

# Complaints Procedure



## Thornfield House School

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Ratified by the Board of Governors signed: \_\_\_\_\_

date: \_\_\_\_\_

To be reviewed: September 2023

## 1. Introduction

**We hope that issues can be addressed by talking to the relevant staff. Open communication and regular engagement between the school, parents/carers and other stakeholders is vital to nurturing positive relationships within the whole school community.**

### 1.1. School Information

#### **Mission Statement**

2. In Thornfield House School we work to create a happy, caring, safe and supportive school environment, offering high quality educational provision which places our pupils at the heart of school life.

We seek to promote the intellectual, moral, social, emotional, physical and spiritual development of our pupils while developing their communication skills and maximising their full potential.

Thornfield House School recognises and values the social and cultural diversity in which it operates and is committed to promoting equality and respecting the dignity of all staff, students and other individuals to whom it provides services. The school is committed to providing conditions which enables everyone to participate fully in learning and achieve to their fullest potential and is opposed to any form of harassment or discrimination.

The school has a fundamental belief in the right of everyone to be treated with respect and regarded as equal status regardless of:

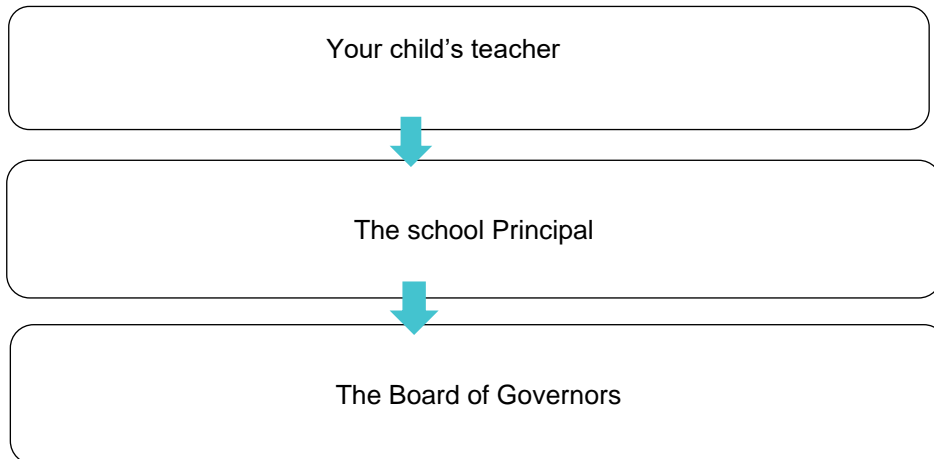
- Race
- Economic status
- Gender/gender re-assignment
- Age
- Religion or belief
- Disability
- Sexual orientation
- Pregnancy and maternity

At Thornfield House School, we take complaints seriously. We have the best interests of all our pupils and their families at the centre of all we do. We encourage anyone with a worry to speak to us as soon as possible. If issues are dealt with at an early stage, then they are more likely to be resolved leaving no unnecessary dissatisfaction.

We welcome communication with our staff. Parents / carers can do this by contacting staff as outlined below:

**We take all issues seriously and make every effort to resolve matters as quickly as possible.**

## 2.1. Communication Chart



## Scope of the Complaints Procedure

A complaint is described as an expression of dissatisfaction with our work.

### 2.2 Complaints with Established Procedures

Our school Complaints Procedure sets out how any expression of dissatisfaction relating to the school will be managed. By taking complaints seriously at the earliest possible stage, it is hoped that they can be resolved quickly and effectively.

#### ***Some examples of complaints dealt with:***

- Not following school policy
- Communication delays / lack of communication
- Difficulties in staff / pupil relationships

**This procedure should not be used for complaints with separate established procedures, however if your complaint relates to the school's failure to correctly administer any of these procedures, then you may complain by means of this procedure.**

Some examples of statutory procedures and appeal mechanisms, which are not part of the schools complaints procedure, are listed below. The list is not exhaustive. The principal/ chair of governors will advise on the appropriate procedure to use when a complaint is raised.

