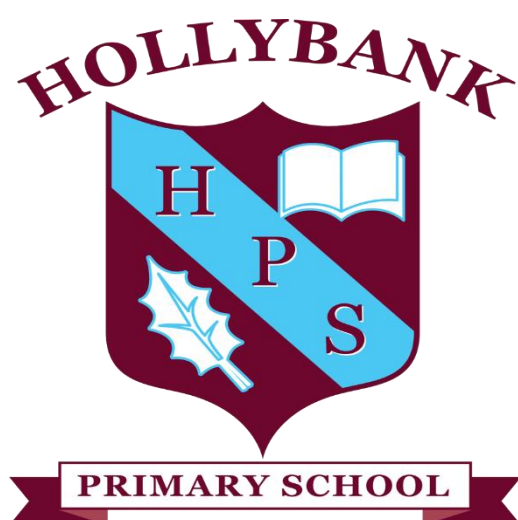

CONCERNS AND COMPLAINTS POLICY



Engage, Empower, Excel

Date of next policy review	June 2020
Name of person responsible for this policy	L Brett
Issued to	Staff, Governors, Parents
Date of issue	SEPT 2019

Our Promise

At Hollybank Primary School we work very hard to build positive relationships with all parents. Our aim is to deal with issues and problems before they become a 'complaint'. However there is a clear protocol to follow if necessary. The steps to follow and their outcomes are outlined in this document.

The Board of Governors together with the Principal are committed to working with parents in the best interests of their children's education. The purpose of the Complaints Procedure is to address complaints raised by parents/guardians.

Scope for Making a Complaint

The procedure covers all matters relating to the actions of staff employed in the school and the application of school procedures, where they affect individual pupils. However, school staff, and the Board of Governors recognise the difference between a concern and a complaint. Informal concerns are addressed seriously at the earliest possible stage to reduce the numbers that develop into formal complaints.

Where it becomes evident at an early stage that a matter should be dealt with according to other established procedures or appeals mechanisms, this Complaints Procedure will be set aside in favour of the agreed procedure such as Child Protection, Special Education, Admissions, Suspensions and Expulsions, Grievance, Discipline, Bullying and Harassment or the Unsatisfactory Teaching Procedure.

Exclusions

The school will not investigate anonymous complaints, unless deemed by the school to be of a serious nature. Anonymous complaints may be investigated where they relate to alleged Child Protection matters or alleged financial impropriety. This will be at the discretion of the school.

This policy relates to parents of pupils who are currently attending Hollybank Primary School. It is expected that any concerns of previous students would have been raised prior to a pupil leaving the school.

Our Goal

Hollybank Primary School's Complaints Procedure aims to:

- encourage resolution of problems by informal means wherever possible;
- allow swift handling of a complaint within established time-limits for action;
- keep people informed of progress;
- ensure a full and fair investigation;
- have due regard for the rights and responsibilities of all parties involved;
- respect confidentiality;
- fully address all aspects of a complaint and provide an effective response and appropriate redress, where necessary; and
- in the interest of continuous improvement, provide relevant information to the School's Senior Management Team and Board of Governors.

This Procedure is designed to be:

- easily accessible and publicised;
- simple to understand and use;
- impartial; and
- resolve matters in a non-confrontational way.

What You Should Expect

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;
- respect for your privacy – complaints will be treated as confidentially as possible allowing for the possibility that we may have to consult with other appropriate parties about your complaint; and
- reasons for our decisions.

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

The person investigating the complaint will:

- Establish what has happened so far and who has been involved.
- Clarify the nature of the complaint and what remains unresolved.
- Meet with the complainant or contact them if further information is required
- Clarify what the complainant feels would put things right.
- Conduct any interviews with an open mind and be prepared to persist in the questioning.
- Complete all necessary notes.

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 with them at the appropriate levels.

Things to Consider

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

Where a meeting is arranged the complainant may be accompanied by another person where it is accepted, by the Board of Governors and the Principal, 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 to meetings where it is accepted, by the Board of Governors and the Principal, that this will assist the investigation and resolution of the complaint.

A member of staff who is the subject of a complaint will be provided with full details of any allegations made against him/her before being required to respond to the matters raised. In many occasions this may be best achieved by providing the member of staff with a copy of the letter. However, the views of the complainant will be sought before doing so.

