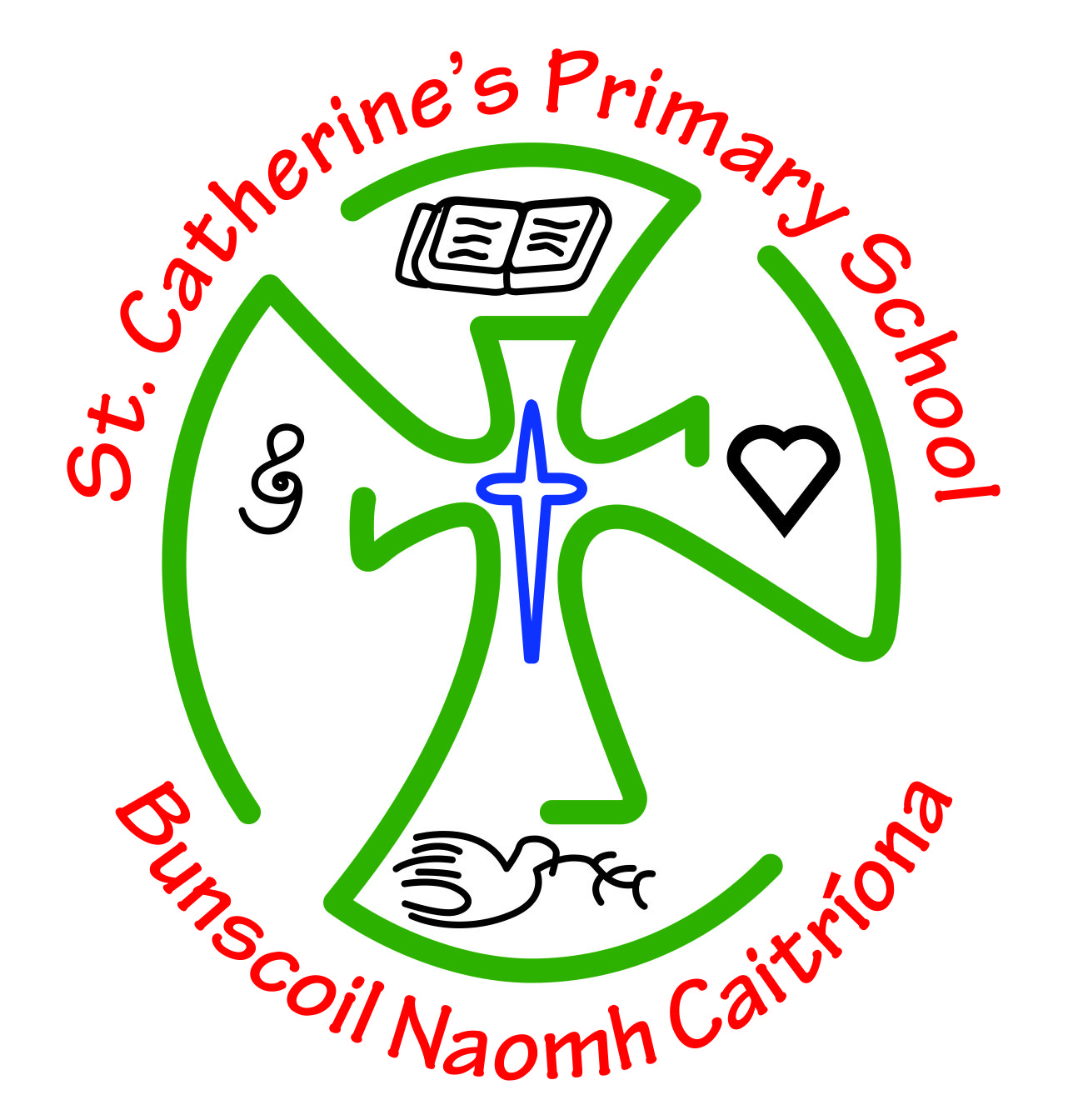
**St. Catherine’s Nursery and Primary School**



