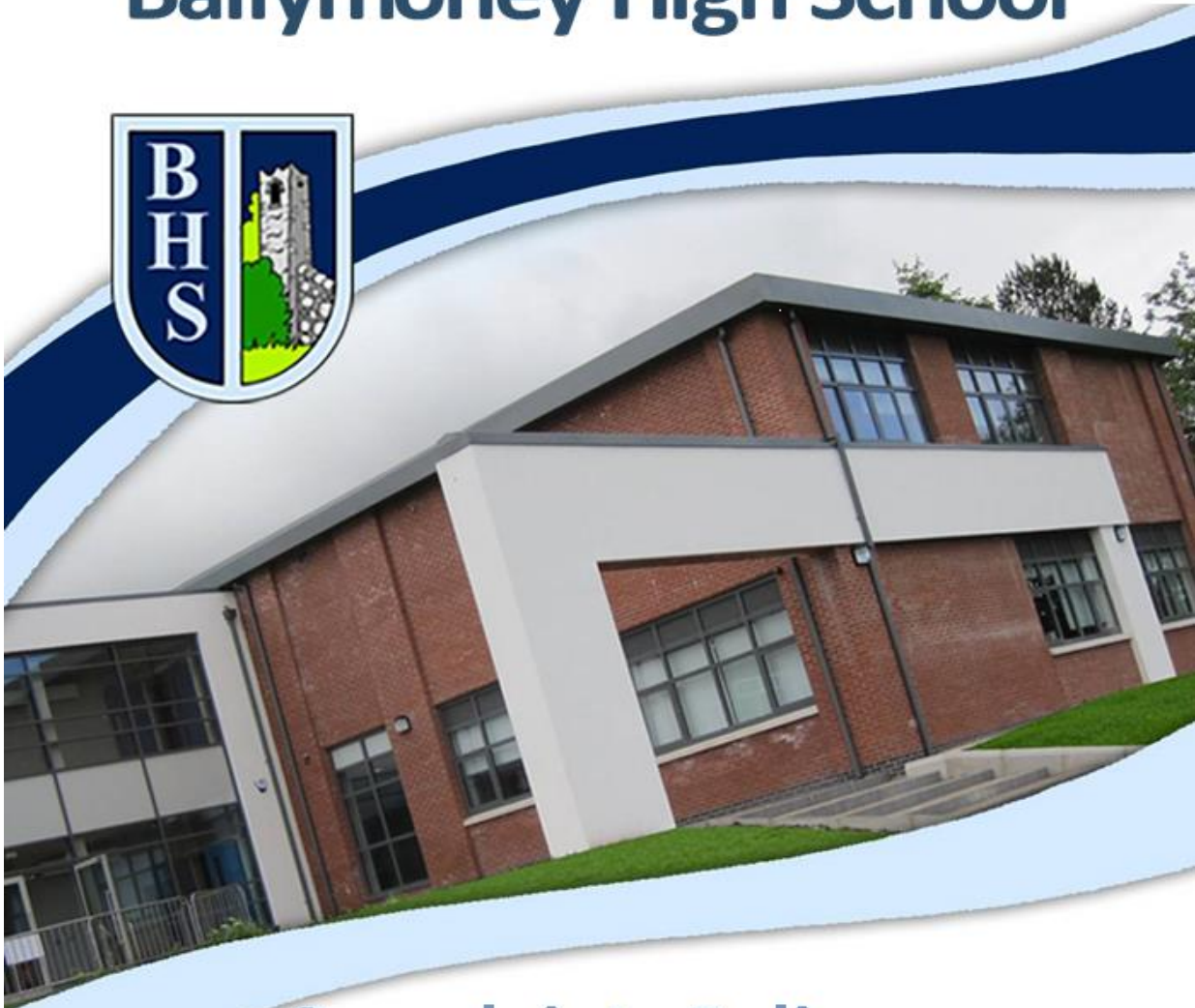


# Ballymoney High School



## Complaints Policy 2023

*Ratified by the Board of Governors*

*Signed:* \_\_\_\_\_

*(Chairman of the Board of Governors)*

## **Introduction**

Ballymoney High School's vision is to be *A first choice school developing and empowering for the future through outstanding education* and our mission is to *Educate with Care to Encourage Success for All*. In striving to fulfil this vision and mission we value feedback as a way of helping us to continue to improve. Open communication and regular engagement between the school staff and the wide range of stakeholders is vital to the effective management of the school.

We take complaints very seriously and we feel that it is important that where possible issues or complaints are dealt with early so we can try to provide the best possible experience for our pupils. We strive to be an approachable school and value dialogue at the early stages of an issue arising so we can seek to deal with issues in a timely manner and if possible avoid further issues arising. We therefore encourage our pupils and families to speak to us as soon as possible if they have concerns or issues.