Legal Representation

Legal representation or representation by a person, or persons 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.

Where the complainant is a Governor

Where the complainant is a member of the Board of Governors, s/he will play no part in the management, or appeal, of the complaint as set out in this Procedure.

Concern or Complaint?

There is a clear difference between a concern and a complaint. A concern is dealt with in an informal manner while a complaint is dealt with in accordance with a well-defined formal procedure.

Resolving Complaints

At each stage in the complaint procedure, regardless of whom the complaint is against, the school and complainant should be aware of how the complaint may be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition it may be appropriate to offer one or more of the following:

- An apology;
- *An admission that the situation could have been handled differently or better;
- Assurance that the event that was the basis of the complaint will not recur;
- Explanation of the steps that have been taken to ensure it does not happen again. Details of any disciplinary procedures that have taken place as a result of the complaint will not be shared.
- An undertaking to review school policy or procedure in light of the complaint;
- An explanation that there is insufficient evidence and thus the complaint cannot be upheld;
- An explanation that, following investigation, the evidence does not substantiate the concern.

**An admission that the school could have handled things better is not the same as an admission of negligence*

Frivolous or Vindictive Complaints

Where the Board of Governors considers the actions of a parent/group of parents to constitute a frivolous or vindictive complaint, it will seek advice from the Education Authority in order to protect staff from further such actions. Furthermore, if the complaint is deemed to be vindictive or deliberately malicious then the Board of Governors at Hollybank Primary School reserve the right to seek legal advice, contact the PSNI and take any reasonable action(s) to protect staff and deter others with malicious intent.

Making a Complaint

All complaints are taken seriously by Hollybank Primary School. Depending upon the nature of the complaint and to whom it is against, the procedures may vary slightly. However, all complaints adhere to both informal and formal stages. **It is essential that due process is followed and that an attempt to resolve all complaints informally, in the first instance, is exhausted.**

The following pages outline the due process for raising a concern about:

Teaching staff

Non-teaching staff

Principal

Complaint about a Teacher (other than the Principal)

Informal Stage

Step1-SpeakingwithTeacher

In the first instance, a complaint should normally be raised verbally with the teacher concerned, so that s/he may have an opportunity to address the issue(s). **Please observe the school's existing protocols for arranging and conducting such meetings. In our experience most matters of concern can be resolved positively in this way. Members of the school's senior leadership may be involved at this stage.**

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

Step2-SpeakingwiththePrincipal

If your complaint remains unresolved following Step 1, you should arrange a meeting with the Principal to discuss the issue(s). In some circumstances the Principal may not be able to deal effectively with your complaint immediately, and s/he may require some time to investigate and respond. If further time is required you will be informed of the timescale and the likely date by which the Principal will respond.

Formal Stage

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(s) that are of concern to you.

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

- provide a response to the issue(s) you raised; or
- state that your complaint is being investigated and indicate 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 may also talk to the parties relevant to the complaint.

Step4- Writing to Chairperson of the Board of Governors

If you believe that your complaint has not been dealt with in a satisfactory manner following the completion of Steps 1, 2 and 3, you should write to the Chairperson of the Board of Governors, including, if applicable, 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 three voting members.

Your written complaint should be as concise and factual as possible and address specifically the issue(s) that are of concern to you. You will receive a written acknowledgement of your letter within ten working days. This will confirm that your letter has been received, and either:

- provide a response to the issue(s) you raised; or
- state that your complaint is being fully investigated and indicate 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; unless this occurs during or immediately prior to a holiday period, in which case a response will be issued as soon as is practicable).

The investigation may require you to meet the Complaints Sub-Committee of the Board of Governors and due notification will be given of such meetings. The Complaints Sub-Committee of the Board of Governors may also talk to the parties relevant to the complaint.

Step 5 - Appeals Process

If you are dissatisfied with the decision of the Sub-Committee of the Board of Governors, you may appeal the decision to the Chairperson of the Board of Governors. This procedure is outlined in **Annex 1**.