**Complaints**

**Policy & Procedure**

**Devised by Staff January 2016**

**Presented to B.O.G February 2016**

**INTRODUCTION**

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| Our school seeks to be a ‘**listening school**’ and will do its best to enable parents/guardians to feel confident to raise issues and concerns with appropriate staff.  Comments/Complaints will be considered following a clear set of procedures based on Board guidance. These procedures will be made clear to any parent/guardian or member of the public making a complaint.  Our school will try to resolve a parent/guardian’s concern as informally and quickly as possible and always make clear what action, if any, is being taken.[ It is to be noted that Complaints can be shared either verbally or in writing...however inappropriate use of Social Media as a means of complaining to the detriment of the school, staff,pupils or anyone else associated with the school shall be handled as per the procedure outlined in our Parental Use of Social Media Policy].  The Board of Governors will consider complaints through the Complaints Committee where it has been impossible to resolve them at school management level.  Individual complaints will not be discussed by the full Board of Governors.  If a complaint is brought to the attention of an individual member of the Board of Governors, he/she should make sure that the complaint is dealt with under the correct complaints procedure adopted by the school.  **DEFINITION OF TERMS**  A **customer** is the term used to define those who avail of school services and support. (e.g. Pupils, parents, staff and other agencies)  The **customer base** of the school is defined as follows:  Parents/guardians  Pupils  Teachers  Support Staff  All other relevant agencies  A **comment** is a statement on the part of the customer, either verbal or written, which:  Tells the staff when they are doing things right;  Cannot be described as a complaint under the definition below.  A **complaint** is:  An expression of dissatisfaction which requires a response or may lead to investigation;  A perceived injustice/failure of reasonable expectations on the part of the customer about a specific issue(s).  A **comment/complaint** may be verbal, written or emailed (NOT Via Facebook Social Media Medium  See Parental Use of Social Media Policy)  All **anonymous complaints** will be treated as comments on the basis that the school has no recourse to a complainant. However, if the comment has potential implications for future criminal investigations relating to the individual concerned, the Principal and the Board of Governors will take appropriate action, which may involve the Board and/or other bodies.  **PRINCIPLES**  This Comments/Complaints Policy aims to:  Facilitate the school in the pursuance of its commitment to provide services to the highest standards;  Reflect the values associated in the aims and objectives of the school as outlined in the school prospectus;  Be simple, speedy, accessible and respect confidentiality;  Be courteous;  Treat individuals and groups with openness and honesty;  Identify and respond to the needs of their customers;  Provide a mechanism within which any issue identified by customers can be quickly and effectively addressed;  Ensure that parents/guardians, staff and governors know a Comments/ Complaints Policy is in place.  **PURPOSES**  To:  Address all issues arising from a complaint in a fair and confidential manner within the time-scale set out in the Policy;  Inform the complainant of progress and the final outcome of the complaint investigation;  Enhance customer confidence and satisfaction;  Provide guidance and protection for staff, parents/guardians and members of the public.  **PRACTICES/PROCEDURES FOR DEALING WITH COMPLAINTS**  (See Appendix 1 for more detail)  **Time-frame for dealing with complaints:**  We acknowledge complaints within 5 working days. In the event of a complaint not being acknowledged within the time-scale the Principal will investigate the particular circumstances relating to the delay.  We will respond to complaint within 2 weeks of acknowledgement (10 working days). If this is not possible the complainant should be informed as to when a response will be forthcoming;  Written complaint to Principal acknowledged within 5 working days and response normally within 10 working days;  Written complaint to Chairperson of the Board of Governors acknowledged within 5 working days;  Complaint heard by Board of Governors’ Complaints Sub-Committee within 15 working days and written decisions of the Board of Governors’ Complaints Sub-Committee sent to Principal and complainant within 10 days of the meeting;  Further representation can be made to the Board if deemed necessary.  **What to Expect under these Procedures**  **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 – concerns will be treated as confidentially as possible allowing for the possible that we may have to consult with other appropriate Agencies 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. Similarly, we will ensure that you are clearly advised where we believe that there are no grounds to your complaint.  **Your Responsibilities as a person making a complaint**  In raising an issue we would expect that your:   * Raise issues in a timely manner; (Comments using the Facebook Social Media will not be considered as a complaint from the individual to the school) * Treat our staff as professional, 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 to engage in them at the appropriate levels.   In addition, we would expect that you have reasonable grounds for making a complaint and are not seeking to invoke these or other procedures as a means of dealing with issues that are more appropriately dealt with in other ways.  **Who deals with Comments/Complaints?**  A formal complaint should be made in the first instance to the Principal. The Chairperson of the Board of Governors should be the first person to approach only in cases that could involve disciplinary or legal action against the Principal.  