Many issues can be addressed simply by talking to the relevant staff in school who will be happy to help. To this end we encourage our stakeholders to contact the school reception staff who can advise on the best person to speak to in regards to an issue. In matters relating to pupils this will generally be the Form Teacher or Head of Year on the first instance or if the matter is relating particularly to a subject area the Head of Department. Concerns of a different nature may need to be raised with the Vice Principal or Principal. We take all concerns seriously and make every effort to resolve matters as quickly as possible.

## **AIMS**

In operating this Complaints policy and procedures the school aims to:

- Encourage resolution of problems by informal means wherever possible.
- Allow swift handling of a complaint within established time-limits for action and keeping people informed of progress.
- 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.

*Giving you the opportunity to REACH your potential.*

- Address all the points at issue and provide an effective response and appropriate redress, where necessary; and
- Provide information to the school's Senior Leadership Team and Board of Governors so that services can be improved.

The procedures are designed to be:

- Easily accessible and published. A copy of the procedures will be placed on the school's website <http://www.ballymoneyhigh.net> or available on request from the school.
- Simple to understand and use.
- Impartial; and
- Non-adversarial.

### **SCOPE OF THE COMPLAINTS PROCEDURE**

The Complaints Procedure sets out how any expression of dissatisfaction relating to the school will be managed. By taking concerns raised seriously at the earliest possible stage, it is hoped that issues 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.

**Some examples of statutory procedures and appeal mechanisms are listed below. The list is not exhaustive. The Principal/ Chair of Governors will advise on the appropriate procedure to use when the complaint is raised.**

***Matters may still be referred to NIPSO, if it is felt that maladministration has occurred.***

<b>Exceptions</b>	<b>Contact</b>
<ul style="list-style-type: none"> <li>• <b>Admissions / Expulsions / Exclusion of children from school</b></li> </ul>	Contact <a href="http://www.eani.org.uk">www.eani.org.uk</a> Director of Operations and Estates  Sara Long

<ul style="list-style-type: none"> <li>• <b>Statutory assessments of Special Educational Needs (SEN)</b></li> </ul>	<p>Contact <a href="http://www.eani.org.uk">www.eani.org.uk</a> Director of Children and Young People's Services Dr Clare Mangan</p>
<ul style="list-style-type: none"> <li>• <b>School Development Proposals</b></li> </ul>	<p>Contact <a href="http://www.eani.org.uk">www.eani.org.uk</a> Director of Education <b>John Collings</b></p>
<ul style="list-style-type: none"> <li>• <b>Child Protection / Safeguarding</b></li> </ul>	<p>Contact <a href="http://www.eani.org.uk">www.eani.org.uk</a> Director of Children and Young People's Services <b>Dr Clare Mangan</b></p>

## **ROLES AND RESPONSIBILITIES**

### **Ballymoney High School**

When dealing with complaints the school will;

- encourage resolution of all concerns as quickly as possible
- provide timely responses to concerns and complaints
- keep the complainant informed of progress
- ensure a full and fair investigation of the complaint where appropriate
- 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 make every effort to prevent it happening again
- where appropriate be responsive to learning from outcomes which will inform and improve practice within the school.

A copy of this Procedure is available on the school's website <http://www.ballymoneyhigh.net> or is available from the school on request.

### **The responsibilities of the person making a complaint**

In making a complaint the person will;

- Raise issues in a timely manner;

- Treat school staff or the person/ people they are making the complaint to with respect and courtesy;
- Provide accurate and concise information in relation to the issues raised; and
- Use these procedures fully and engage in them at the appropriate levels.

The complainant may be accompanied by another person where it is accepted, by the Principal and Board of Governors, that this will assist the investigation and resolution of the complaint.

### **Staff involved in the complaints process**

Staff may seek advice and support from their professional body or trade union and may also be accompanied by another person where it is accepted by the Principal and Board of Governors that this will assist the investigation and resolution of the complaint.