Exceptions
<ul style="list-style-type: none"><li>• Admissions / Expulsions / Exclusion of children from school</li><li>• Statutory assessments of Special Educational Needs (SEN)</li><li>• School Development Proposals</li><li>• Child Protection / Safeguarding</li></ul>



### 2.3 Anonymous Complaints

The school will not normally investigate anonymous complaints, unless deemed by the chairperson of the board of governors to be of a very serious nature. The decision of dealing with such complaints will be at the discretion of the chairperson of the board of governors.

## 3. Aims of the Complaints Procedure

### 3.1. When dealing with Complaints

Our school aims to:

- Encourage resolution as quickly as possible;
- Provide timely responses;
- Keep complainants informed of progress;
- Ensure a full and fair investigation of your complaint;
- Have due regard for the rights and responsibilities of all parties involved;
- Respect confidentiality;
- Fully address complaints and provide an effective response;
- Take appropriate action to rectify the issue and prevent it happening again;
- Be responsive to learning from outcomes that will inform and improve practice within the school.
- Provide a process that is simple to understand and use;
- be impartial;
- be non-adversarial.

### 3.2. Availability of Procedure

A copy of this Procedure is available from the school on request.

## 4. Complaints Procedure – At a Glance

### Stage One

Write to the Principal

### Stage Two

Write to the Chairperson of Board of Governors

#### 4.1. Time Limit

To enable complaints to be resolved, please contact the school as soon as possible. Unless there are exceptional circumstances, complaints will normally only be considered within 6 months of the date of the incident(s) about which you are complaining.

#### 4.2. Stage One

When making a complaint, contact the school principal who will arrange for the complaint to be investigated. **If the complaint is about the principal, proceed to Stage Two.** The school requires complaints to be made in writing. Where this may present difficulties, please contact the school which will make reasonable arrangements to support you with this process.

When writing your complaint, please provide clear information and include the following:

- Your name and contact details
- What your complaint is about – please try to be specific
- What you have already done to try to resolve it and
- What you would like the school to do to resolve your complaint

The principal will normally acknowledge the complaint as soon as possible but within 10 school working days. This will be a short response and you will be sent a copy of, (or a link to) the school's complaints procedure. A final response will normally be made within 20 school working days of receipt of the complaint. This response will be issued in writing and will indicate with reasons whether the complaint has been upheld, partially upheld or not upheld. ***If, for any reason, the consideration of a complaint takes longer to complete, you will be informed of revised time limits and kept updated on progress.***

***These timeframes may need to be reviewed if complaints are ongoing during school holiday periods.***

If you remain unhappy with the outcome at Stage One, the complaint may be progressed to Stage Two which is overseen by the board of governors.

#### 4.3. Stage Two

**If your complaint is about the principal** or if the complaint is unresolved after Stage One, write to the chairperson of the board of governors. Where this may present difficulties, please contact the school which will make reasonable arrangements to support you with this process. The letter can be left at the school office and marked *'private and*

*confidential*'. The chairperson will convene a committee to consider the complaint.

***In the case of the complaint being about the principal, this committee will investigate the complaint.***

Please provide clear information and include the following:

- Reason(s) why you disagree with the stage one findings
- Any aspect in which you think that the school's complaints procedure was not fully followed

The chairperson of the committee will normally acknowledge the complaint as soon as possible but at least within 10 school working days. A final response will normally be made within 20 school working days from date of receipt of the second letter. The response will be issued by the chairperson of the committee and will indicate, with reasons, whether the complaint has been upheld, partially upheld or not upheld.

***If, for any reason, the review of a complaint takes longer to complete, complainants will be informed of revised time limits and kept updated on progress.***

These timeframes may need to be reviewed if complaints are ongoing during school holiday periods.

#### **4.4. Northern Ireland Public Services Ombudsman (NIPSO) [www.nipso.org.uk](http://www.nipso.org.uk)**

If following Stage Two 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 provided below.

##### **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)

## 5. What To Expect Under This Procedure

### 5.1. Your rights as a person making a complaint

In dealing with complaints we will ensure:

- Fair treatment;
- Courtesy;
- A timely response;
- Accurate advice;
- Respect for privacy – complaints will be treated as confidentially as possible allowing for the possibility of consultation with other appropriate parties about the complaint; and
- Clear reasons for decisions.

### 5.2. Your responsibilities as a person making a complaint

When making a complaint it is important 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 raised
- Use these procedures fully and engage with them at the appropriate levels

### 5.3. Rights of parties involved during the investigation

Where a meeting is arranged parties may be accompanied but not represented by another person.