Governors approached by a complainant should refer him/her to the Principal or the chairperson as indicated above.  **4.3**  **Responding to a Comment/Complaint**  Written replies will be in jargon-free language.  All points and issues raised in a complaint will be addressed.  If the Principal does not hear from the complainant within 3 weeks (15days) of the date of the issue of the letter the matter will then be deemed closed.  **Complaints involving Other Agencies**  A complaint may involve the school and one or more agencies. If the school, as the lead body, subsequently identifies that the complaint is the responsibility of the agency, the complaint will be formally transferred to that body and the school will undertake to inform the complainant.  **Complaints relating to Child Protection**  The school acknowledges its responsibility, under the Children (NI) Order 1995, to work in partnership with other statutory agencies to promote and safeguard the welfare of children. This partnership is facilitated by the Board’s Child Protection Service.  When the school receives a complaint/concern, which may be a Child Protection issue, that complaint/concern will be dealt with under the school’s Child Protection Policy. Depending on the nature of the complaint, it may be passed to the Board’s designated officer who will decide on the appropriate course of action. Such complaints/concerns will be dealt with in accordance with the guidance issued by the Western Area Child Protection committee (1998) and the Department of Education (1999).  **ACCESS TO THE POLICY**  The Policy is available in the school on request.  The school has a system for recording all comments/complaints.  **Monitoring the Policy**  The Principal will monitor complaints received and report to the Board of Governors on an annual basis on the implementation of policy and procedures. This will give details of:  The number and types of complaints  The average time taken to respond;  The number of satisfied customers.  **Confidentiality**  All concerns and complaints will be treated with discretion. It is vital that parents/guardians feel confident that their complaint will not penalise their child. However, a complainant will need to be aware that some information will have to be shared with those involved in order that the complaint can be investigated.  **WHY WE LIKE TO HEAR FROM YOU**  Comments/Complaints are useful to the school because they allow it to monitor, evaluate and review its service in pursuit of continuous improvement.  This policy will be subject to review on an annual basis.  **UNRESOLVED COMPLAINTS**  If the complaint has not been resolved to the complainant’s satisfaction by the Board of Governors, the complaint can be referred to the Education Authority Western Region/CCMS.  If a complainant remains dissatisfied he/she can complain to the commissioner for complaints at:  Office of the Ombudsman  Progressive House  33 Wellington place  BELFAST  BT1 6HN  The Commissioner for Complaints is independent and investigates complaints of maladministration against public bodies. The commissioner will normally expect complainants to have made full use of the procedures set out in the school’s Comments/Complaints Policy before carrying out any investigation.    APPENDIX 1  **St. Catherine’s Primary School**  **A Procedure for handling concerns and complaints**  **We want our pupils to be healthy, happy and safe, and to achieve and recognise that parents, guardians or carers play an important part in making this happen. Cooperation between parents, staff and governors leads to a shared sense of purpose and a good atmosphere in the school.**  **Each level of the procedure set out below offers the opportunity for concerns and complaints to be resolved as quickly as possible.**  **Stage 1 – Informal – Speaking with the Teacher**  **Parents, carers or guardians should, in the first instance, make an appointment to speak to the class teacher about the concern. It is best to resolve issues at this point.**  ***Guidance on informal level 1:***  *Concerns should initially be handled informally in a manner that offers the best way of resolving issues.*  *A class teacher should offer an appointment to discuss the issue as quickly as possible, as this will give both parties time to talk about it calmly and politely without being interrupted. This can allow parties to remain calm. It will also show a commitment to resolving issues.*  *It is important for parents to recognise that schools are busy organisations and that it may not be possible to offer an appointment straight away.*  *The parties involved should be encouraged to offer their view of what would be a realistic resolution to the problem.*  **Stage 2 – Informal – Speaking with the Principal**  **Parents, carers or guardians dissatisfied with the result of the discussions with the class teacher should ask for an appointment to meet with the Principal.**  **If a resolution to the issue is proving difficult to find, the Principal can speak to one member of the governing body about the issue who may be willing to offer informal intervention. However, there is no obligation on any governor to become involved at this level.**    *Guidance on Stage 2:*  *It is always best to resolve issues informally at the earliest possible time but if the person is not satisfied with the result of the talk with the teacher/ Principal. It is in everyone’s interest, particularly the child or children, for concerns and complaints to be sorted out quickly and smoothly.*  *The aim should be that discussions end on a positive note with no bad feeling.*  *It is good practice for principals to write a letter to parents summarising what has been agreed regarding the issue.*  *The Principal may feel that a particular governor’s input would be helpful in bringing about a resolution but there is no obligation on any governor to become involved at this level.*  ***It is hoped that most problems will have been resolved by now.