

# **Dominican College**



## **Complaints Policy and Procedures for Parents and Pupils**

**March 2017**

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## **Complaints Policy and Procedures**

### **Introduction**

The School Standards and Framework Act 1998, section 39(1) places a duty on all governing bodies to establish a complaints procedure for parents/guardians to make complaints about all matters related to school that are not covered under other statutory procedures. In addition, there may be circumstances in which they may complain or appeal if they consider that their rights have been ignored, a wrong decision taken or if their daughter is not being properly taught.

Communication, written or spoken, is valued as part of the partnership between home and school. Co-operation between parents, staff and governors leads to a shared sense of purpose and a good atmosphere in the school. From time to time difficulties and challenges will arise that need prompt and efficient resolution. This Complaints Policy and Procedure sets out clear steps to be followed in the event of a complaint which allows all concerned an opportunity to express and resolve concerns at an early stage.

Complaints are not always easy to define. It is therefore important to keep in mind a distinction between concerns, problems and complaints. They can often arise from the consequences or perceived consequences of resource allocations, operational difficulties, working practices or individual actions.

### **Policy**

Complainants will be treated seriously and courteously and given the time they require to be heard. It is important to the school that the complainants have confidence in these procedures and know that their cases will be impartially investigated.

Complainants will be advised at the earliest possible stage of:

- The possibility of resolution of the matter at an informal stage
- The way in which the complaint is likely to be handled

Where there are established statutory or other procedures for dealing with a complaint, these will be followed. These guidelines do not cover those matters already provided for such as:

- Admissions to schools
- Exclusions
- Special Educational Provision ( SEN Tribunal)
- School re-organisation
- Matters concerned with the curriculum
- Serious complaints against staff
- Pupil Protection issues
- Public examinations

It may be that action under the complaints procedure may lead to action being initiated under other (e.g. statutory) procedures. In these cases the investigations under the complaints procedure will be suspended until action under the procedure (including appeals) has been concluded. The complainant will be advised that alternative action is being taken, but will have to remain confidential until that procedure has been completed. They will also be told the likely timescale in the final resolution of their complaint which will result.

## **Pupil Complaints**

The principles that apply to parental complaints should also be applied to complaints and concerns from pupils. One important difference from the handling of parental complaints is that pupils should be able to raise concerns with any member of staff with whom they feel comfortable.

In more complex situations, once the matter is resolved, the outcome should be discussed with the pupil by a member of staff. Complaints that appear trivial still need to be handled seriously. Young people may test the complaints procedures on relatively minor issues before finding the confidence to raise something painful, such as bullying.

Complaints, and ways of dealing with them, also need to be explained to pupils. Personal and Social Education programs can be of use, not only in teaching pupils how they may support and act as mentors to others, but also in encouraging them to understand that their views matter. All pupils are provided with a copy of the following guidelines for making complaints and expressing concerns in their School Diary. (**Appendix 1**)

## **Definition of a Complaint**

For schools, a complaint within the terms of the procedures described here, is an expression of dissatisfaction verbally or in writing by parents/ guardians of pupils who attend the school. All complaints from parents/ guardians of pupils who attend the school will be investigated as such. After initial investigation of the complaint, a decision might be made to use the appropriate procedure against a member of staff. Anonymous complaints would not normally be considered under this procedure.

This procedure outlines the informal and formal stages by which a complaint may be made against the school. (**Appendix 2**) At all stages the aim of the policy is to reach a mutual understanding of the problems so that improvements can be made where necessary.

**Where agreement cannot be reached, the aim of the procedure is to ensure that all parties are treated fairly.**

**Conciliation between school and the parents/ guardians can be considered at any time, within the informal or formal stages.**

# 1. The First Stage (Informal) - Dealing with Concerns and Complaints

## 1.1 Guidelines

1.1.1 It is hoped that all complaints and concerns are resolved as early and as informally as possible. Parents/ guardians need not only to be listened to but also to feel that they have been listened to by staff. Dominican College offers an advice sheet on how to approach the school with a problem (**Appendix 3**).