Complaints about Non-teaching Staff (Classroom Assistants, Ancillary and Auxiliary staff)

Informal Stage

Step 1 – Raise your concern with the Principal

A complaint concerning a member of the school's support staff should be raised verbally with the Principal. A meeting should be arranged with the Principal to discuss the issue(s). In some circumstances, the Principal may not be able to deal effectively with your complaint immediately and s/he may require time to investigate and respond. If further time is required, you will be informed of the timescale and the likely date by which the Principal will respond.

Formal Stage

Step 2 – Writing to the Principal

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

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

- provide a response to the issue(s) you raised; or
- state that your complaint is being investigated and indicate 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; unless this occurs during or immediately prior to a holiday period, in which case a response will be issued as soon as is practicable). The investigation may require you to meet the Principal and due notification will be given of such meetings. The Principal may also talk to the parties relevant to the complaint.

Step 3 – Writing to the Chairperson of the Board of Governors

If you believe that your complaint has not been dealt with in a satisfactory manner following the completion of Steps 1, and 2 you should write to the Chairperson of the Board of Governors, including, if applicable, copies of the original correspondence relating to Step 2. 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 three voting members.

Your written complaint should be as concise as possible and address specifically the issue(s) that are of concern to you. You will receive a written acknowledgement of your letter within ten working days. This will confirm that your letter has been received, and either:

- provide a response to the issue(s) you raised; or
- state that your complaint is being fully investigated and indicate 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, unless this occurs during or immediately prior to a holiday period, in which case a response will be issued as soon as is practicable).

The investigation may require you to meet the Complaints Sub-Committee of the Board of Governors and due notification will be given of such meetings. The Complaints Sub-Committee of the Board of Governors may also talk to the parties relevant to the complaint.

Step 4 - Appeals Process

If you are dissatisfied with the decision of the Sub-Committee of the Board of Governors, you may appeal the decision to the Chairperson of the Board of Governors. This procedure is outlined in **Annex 1**.

Complaint about the Principal

Informal Stage

In the first instance, a complaint must be raised verbally with the Principal, so that s/he may have an opportunity to address the issue(s). An appointment should be made through the School Office to facilitate the time and attention required for both parties.

It may be the case that the Principal will not be able to deal effectively with your concerns immediately and will require time in which to investigate and prepare a proper response. If further time is required you will be told of this.

Formal Stage

Step 1 – Writing to the Chairperson of the Board of Governors

Where a concern/complaint which relates to the Principal has not been resolved informally you should write to the Chair of the Board of Governors, stating the grounds for your complaint as concisely as possible. 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 three voting members. You will receive a written acknowledgement of your letter within ten working days. This will confirm that your letter has been received, and either:

- provide a response to the issue(s) you raised; or
- state that your complaint is being fully investigated and indicate 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, unless this occurs during or immediately prior to a holiday period, in which case a response will be issued as soon as is practicable).

Step 2 - Appeals Process

If you are dissatisfied with the decision of the Sub-Committee of the Board of Governors, you may appeal the decision to the Chairperson of the Board of Governors. This procedure is outlined in **Annex 1**.

Record Keeping

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

Monitoring and Review

The Governors will monitor the complaints procedure, in order to ensure that all complaints are handled properly. The head teacher will log all stage 2 complaints received by the school, and record how they were resolved. These will be reported as part of the head teachers report to Governors.

The Governors of Hollybank Primary School will review this policy:

- in light of new legislation; or
- as a response to a presenting need as a result of actions through this procedure.

In the event of neither of the above, the Governors will review the policy biannually.

ANNEX1

APPEALS PROCESS – APPEALS SUB-COMMITTEE OF THE BOARD OF GOVERNORS

If you are dissatisfied with the decision of the Sub-Committee of the Board of Governors, you may write to the Chairperson of the Board of Governors within ten working days of receiving written feedback from the Complaints Sub-Committee, appealing their decision. Your written request should be as concise as possible and set out specifically the grounds for your appeal.

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.

You will receive a written acknowledgement of your letter within ten 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, unless this occurs during or immediately prior to a holiday period, in which case a letter will be issued as soon as is practicable.

Within ten 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.

Principal: _____ Date: _____

Chair of Board of Governors: _____ Date: _____

Review Date: June 2020

Northern Ireland Public Services Ombudsman (NIPSO)

If following all stages 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:

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