***  Stage 3 – Formal complaint - Written letter to Principal  **An issue that has not been resolved through the Stages 1 and 2 can become an official complaint.**  **Parents, carers or guardians wishing to move to Stage 3 must write a formal letter of complaint to the Principal. The letter will need to set out clearly the issues which have previously been discussed and why the parent, carer or guardian considers the issue to be unresolved. Principals should consider the complaint and discussa resolution with the complainant. The Principal should offer a resolution to the complainant in writing within 10 school days of receipt of the letter.**  ***Guidance on Stage 3- formal:***  *****An unresolved issue can now move to a formal complaint. This is a serious step to be taken. In consideration of future home/school relationships everyone concerned will need to negotiate an agreement and concentrate on finding a resolution to the issue.*  **Concerns or complaints specifically about the Principal.**  **The decision that the Principal has made as a result of the complaint does not become a complaint about the Principal. If the complainant feels the complaint has not been resolved he/she should proceed to Level 4, a Governors’ Complaints Panel.**  **If, the concern or complaint is specifically about the Principal and is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Chair of Governors. The school will provide the Chair of Governor’s name and the complainant should write to him or her at the school address marking the envelope ‘urgent, private and confidential’. The Chair of Governors should acknowledge the complainant’s letter in writing within 5 school days of receipt and contact a Governor Support Service Officer for advice.**    **Stage 4 – Formal complaint requesting a Governors’ Complaints Panel.**  **Time Scales:**   |  |  | | --- | --- | | **Receipt of complainant’s letter** | **Acknowledgement within 5 school days** | | **Receipt of complainant’s letter** | **Governors’ Panel meeting within 15 school days (unless this goes into school holidays)** | | **Written documentation sent to Governors’ Panel Members and complainant and Principal.** | **5 school days before meeting.** | | **Governors’ Panel members decision communicated to all concerned** | **As soon as possible but within 10 school days of meeting.** |     **Complainants wishing to move to Stage 4 of the formal complaints procedure will need to write a letter to the Chair of Governors to request that a Governors’ Complaints Panel meets to hear the complaint. This formal complaint letter must be received within 10 school days of the last meeting with the Principal concerning the issue. The complainant should write to the Chair of Governors at the school address marking the envelope ‘urgent and confidential’. The letter will need to set out the complaint that has previously been formally discussed with the Principal and show why the matter is not resolved.**  **Before the meeting:**  **The chair of governors should appoint a clerk to the Governors’ Complaints Panel, acknowledge the complainant’s letter in writing within 5 school days of receipt and arrange for a panel of governors to meet within 15 school days of receipt. It must be recognised that if the letter is received within 14 school days to the end of term it may not be possible to organise the governors’ panel meeting. In this case the matter should be dealt with within 10 school days of the school reopening.**  **The Principal should be given a copy of the complainant’s letter and written documentation should be requested from the school. The clerk should send both the complainant’s letter and the school documentation to the Governors’ Complaints Panel members, complainant and Principal (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.**  **The complainant and Principal will be invited to attend the Governor’s Complaints Panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.**  **At the meeting:**  **The complainant and Principal (or her representative) should provide all the relevant information they wish and the Governors’ Complaints Panel members should clarify any points. After the complainant and Principal (or her representative) have provided all the information they wish, the chair will ask all parties to leave except the panel members and the clerk.**  **After the meeting:**  **The Governors’ Complaints Panel will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate. The decision of the Governor’s Complaints Panel is final.**  **The decision of the Governors’ Complaints Panel will not be investigated. If, however, the complainant feels that the School and Governors have not followed the school’s complaints procedure correctly, he/she can contact a Children’s Services Officer for assistance. In this case he/she should ring Customer Services on 0844 800 8001 who will arrange for an officer to get back to him/her.**  **Chapter 3, paragraph 14 of a Guide to the Law for School Governors states:**  **Under the Education Act 1996, paragraphs 496 and 497, anyone can complain to the Secretary of State for Education and Skills if he or she believes that a governing body is acting "unreasonably" or is failing to carry out its statutory duties properly. However, intervention can only occur if the governing body or the Local Authority has failed to carry out a legal duty or has acted "unreasonably" in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State for Education and Skills could instruct either party to do to put matters right.**  ***Guidance on Stage 4 - formal:***  ***Before the meeting:***  *The formal complaints letter should be passed to the vice-chair if the chair will be unable to receive the letter within 5 days.*  *Members of the Governors’ Complaints Panel should have no prior knowledge of the complaint and it is, therefore, unlikely that staff governors will be members of the panel.*  ***At the meeting:***  *The Complaints Panel must be made up of at least three members and a clerk.*  *Although this is a formal meeting, every effort should be made to make it as informal as possible for all concerned.