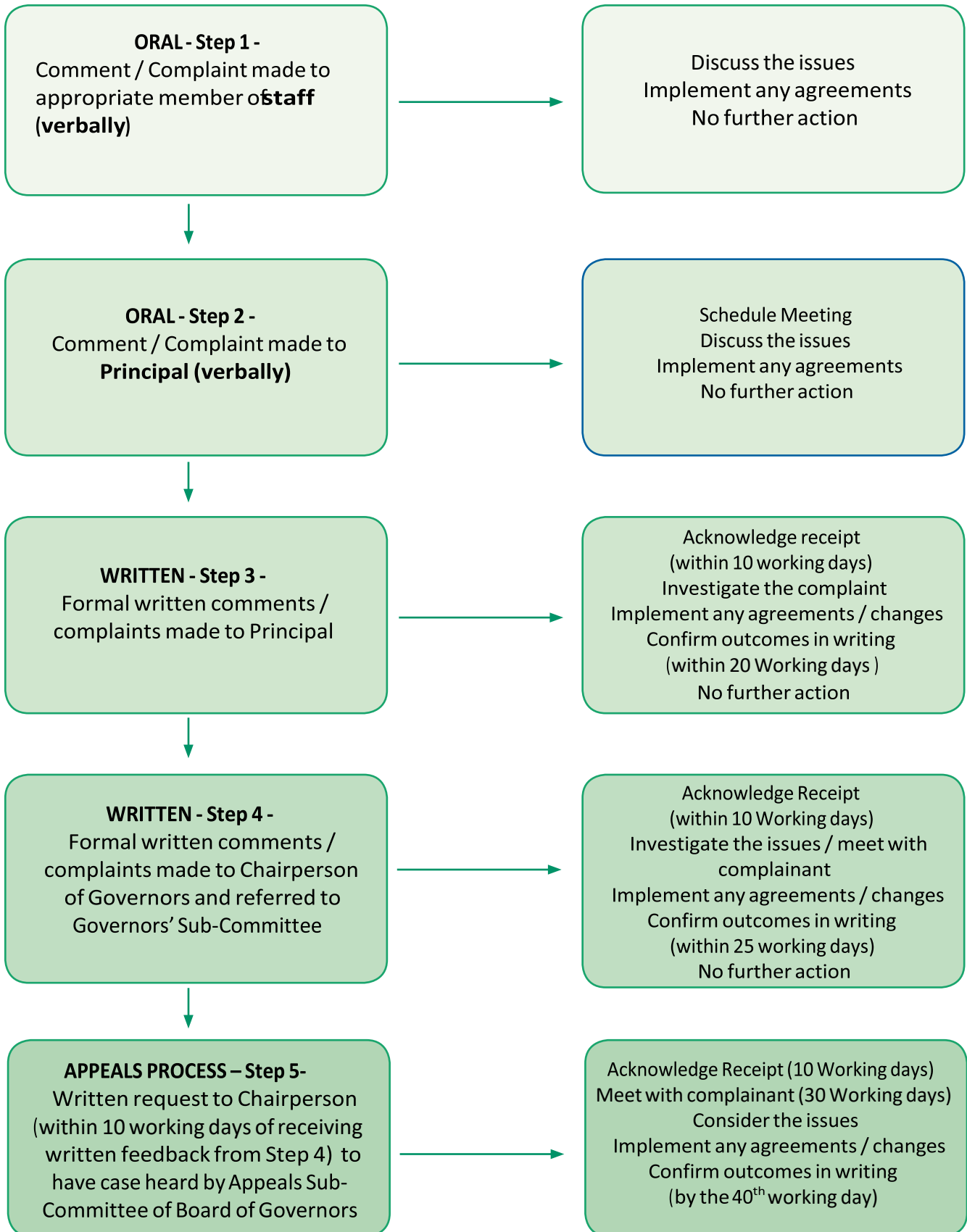
- raise issues in a timely manner;
- treat our staff in a non-threatening manner and with respect and courtesy;
- provide accurate and concise information in relation to the issue you raise;
- use these procedures fully and engage in them at the appropriate levels.

#### **(iii) Rights of staff involved**

The process is non-adversarial and does not provide a role for any other statutory or non-statutory body. However, it does not take away the right of staff to seek advice from their professional body or trade union. Neither does the procedure take away from the statutory rights in law of any of the participants.

## COMPLAINTS PROCEDURE FLOW CHART

(With timescale for responses)



#### **4.1 Who will deal with your Complaint**

At the informal stage your complaint will be dealt with by the class teacher or Principal. If you proceed to the formal part of the process the Principal will assume responsibility for managing the process, unless s/he is the subject of the complaint, in which case the Chair of the Board of Governors will assume responsibility. The Board of Governors will be responsible for establishing a Complaints Sub-Committee to investigate and resolve complaints.

If the Chairperson of the Board of Governors is the subject of a complaint, the governors will nominate another member of the Board of Governors to act as a Complaint's Co-ordinator and you will be informed accordingly.