Complainant: - should be informed that they may be accompanied but not represented by another person during the process e.g. spouse, friend, family member or interpreter, provided this person is not offering legal representation or acting in an official capacity. If the complainant feels unable to speak on their own behalf, they may avail of support from outside agencies as agreed with the school. (*Local MLAs / Councillors / Citizens' Advice Bureau / Parenting NI / Children's commissioner*)

Staff Members: - should be informed that they may be accompanied or represented by another person during the process e.g. union representative, colleague<sup>1</sup>

Pupils: permission should be sought from parents / guardians and parent, guardian or other nominated adult should accompany pupils.

It may be appropriate to seek a written statement if a person is unable to meet for any reason.

Parties should normally be informed when a complaint is made against them and be able to see relevant correspondence.

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

#### 5.4. Timeframes

**Stage One** – Normally acknowledge as soon as possible but at least within 10 school working days, with final response normally provided within 20 school working days

**Stage Two** – Normally acknowledge as soon as possible but at least within 10 school working days, with final response normally provided within 20 school working days

***If, for any reason, the consideration / review of a complaint takes longer to complete, complainants will be informed of revised time limits and kept updated on progress.***

***These timeframes may need to be reviewed if complaints are ongoing during school holiday periods.***

#### 5.5. Equality

The school requires complaints to be made in writing. Where this may present difficulties, please contact the school which will make reasonable arrangements to support the complainant with this process.

#### 5.6. Unreasonable Complaints

The school is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. There will be occasions when, despite all stages of the complaints procedure having been completed and the complaint has been reviewed by the Ombudsman, the complainant remains dissatisfied. The school must balance the rights of an individual to make a complaint and have it fairly investigated with the rights of staff not to be subjected to unacceptable actions or behaviour.

Any decision to treat a complainant as unreasonable must take into account the need to ensure that the complaints procedure is being fairly applied and every attempt has been made to communicate and address concerns about behaviour/conduct with the complainant. In the event that such a decision has been taken, the complainant will be advised accordingly.



## **GRIEVANCE PROCEDURE FOR TEACHERS IN GRANT-AIDED SCHOOLS WITH PARTIALLY DELEGATED BUDGETS**

### **1. INTRODUCTION**

The main features of the procedure are:

1.1 The establishment of an approach which takes account of the different employment arrangements.

1.2 The emphasising of the line management responsibility within a school, especially the role of the Principal.

1.3 The offering of an opportunity to a teacher to resolve any individual grievance which arises from the contract of employment with the employing authority.

1.4 The opportunity for a teacher to have a grievance examined quickly and effectively and to have it resolved at the earliest stage possible.

1.5 The right of a teacher to be accompanied, if he or she so desires, by the union representative or staff colleague.

1.6 Time limits which will apply to each stage of the procedure.

1.7 The appointment by the Board of Governors from amongst its members of a Sub-Committee to deal with grievances. This Sub-Committee shall be appointed at the first meeting in each school year and shall include the Chairman but exclude the elected member(s) and the Principal.

1.8 This procedure shall not handle promotion grievances.

### **2. GRIEVANCE PROCEDURE – TEACHER**

#### **2.1 Stage I**

A teacher who feels aggrieved regarding any employment matter should discuss the problem initially with the Principal, making clear that the first stage of the grievance procedure is being invoked. The teacher may enlist the assistance of the school representative or a fellow teacher in attempting resolution of the matter with the Principal. The Principal shall CATHOLIC MAINTAINED CONTROLLED VOLUNTARY GRAMMAR School based School based School based Board of Governors Boards of Governors Board of Governors Council for Catholic Maintained Schools (CCMS) Education and Library Board Association of Governing Bodies (GBA) 2 attempt to resolve the issue, replying to the grievance within 2 working days from the time the grievance was first raised. The Principal may have a senior member of staff in attendance at the grievance interview.