*  *Everyone attending should be in the room at the same time*  *Consideration may need to be given to the seating arrangements to make everyone feel equal and comfortable.*  *The clerk should take notes of the meeting, listing who is present:*  *Governors, stating who is the Chair of the Governors’ Complaints Panel*  *Principal (or his/her representative) and any other members of school staff*  *Parents and anyone accompanying them e.g. friend*  *Clerk*  *The chair of the Governors’ Complaints Panel should open the meeting stating the purpose and the format of the meeting to clarify this to all in attendance.*  *People present should introduce themselves stating their reason for being at the meeting.*  *The chair of the Governors’ Complaints Panel should request a verbal statement from the complainant in support of his or her written letter of complaint and why s/he feels the issue has not been resolved. The Governors’ Complaints Panel members can ask questions to make sure they understand the issue from the parent’s point of view.*  *The chair of the Governors’ Complaints Panel should request a verbal statement from the Principal (or his representative) in support of his/her written account of the complaint and the steps taken to resolve the issue. The Governors’ Complaints Panel members can ask questions to make sure they understand the issue from the Principal’s point of view.*  *The members of the Governors’ Complaints Panel should make sure they fully understand the issues and ask any further questions to clarify any points that are still not clear to them.*  *The chair of the Governors’ Complaints Panel must ask the complainant and the Principal. (or his representative) if they are satisfied that they have provided all the information they wanted or if there is something they wish to add and if they feel they have had a fair hearing.*  *When the Governors’ Complaints Panel members understand all the issues, the chair will ask all parties to leave except the panel members and the clerk.*  ***After the meeting:***  *The Governors’ Complaints Panel members then discuss the issues in private and the clerk remains to record the decision.*  *The Panel members will need to consider the information, come to a decision and suggest a way to resolve the issue taking into account the best interests of the child or children.*  *When the Panel have reached a decision the Clerk will inform everyone concerned in writing as soon as possible, but in any event, within 10 school days**of the panel meeting.*  *The decision of the Governor’s Complaints Panel is final.*  **Once a Governor’s Complaints Panel has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the chair of governors should inform the complainant that the matter is closed.**  **Any complaints concerning the conduct of school staff will be handled in accordance with the schools internal disciplinary procedures. The details of such an investigation will remain confidential.**  **Some complaints regarding admissions, the curriculum or special educational needs are covered by statutory regulations. The Principal can give information about these issues or advice can be sought from WELB/ EA**  ***Vexatious Complainants:*** *it is important to distinguish between people who make a number of complaints because they really think things have gone wrong, and people who are being difficult. Complainants can be frustrated and aggrieved and it is therefore important to consider the merits of the case rather than their attitude. Even though someone has made vexatious complaints in the past, it cannot be assumed that the next complaint is also vexatious. Each complaint must be considered as to whether it is vexatious or genuine. There is no way of avoiding evaluating each complaint.*  **Please see the next page for flowchart.**  **Flowchart of procedure for handling concerns and complaints:** HANDLING COMPLAINTS IN CATHOLIC MAINTAINED SCHOOLS **FLOW CHART**  Discuss the issues  Implement any agreements  No further Action INFORMAL – Stage 1 – Comment / Complaint made to  Appropriate member of staff (verbally)  Schedule meeting  **Discuss the issues**  **Implement any agreements**  **No further action** INFORMAL – Stage 2 Comment/ Complaint made to  Principal (verbally)  Acknowledge receipt (within 5 working days).  Investigate the complaint  Implement any agreements/changes  Confirm outcomes in writing (within 10 working days of acknowledgement letter)  No Further Action FORMAL – Stage 3 Formal written comments / complaints  Made to Principal  Acknowledge receipt (within 5 working days)  Complaint heard by BOG Complaints Sub Committee within 15 working days and written decisions of BOG Complaints Sub Committee sent to Principal and Complainant within 10 days of that meeting. FORMAL – Stage 4 Formal written comments / complaints made to Chair of Board of Governors.  **UNRESOLVED COMPLAINTS**  **If the complaint has not been resolved to the complainant’s satisfaction by the Board of Governors, the complaint can be referred to the Education Authority Western Region/CCMS.**  **If a complainant remains dissatisfied he/she can complain to the commissioner for complaints at:Office of the Ombudsman,Progressive House,33 Wellington place,BELFAST,BT1 6HN.The Commissioner for Complaints is independent and investigates complaints of maladministration against public bodies. The commissioner will normally expect complainants to have made full use of the procedures set out in the school’s Comments/Complaints Policy before carrying out any investigation.**  Record Keeping  The School Principal 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 pupils 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.  Our responses will be written in English Language and we will attempt to address all the points and issues raised.  APPENDIX 2  Record of complaints   |  |  |  |  | | --- | --- | --- | --- | | DATE | REPORTED BY | NATURE OF CONCERN/COMPLAINT | ACTION TAKEN | |  |  |  |  | |  |  |  |  | |  |  |  |  | |  |  |  |  | |  |  |  |  | |  |  |  |  | |  |  |  |  | |  |  |  |  | |  |  |  |  | |