1.1.2 The vast majority of concerns and complaints can be resolved informally. There are many occasions where concerns are resolved straightaway through the Year Head. Parents must feel able to raise concerns with members of staff without any formality, either in person by appointment, by telephone or in writing. On occasions it may be appropriate for someone to act on behalf of a parent. A parent/ guardian may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.

## 1.2 Procedures

1.2.1 Parents/ guardians will be given an opportunity to discuss their concern with the Year Head who will clarify the nature of the concern and reassure them that the school wants to hear about it. The Year Head may explain to the parents/ guardians how the situation arose. It may be helpful to identify at this point what sort of outcome the parent/ guardian is looking for.

1.2.2 The Year Head will respond appropriately, taking into account the seriousness of the complaint and hopefully, the matter will be resolved promptly.

1.2.3 If the Year Head, cannot deal immediately with the matter, they will make a clear note of the date, the name of the pupil and of the complainant and the nature of the complaint (**Appendix 4**). Depending on the nature of the complaint, the Head of Department, Senior Teacher or Vice-Principal may be involved. The Principal will be informed.

1.2.4 Where the concern relates to the Principal, the parent should be advised to contact the Chairperson of the Board of Governors.

1.2.5 The member of staff dealing with the concern or complaint will make sure that the parent/ guardian is clear what action (if any) or monitoring of the situation has been agreed, putting this in writing if this seems the best way of making things clear.

1.2.6 Where no satisfactory solution has been found, normally within 15 schooldays, parents/ guardians should be given clear information about how to proceed with their complaint and about any independent advice available to them.

## **2. The Second Stage (Formal) - Referral to the Principal/Chairperson of the Governors for Formal Investigation**

### **2.1 Guidelines**

2.1 By now it will have become clear that the concern is a definite complaint. In some cases, the Principal will already have been involved in looking at the matter; in others it will be her first involvement. In either case, it will be helpful for the Principal (or member of staff designated to investigate) to use these guidelines to ensure consistency among cases, and to make sure that nothing happens at this stage which could make it difficult for later stages to proceed smoothly.

2.1.2 As the Principal has responsibility for the day-to-day running of the school, she has responsibility for the implementation of a complaints system, including the decisions about her own involvement at the various stages. One of the reasons for having the various 'stages' in a complaints procedure is to reassure complainants that more than one person is hearing their complaint.

2.1.3 The Principal will make arrangements to ensure that her involvement will not predominate at every stage of a particular complaint. For example, arrangements may be made for other staff to deal with the concerns of parents/ guardians at Stage 1, while the Principal deals with contacts with parents/ guardians at Stage 2. **Even at Stage 2 the Principal may designate another member of staff to collect some of the information from the various parties involved.**

### **2.2 Procedures**

2.2.1 Complaints should normally be in a written format. In exceptional cases the school will consider progressing a verbal complaint where there are sufficient grounds to do so. The Principal (or designated member of staff) will acknowledge the complaint verbally or in writing, normally within 3 days of receiving the written complaint.

2.2.2 Schools should be sensitive to the needs of the parent/ guardian who may have literacy difficulties or for whom English is not their first language.

2.2.3 The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This will normally be within 15 school days; if this proves unworkable, a letter will be sent explaining the reason for the delay and giving a revised target date.

2.2.4 It may be possible even at this stage to reach an agreed solution to the problem. There may still be a mediation format to discuss the complaint in private without invoking formal procedures. The aim here is to progress the matter for the good of the pupil, their parents/ guardians and the school. Such a route would be seen as an attempt to resolve the complaint informally and would not compromise the complainant's right to move to more formal

procedures at any time. Prolonging a complaint longer than is necessary may be harmful to any or all parties involved.

2.2.5 The Principal will provide an opportunity for the complainant to meet her to supplement any information provided previously. It will be made clear to the complainant that if they wish, they may be accompanied to any meeting by a friend, relative, representative or advocate who can speak on their behalf and that interpreting facilities are available if needed.

2.2.6 If necessary, the Principal will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. In some circumstances, another member of staff with whom the pupil feels comfortable will be asked to attend. At all times, a parent/ guardian will be invited to be present when the Principal interviews a pupil. The Principal will keep written records of meetings, telephone conversations and other contacts.