**2.2 Stage II** If the matter is not resolved at 2.1, or a reply has not been received, the teacher shall, within 10 working days of the date of the grievance interview with the Principal, state the grievance in writing and redress sought to the Chairman of the Board of Governors. On receipt of the written statement of the grievance the Chairman shall arrange for the Grievance Sub-Committee, as at 1.7, to meet the teacher who may be accompanied by a union representative or fellow teacher to hear the grievance. Such a meeting shall normally take place within 10 working days of receipt by the Chairman of the Board of Governors of the grievance in writing. The Sub-Committee, having considered the grievance, shall refer its findings to the Boards of Governors whose decision shall be given in writing to the teacher within 10 working days of the grievance interview with the Sub-Committee.

**2.2 Stage III** If the teacher is not satisfied with the decision delivered at Stage II, or has not received a decision within 10 working days of the grievance interview as at 2.2, the teacher or the full-time union official or equivalent shall, within a further 10 working days, raise the matter directly

with - in the case of a controlled school, the Chief Executive - in the case of a Catholic maintained school, the Secretary of CCMS - in the case of a voluntary grammar school, the Secretary of the GBA at the same time submitting all the papers relevant to the grievance. The Chief Executive of the Education and Library Board, the Secretary of CCMS or the Secretary of the GBA shall invite the Chairman of the Boards of Governors to submit all papers and to ensure that arrangements are made to meet both parties to attempt conciliation. Such a conciliation meeting shall be arranged within 10 working days of Stage III having been invoked. If this fails to resolve the grievance the aggrieved teacher shall have a right of appeal as set out at paragraph 4 below.

### **3. GRIEVANCE PROCEDURE – PRINCIPAL TEACHER**

#### **3.1 Stage I**

A Principal Teacher who feels aggrieved regarding any employment matter should state his grievance and the redress sought in writing and forward it to the Chairman of the Board of Governors. On receipt of this statement of grievance the Chairman shall arrange for the Sub-Committee as at 1.7 to meet the Principal who may be accompanied by the union representative or a fellow teacher to hear the grievance. Such a meeting shall take place within 10 working days of receipt, by the Chairman, of the grievance in writing. The Sub-Committee, having considered the grievance, shall refer its findings to the Board of Governors whose decision shall be given in writing to the Principal within 10 working days of the grievance interview with the Sub-Committee.

#### **3.2 Stage II**

If the Principal is not satisfied with the decision delivered at Stage I or has not received a decision within 10 working days of the grievance interview as at 3.1 the Principal or the full-time union official or equivalent shall, within a further 10 working days, raise the matter directly with - in the case of a controlled school, the Chief Executive - in the case of a Catholic maintained school, the Secretary of CCMS - in the case of a voluntary grammar school, the Secretary of the GBA at the same submitting all papers relevant to the grievance. The Chief Executive of the Education and Library Board, the Secretary of CCMS or the Secretary of the GBA shall invite the Chairman of the Board of Governors to submit all papers and to ensure that arrangements are made to meet both parties to attempt conciliation. Such a conciliation meeting shall be arranged within 10 working days of Stage III having been invoked. If this fails to resolve the grievance the aggrieved Principal shall have a right of appeal as set out in paragraph 4 below.

### **4. APPEAL COMMITTEE**

4.1 If an aggrieved teacher has followed the procedure but a settlement has not been reached there shall be a right of appeal.

4.2 The aggrieved teacher or the full-time union official or equivalent may, within 10 working days of the meeting between representatives of the employer and then union official or equivalent, lodge a formal notice of appeal to the Secretary of Arbitration, Labour Relations Agency, and shall simultaneously copy it to the other party. 4 Within 10 working days of the notice of appeal having been lodged with the Secretary of Arbitration both parties shall be contacted to request submissions and to make arrangements for a hearing before an Appeal Committee.

4.3 The Appeal Committee shall consist of an independent Chairman appointed by the Labour Relations Agency and 2 panel members, one nominated by the Management Side, the other

nominated by the Teachers' Side of the Teachers' Salaries and Conditions of Service Committee (Schools). Neither panel member shall have had a direct interest or involvement in the case.

4.4 The appeal shall be heard within 15 working days of receipt of the formal notice of appeal by the Secretary of Arbitration who shall be responsible for the setting up and administration of the Appeal Committee. The teacher may be accompanied by the full-time union official or equivalent.

4.5 The work of the Appeal Committee shall not be invalidated by the absence of one or other of the parties.

4.6 The decision of the Appeal Committee shall be communicated in writing to both parties within 5 working days of the hearing.

4.7 The decision of the Appeal Committee shall be final.