### **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.
- Legal representation or representation by person(s) 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

### **When the complainant is a Governor**

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

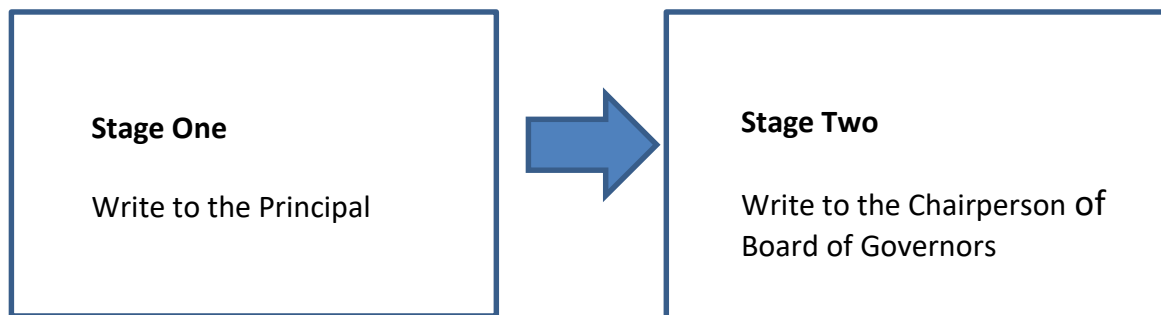
## **COMPLAINTS PROCEDURE**

### **Informally making a complaint or raising an area of concern**

At the informal stage the complaint should be raised and dealt with by the appropriate point of contact with the school eg. the form teacher, Head of Year, or relevant Head of Department. If the issue or complaint remains unresolved at this stage the complainant should arrange to discuss the matter with the Vice Principal or Principal.

If the person still wishes to proceed to the formal part of the process as outlined in the stages below, the Principal will assume responsibility for the process, unless she/he is the subject of the complaint, in which case the Chair of the Board of Governors will assume responsibility. Governors approached by a complainant should refer him/her to the Principal or the Chairperson as indicated in the following stages of the procedure. Should it be necessary and if it is useful to handling the complaints procedure, the Chair of Governors may meet with the complainant. If necessary, the Board of Governors will be responsible for establishing a Complaint Sub-Committee to investigate and resolve the matter.

### **COMPLAINTS PROCEDURE -AT A GLANCE**



### **Stages of making a formal complaint**

#### **Stage One**

When making a complaint, the complainant should 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.

As much information as possible should be provided including;

- name and contact details
- what the complaint is about
- what has already been done to try to resolve it and
- what you would like the school to do to resolve the complaint.

The complaint will normally be acknowledged within 10 school working days and a response normally made within 20 school working days of receipt of the complaint. This response will be issued in writing by the Principal and will indicate with reasons whether the complaint has been upheld, partially upheld or not upheld.

If the complainant remains unhappy with the outcome at Stage 1, the complaint may be progressed to Stage 2 which is overseen by the Board of Governors. **The complainant will be told that consideration of their complaint by the Principal is now concluded.**

## **Stage Two**

If the complaint is unresolved after Stage One, the complainant should write to the Chairperson of the Board of Governors (*care of the school and marked 'private and confidential'*). Where this may present difficulties, the person making the complaint should contact the school which will make reasonable arrangements to support the complainant with this process. The Chairperson may wish to make contact or arrange a meeting with the complainant. The Chairperson may convene a committee to review the complaint. As much detail as possible should be provided as indicated above.

The complaint will normally be acknowledged within 10 school working days. This will either:

Provide a response to the issue(s) raised; or state that the complaint is being investigated and indicate when the complainant can expect a response to be issued (normally a maximum of 20 working days from the date on which your letter was received.)

## **Time frames**

The person making the complaint should contact the school as soon as possible. Unless there are exceptional circumstances, complaints will normally only be considered within 6 months of origin of the complaint to the school.

Where concerns are raised with the relevant Teacher or Principal, a response will normally be provided during the meeting or within an agreed timeframe.

**Stage 1** – Normally acknowledge within 10 school working days, response normally within 20 school working days

**Stage 2** – Normally acknowledge within 10 school working days, response normally within 20 school working days

If, for any reason, the review of a complaint takes longer to complete, the person 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.***

### **Northern Ireland Public Services Ombudsman (NIPSO)**

If following Stage Two the complainant remains dissatisfied with the outcome of the complaint, they 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. The complainant has the right to complain to the Ombudsman if they feel that you have been treated unfairly or have received a poor service from a school and the complaint has not been resolved to their 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 the person remains 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](mailto:nipso@nipso.org.uk) Web: [www.nipso.org.uk](http://www.nipso.org.uk)



## **MAKING A COMPLAINT**

### **Equality**

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

### **Anonymous complaints**

The school will not normally investigate anonymous complaints, unless deemed by the Chairperson of the Board of Governors to be of a serious nature. The decision of whether to deal with such complaints will be at the discretion of the Board of Governors.

## **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 having been reviewed by the Ombudsman, the complainant remains dissatisfied. If they try to re-open the same issue, the Chair of Governors will inform them that the procedure has been completed and that the matter is now closed. If the complainant repeatedly continues to contact the school with the same issue the school may choose not to respond.

- Malicious or vexatious complaints

Where a Board of Governors consider the actions of a parent / group of parents to constitute malicious or vexatious behaviour, they will seek advice from the relevant Employing Authority on order to protect the person(s) the complaint is being made about.