2.2.7 Once all the relevant facts have been established, the Principal will then produce a response to the complainant, and/or may wish to meet the complainant to discuss/resolve the matter directly. The response will include a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint. If any action is to be taken against a member of staff, to protect the rights of the staff concerned, the phrase ‘**Appropriate action has or will be taken**’ should be used.

2.2.8 The complainant will be advised that should they wish to take the complaint further they should notify the Chairperson of the Board of Governors within 15 school days of receiving the Principal’s response. Normally, the Chairperson will arrange that a Governors’ Complaints Committee should investigate on the parents/carers behalf, and would also chair the Governors’ Complaints Committee unless a chair of that Committee has already been designated by the governing body.

2.2.9 Where the complaint is against the Principal, arrangements should be made for the initial investigation to be conducted by a single Governor (usually the Chairperson of the Board of Governors, or Vice Chairperson of the Board of Governors), or a suitably constituted Governors’ Complaints Committee who will carry out all the Stage 2 procedures.

### **3. The Third Stage –Appeal to the Chairperson of the Board of Governors or Governors’ Complaints Committee**

#### **3.1 Guidelines**

Complaints rarely reach this formal level. It is important that this appeal should not only be independent and impartial on behalf of the governing body, but that it is seen to be so. As such the appeal should be dealt with by governors who have had no prior knowledge or involvement in the case.

3.1.1 As this may be the last chance for a solution or compromise to be reached, every effort should be made to **mediate** and **conciliate**.

3.1.2 Complaint appeals should normally be in a written format. In exceptional cases the school will consider progressing an oral complaint appeal where there are sufficient grounds to do so. This complaint should state clearly why the complainant feels their case has not been dealt with and should be based on evidence or supported by witness statements.

3.1.3 All complaints which reach this stage will have done so because the complainant has not been satisfied by the Principal's response at the earlier stage of the procedure or the original investigation by the Chairperson of the Board of Governors, Vice Chairperson of the Board of Governors or Governors’ Complaints Committee if the complaint had been about the Principal.

3.1.4 In the unlikely event of pupils needing to be interviewed, extreme care will need to be taken. A single governor should interview the pupil, after gaining parental permission. The parent should be invited to attend but if they are unable, parents/guardians could nominate a member of staff to accompany the pupil.

#### **3.2 Procedures**

3.2.1 Upon receipt of a written request by the complainant for the complaint to proceed to Stage 3, the procedures outlined below will be followed:

1. The Chairperson of the Board of Governors will write to the complainant to acknowledge receipt of the written request
2. The acknowledgement will inform the complainant that the complaint will be investigated by the Chair of Governors or members of the school's Governors’ Complaints Committee, as appropriate, normally within 20 school days of receiving the request.
3. The letter will also explain that the complainant has the right to submit any further documents relevant to the complaint.
4. Documents must be received in time for them to be sent to the members of the Committee, if the Chairperson of the Board of Governors is not conducting the investigation on his/her own.

3.2.2 If the investigation is being conducted by a Governors' Complaints Committee, the Chairperson of the Board of Governors will convene a Committee elected from the members of the Governing Body. The Committee members will be governors who have had no prior involvement with the complaint. Generally it is not appropriate for the Principal or staff to have a place on the Committee. Governors will want to bear in mind the advantages of having a parent/guardian (who is also a governor) on the Governors' Complaints Committee. Governors will also want to be sensitive to issues of race, gender and religious affiliation.

3.2.3 The Chairperson/Vice Chairperson will ensure that the Committee hears the complaint, normally within 20 school days of receiving the request. All relevant correspondence regarding the complaint will be given to each Governors' Complaints Committee member as soon as the composition of the Committee is confirmed.

3.2.4 The Chair/Vice-Chair will write and inform the complainant, Principal, any relevant witnesses and members of the Governors' Complaints Committee, normally, at least 15 school days in advance, of the date, time and place of the meeting. The details of the complaint available at that time should also be sent in writing to the Principal.