#### FORMAL – STAGE 3

#### Complaint made in Writing to Principal – Acknowledgement

Dear

Thank you for your letter of **1 January 2015** in which you outline your concerns regarding

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##### Option A

I have investigated the various aspects of your complaint and would respond as follows

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##### Or

**Option B**

I hope that you will appreciate that I need some time in order to investigate your concerns to respond as fully as possible to the issues you have raised. I will write to you again within the next 10 working days.

##### Or

**Option C**

It would be extremely helpful if you could contact the school in order to arrange a suitable time for a meeting to discuss your complaint. This will help me to investigate your concerns and to respond as fully as possible to the issues you have raised.

Yours sincerely,

Principal

#### Formal – Stage 4

**Complaint made in Writing to Chairperson of Governors – Acknowledgement**

##### Dear

Thank you for your letter of **1 January 2015** in which you outlined your concerns regarding

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##### Option A

I hope that you will appreciate that I will need some time in order to investigate your concerns to respond as fully as possible to the issues you have raised. I will write to you with their response within the next 10 working days.

##### Or

**Option B**

I hope that you will appreciate I will need some time in order to investigate your concerns. Indeed, It would be extremely helpful if you could attend a meeting with me to discuss your complaint on  **January at 6.30p.m in St. Catherine’s Primary School.** This will help me to investigate your concerns and to respond as fully as possible to the issues you have raised. I will write to you with my response within 10 working days of that meeting.

Yours sincerely

Chairperson of the Board of Governors

#### Discourteous or Threatening Behaviour Towards a Member of Staff

Dear

I have been informed of a regrettable incident when you attend the school on **1 January 2014** to discuss your concerns with a member of staff.

Whilst I understand that your visit was prompted by a perceived complaint in relation to the member of staff with whom you spoke, I regret that I must insist that you do not re-enter school premises for any reason without first contacting the school principal to arrange your visit. This decision has been taken so as to protect the pupils and staff in the school and to avoid the potential for a further similar incident, which could have other more serious consequences.

In the meantime, I would encourage you to read the enclosed school’s Complaints Procedure in relation to your original issue.

Yours sincerely

Chairperson of the Board of Governors.