#### **5.1 Making a Complaint**

##### **(i) Oral Process**

##### **Step 1 - Speaking with the Teacher concerned**

In the first instance a complaint or concern should normally be referred verbally to the class/subject teacher concerned, so that s/he may be allowed an opportunity to address the issue, as in many instances, these can arise through a simple misunderstanding. ***You should observe the school's existing protocols for arranging and conducting such approaches or meetings and observe the school's policy with respect to access to members of teaching staff.***

This approach would not prevent you from choosing to enter the process at a later stage, if you believe that to be an appropriate course of action.

If the complaint refers to the behaviour of a non-teaching member of staff (outside the classroom), then you should speak to the Principal.

##### **Step 2 - Speaking with the Principal**

If your complaint remains unresolved following Step 1 you should arrange a meeting with the Principal to discuss the issue. You should let the Principal know in advance the nature of your concerns so that s/he can prepare for the meeting.

In some circumstances the Principal will not be able to deal effectively with your concerns immediately and s/he will require some time to investigate and prepare a response. If further time is required you will be informed of the timescale and the likely date by which a response will be issued.

If you have concerns relating to the Principal, you should arrange a meeting with her/him to discuss the issues.

## **(ii) Written Process**

### **Step 3 – Writing to the Principal**

Sometimes it will not be possible for you to have your complaint resolved through the informal processes proposed at Steps 1 and 2 or indeed it might be more appropriate to initiate the procedures at Step 3. You should write to the Principal, and state the grounds for your complaint as concisely as possible addressing specifically the issue or issues that are of immediate concern to you.

You will receive a written acknowledgement of your letter within 10 working days. This will confirm that your letter has been received, and either;

- Provide a response to the issues you raised;
- or,
- Indicate that your concerns are being investigated and when you can expect a response to be issued (normally a maximum of 20 working days from the date on which your letter was received). The investigation may require you to meet the Principal and due notification will be given of such meetings. The Principal will also talk to the other relevant parties.

If your complaint is against the Principal you should proceed to Step 4 of this procedure.

### **Step 4 - Writing to Chairperson of the Board of Governors**

If you still believe that your complaint has not been dealt with in a satisfactory manner, or in a case where you decide to raise an issue at this level, you may write to the Chairperson of Board of Governors, including, if possible, copies of the original correspondence relating to Step 3. The Chairperson will be responsible for referring your complaint to a Complaints Sub-Committee of the Board of Governors, which will investigate and respond to your complaint. The Complaints Sub Committee will have a minimum of 3 voting members.

Your written complaint should be as concise as possible and address specifically the issue or issues that are of concern to you. You will receive a written acknowledgement of your letter within 10 working days. This will confirm that your letter has been received, and;

- Provides a response to the issues you raised;
- or,
- Indicate that your concerns are being fully investigated and when you can expect a response to be issued (normally a maximum of 25 working days from the date on which your written complaint was received).

The investigation may require you to meet the Sub-Committee of the Board of Governors. Again, a mutually convenient time will be arranged. The Sub-Committee will also talk to other parties relevant to the complaint.

If the Chairperson of the Board of Governors is the subject of the complaint, you should write to the Secretary of the Board of Governors.

### **Step 5 - Appeals Process – Appeals Sub-Committee of Board of Governors**

Finally, if you still believe that your complaint has not been addressed you may write to the Chairperson of the Board of Governors within 10 working days of receiving written feedback from Step 4 above, requesting that your complaint be moved to the Appeals Process.

The Chairperson will be responsible for ensuring that you are invited to a meeting of the Appeals Sub-Committee where your appeal will be heard. Your written request should be as concise as possible and set out specifically the grounds for your Appeal.

The Appeals Sub-Committee of the Board of Governors will have at least 3 members who will not have been involved in the initial investigation.

**Again, where it becomes evident that the nature of the complaint should be dealt with according to other established procedures or appeals mechanisms this complaints procedure will be set aside in favour of the alternative procedure such as Child Protection, Special Education, Admissions, Suspensions and Expulsions, Grievance, Discipline, Harassment or Unsatisfactory Teacher Procedure.**

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 at which you will have an opportunity to explain your concerns. Since this process is consultative in nature and not adversarial, a complainant will have the right to be accompanied by another person, but not a legal representative or a person acting in a professional capacity. This meeting will normally take place within 30 working days of your Appeal request having been received.

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.

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.

Should a complainant not be satisfied with the decision of the Appeals Sub-Committee recourse may be made to other bodies for example the Commissioner for Children and Young People.



## **6.1 Record Keeping**

The Principal and Chairperson shall maintain a record of all correspondence, conversations and meetings concerning your complaint. These records shall be held confidentially in the school and shall be kept apart from pupil records. All such records will be destroyed five years after the date of the last correspondence on the issue.

If the complainant does not respond within a reasonable time to the outcome of an investigation into your comment/complaint we will assume that you are satisfied and do not require us to take further action.