3.2.5 The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/advocate/interpreter. The letter will also explain how the meeting will be conducted and the complainant's right to submit further written evidence to the Committee, at least five school days in advance of the meeting. The Chair/Vice Chair of the Governing Body will invite the Principal, to attend the Governors' Complaints Committee meeting and prepare a written report for the Committee in response to the complaint.

3.2.6 The Principal may also invite members of staff directly involved in matters raised by the complainant to respond in writing or at the discretion of the Chair to attend the meeting. All concerned, including the complainant, will receive any relevant documents including the Principal's report, normally, at least five school days prior to the meeting.

3.2.7 It is the responsibility of the Chair of the Committee to ensure that the meeting is properly minuted.

3.2.8 The aim of the meeting will be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations, which will satisfy the complainant that his or her complaint has at least been taken seriously.

3.2.9 The Committee should remember that some parents/guardians are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the Committee. It is therefore recommended the Chair of the Committee ensures that the proceedings are as informal as the situation allows.



3.2.10 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

3.2.11 At Stage 3 the complainant and the Principal and any other staff should be interviewed separately, so the Committee can form a clear and unbiased view of the complaint. The interviews, which can be arranged to run consecutively if this is more convenient, should allow:

- The complainant to explain their complaint(s)
- The Principal to explain the school's response
- The Governors' Complaints Committee members to have an opportunity to question both the complainant and the Principal
- Any party to have the right to call witnesses (subject to the approval of the Chair and the Committee having the right to question all the witnesses)
- Both parents/carers and Principal and staff to have the right of representation at the interview if they so wish

3.2.12 The Chair of the Committee will explain to the complainant and the Principal that the Committee will consider its decision, and a written response will be sent to both parties, normally within 15 school days.

3.2.13 The Committee will then consider the complaint and all the evidence presented and

- a) Reach a unanimous, or at least a majority decision on the complaint
- b) Decide upon the appropriate action to be taken to resolve the complaint
- c) Where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again

3.2.14 Recommendations will be reported to the governing body at an appropriate time.

3.2.15 A written statement outlining the decision of the Committee must be sent to the complainant and Principal. If any action is to be taken against a member of staff, to protect the rights of the staff concerned, only the phrase '**Appropriate action has or will be taken**' should be used.

3.2.16 The governors will ensure that a copy of all correspondence and notes are kept on file in the governors' records. These records should be kept separately from the pupil's personal records.

3.2.17 The complainant, if still dissatisfied after exhausting the school procedures, can decide on further action outside our school procedures.

If I am still concerned I can contact:

**The NI Public Services Ombudsman on  
0800 343 424**

*“The Northern Ireland Public Services Ombudsman investigates complaints about possible maladministration in the delivery of public services. The Ombudsman’s role is to ensure that the people of Northern Ireland are served by a fair and efficient public administration that is committed to accountability, openness, and quality service.”*

## Pupil Concerns

**Any problems, complaints, or suggestions? If so, the school would like to hear.**

- **How do I make a complaint?**

By talking about it or by writing it down if you find that easier. You can do it by yourself, or as part of a group, or through your parents.

- **To Whom?**

To anyone on the staff, but it is usually best to deal initially with the Year Head or class tutor.

- **Does it matter what the issue is?**

No, it can be a big problem or a small one. By discussing it, you may come up with some positive ideas.

- **What will happen next?**

If possible, the staff member will deal with it in person. If not, he or she will go on your behalf to someone who can help.

- **Do others have to know?**

If you are worried about confidentiality, tell the staff. They will understand and help you.

**Even if you find the issue a difficult one, don't worry; you can approach your teacher who will only be interested in helping you.**

## Appendix 2: Stages for Handling Complaints

### Stage 1 (Informal)

- Expression of concern to Year Head
- Satisfactory outcome reached?
- Yes? **No further action**
- No? Intervention by Senior Teacher/Vice-Principal
- Satisfactory outcome reached?
- Yes? **No further action**
- No? **Stage 2**

### Stage 2 (Formal)

- Complainant makes written complaint to Principal (or Chairperson of Governors if complaint is about Principal)
- Investigation conducted by Principal or Chairperson of Governors and reported to complainant
- Satisfactory outcome reached
- Yes? **No further action**
- No? **Stage 3**