## **RECORD KEEPING**

The Principal and the Chairperson of the Board of Governors shall maintain a record of all correspondence, conversation and meetings concerning your complaint. These records shall be held confidentially in the school and shall be kept apart from pupil records. All such records will be destroyed 3 years after the date of the last correspondence on the issue.

## **Guidance on Using the School Complaints Procedure (taken from the Education Authority Complaints Guidance 2019)**

### **APPENDIX ONE: *Unreasonable Complaints Guidance***

#### **Guidance on unreasonable complaints**

On occasion, people can pursue complaints in a way that is deemed unacceptable either through their behaviour, persistence or the nature of the complaint. 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.

Unreasonable complaints are time consuming; they can be extremely stressful and upsetting and can take up valuable resources and staff time. Whilst the school makes every effort to respond with patience and sympathy to the needs of all complainants, there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.

Everyone has the right to be treated with respect. No member of staff is expected to continue with any engagement that is of an abusive or aggressive nature. For example, staff may end telephone calls or meetings where this occurs. It is important that staff are clear about how to deal with these situations when they arise and that complainants are aware of how unreasonable complaints and/or behaviour will be managed.

#### **Guide for Staff**

All complaints must be managed in accordance with the school's complaints procedure. The stages of the procedure are designed to ensure that complainants have the opportunity of rigorous scrutiny of their issues.

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.

People may act out of character in a time of trouble, anxiety or distress. There may have been upsetting or distressing circumstances leading up to a complaint. Reasonable allowances should be made for this. However, actions that result in unreasonable demands or unreasonable behaviour towards staff, are unacceptable.

It is also important to consider that due to some disabilities and medical conditions some people may be potentially more aggressive. Whilst aggressive behaviour should not be tolerated, consideration should be given to whether this may be the cause, and reasonable and appropriate allowances made accordingly.

Complainants may be deemed to be unreasonable where they:

- Persist in pursuing a complaint where the school's complaints process has been properly implemented and exhausted;
- Persistently change the substance of a complaint or continually raise new issues whilst the complaint is being addressed. Care must be taken not to disregard new issues that are significantly different from the original complaint;
- Repeatedly do not clearly identify the precise issues that they wish to be investigated, despite the reasonable efforts of staff to help them specify their concerns;
- Threaten verbally with or without the use of foul and abusive language or use or threaten to use physical violence towards employees;
- Have had an excessive contact with the school, placing unreasonable demands on employees. Such contact may be in person, by telephone, letter, email or fax or any other means;
- Harass or be verbally abusive or aggressive towards employees;
- Record meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved;
- Make unjustified complaints about staff who are trying to deal with the issues, and seek to have them replaced;
- Make unreasonable demands of the school and its employees and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries

being provided more urgently than is reasonable or outside the timeframes set out in the school's complaints procedure; and/or

- Make repetitive complaints and allegations which ignore the replies which the school has previously supplied.
- A complainant may display one or a combination of the above examples. The list is not exhaustive and each case must be considered on its own merit.

### **Options for Dealing with Unreasonable Complainants**

The decision to treat a complainant as unreasonable should not be taken lightly. The school should consider the following before taking any such decision:

- Has the complaint been, or is it being, investigated properly in line with the school's complaints procedure?
- Has communication with the complainant been timely, adequate and accessible?
- Has the complainant provided any significant new information that might require the school to investigate a previously concluded complaint?

Where the school is considering designating a complaint as unreasonable, the school may offer the complainant a meeting with a member of staff of appropriate seniority, provided there has been no verbal abuse or threat of violence. The school should set out the responsibilities of the parties involved, if the school is to continue processing the complaint. This should be provided in a format that is suitable for the complainant. It should be clearly explained that if these responsibilities are not adhered to, the school may have no alternative but to consider one or more actions set out below.

- Decline contact with the complainant, either in person, by telephone, by fax, by letter, by email or any combination of these, provided that one form of contact is maintained. This may also mean that one named member of staff will be nominated to maintain contact.

☒ Notify the complainant, in writing, that the school has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will also be notified that the correspondence is at an end, advising that they are being treated as an unreasonable complainant and that the school does not intend to engage in further correspondence dealing with the complaint.

☒ Temporarily suspend all contact with the complainant, while seeking advice or guidance from EA legal advisers, health, safety and security staff or other relevant agencies for example PSNI. This temporary suspension of contact may include the blocking of emails from the complainant to staff who may have been subjected to harassment

Once a decision has been reached to use any of the actions above, the principal or chairperson of governors should advise the complainant of their right to a review of the decision. A review should be undertaken no more than four months after the decision.