

# **St Malachy's College Complaints Procedure**

**February 2020**

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## **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 College community.*

### **1.1. School Information**

The St Malachy's College complaints policy reflects the College ethos and is intended to establish clear mechanisms for the resolution of complaints.

The ethos of St Malachy's College is encapsulated in its Mission Statement and Motto:

'St Malachy's College, as a Catholic School, is dedicated to provide academic excellence in the context of a Christian community ethos. It seeks to preserve its traditions of spirituality and learning, so that all pupils and staff can experience continuity in achievement and further their own spiritual, educational and personal growth in a pleasant, interesting and stimulating environment.'

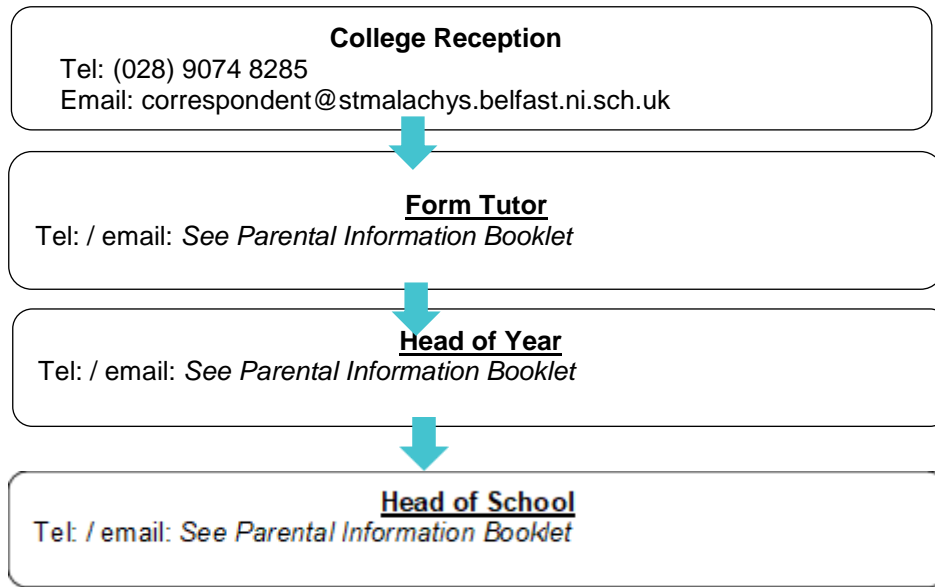
The College Motto "Gloria Ab Intus", Glory from Within, illustrates that the fundamental ethos is that of formative and holistic education in a tradition that has educated for faith from faith for over 180 years.

In St Malachy's College, 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. Contact details for relevant staff are available in the Parental Information Booklets distributed each year at the Parent Information Sessions at the start of the academic year. You may also request contact details from College Reception.

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

## 1.2. Communication Chart



If you wish to make a complaint, please follow the School Complaints Procedure attached.

# **ST MALACHY'S COLLEGE**

## **COMPLAINTS PROCEDURE**

*Adopted by Board of Governors on:* \_\_\_\_\_

*To be reviewed on:* \_\_\_\_\_

## 2. Scope of the Complaints Procedure

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

### 2.1 Complaints with Established Procedures

Our College 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 College's 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>

### 2.2 Anonymous Complaints

The College 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

The College 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 College;
- 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 on The College website or is available from reception 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 College 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 Principal who will arrange for the complaint to be investigated. **If the complaint is about the Principal, proceed to Stage Two.** The College requires complaints to be made in writing. Where this may present difficulties, please contact the College 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 College 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 College'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 College 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 / carers and parent, carer 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.*

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<sup>1</sup> For information on workers' statutory rights to be accompanied, this should be read in accordance with Section 3 of the LRA's Code of Practice on Disciplinary and Grievance Procedures (Paras 110-116).

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 College 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 College 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 College 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.