### Stage 3 (Formal)

- Complainant refers matter to Chairperson of Governors (or Complaints Committee of Governors, if Chairperson was already involved at stage 2)
- Investigation by Chairperson of Governors/Complaints Committee of Governors. Complainant and Principal attend.
- Satisfactory outcome reached?
- Yes? **No further action**
- No? Complainant may decide to proceed further outside school process

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### **Appendix 3 : How to approach Dominican College about a problem**

When you are faced with a problem and wonder how best to approach our school about it, here are some guidelines:

- Your first contact should be with your daughter's Year Head. He/She has overall responsibility for matters regarding your daughter's year group and is best placed to investigate the problem or consult appropriate members of staff.
- Always keep in mind that school staff want to work with you to solve problems. Do not hesitate to call the school and ask the Year Head about the problem. He/She can often explain the incident and you will gain an understanding of what happened. In addition, there will be times when school staff are unaware of the problem and your call will help them learn about the situation and take action.
- Be aware that sometimes school staff cannot tell you about the incident or the action taken unless it directly affects you or your daughter. School staff cannot give out confidential information.
- Teachers cannot talk with you about your daughter when they are supervising pupils or teaching lessons but they will meet at a mutually convenient time. If you arrive without an appointment you will not normally be able to meet with teachers. You must call the school and the office staff will inform the teacher of your call and an appointment will be made.
- It is best not to go to the school management about the problem unless you have spoken to the Year Head and are not satisfied. If this first step is bypassed, it usually results in a chain of conferences/discussions that take time away from solving the problem quickly.
- If you are not satisfied after speaking with the Year Head, you can pass on your concern to the Senior Teacher who will consult as appropriate with the relevant staff. If matters are still unresolved you should contact (as appropriate), one of our Vice-Principals or, finally, the Principal.
- Try not to ask the school for something to be done, but be unwilling to have your name and any reference to the incident disclosed to the teacher involved. This ties the hands of school staff and hampers the process of finding the facts. In such a case, school managers will have to be very general when inquiring about the incident. What they can often do, if you do not want your name divulged or do not want anything done, is to monitor the situation carefully in order to try to avoid future incidents.

- Be sure that you have all the facts. Viewpoints and perceptions differ, and at times there are genuine reasons for a school action which cannot be revealed due to issues of confidentiality. It is worth considering that, sometimes when pupils describe situations that had nothing to do with them and involve other pupils or staff, they don't know what actually happened.
- Do not fear that if you talk to a teacher about a problem that the teacher will "take it out on your daughter." That would not be acceptable by anyone. Keep in mind that sometimes pupils may think they are being "picked upon" when teachers are trying hard to encourage them to achieve their potential by improving their concentration in class and submitting work.
- If your daughter is having a problem with another pupil while at school, it is best to check the situation with the Year Head first. Try to find out why the problem is happening. Teachers cannot make pupils be friends with each other, but they will insist that pupils be polite and respectful to each other. (You may wish to refer to our Anti-Bullying Policy which is available on the school website).
- Be assured that the school will listen carefully to your complaint. You should also listen carefully to what school staff tell you. Try to understand the problem from the viewpoint of the school.

The school's Complaints Policy and Procedures is available on request.

## Appendix 4: Dominican College Record of Complaint

|   |       |  |     |
|---|-------|--|-----|
| <b>Name of Complainant</b>  |       |  |     |
| <b>Pupil's Name</b>   |       |  |     |
| <b>Date of contact with school</b>                                      |       |  |     |
| <b>Nature of Complaint</b>  |       |  |     |
|   |       |  |     |
| <b>What would you regard as a reasonable remedy for your complaint?</b> |       |  |     |
|   |       |  |     |
| <b>Actions Taken</b>  |       |  |     |
|   |       |  |     |
| <b>Referred on as a formal complaint?</b>                               | Yes:  |  | No: |
|   |       |  |     |
| Signature:  | Date: |  |     |
|   |       |  |     |

*(This form should be completed by a member of staff – normally the Year Head - and a copy forwarded to the Pastoral VP)*