

3.12. COMPLAINTS AGAINST STAFF MEMBERS

Rationale

From time to time the Principal or Board of Trustees will receive a complaint about the actions of a member of staff. This complaint might come from a parent, fellow staff member or even a pupil.

Procedures are required to ensure such complaints are dealt with fairly, with due seriousness and with a degree of uniformity.

Procedures laid down in the employee's collective contract are to be followed in all cases and many complaints can be resolved by informal discussion, but the following will be used as a guide when handling formal complaints.

This policy is to be read in conjunction with the policy "Staff Discipline".

POLICY

Concerns are to be directed to the appropriate person in the first instance.

The Principal and Senior Staff are to ensure that

- All Collective or Individual Contract provisions are abided by.
- The person making the complaint is given a fair hearing and that the concern is taken seriously, being given due deliberation.

Steps are taken to ensure minor concerns are not *blown* out of proportion and the staff member is not put under undue stress, unfairly harassed or unreasonably impeded from carrying out their allotted tasks. ***Staff are strongly advised to select a staff mentor of their own choosing and management will be sensitive to disclosing complaints at inopportune times, like the start of the teaching day.***

When found to be soundly based, appropriate action is to be carried out to overcome the situation which generated the concern (including appropriate support) and that appropriate ongoing monitoring takes place.

Guidelines

1. Parents are encouraged to discuss any minor concerns they may have regarding their children's education directly with the class teacher concerned. (They are also encouraged to make an appointment to ensure a mutually acceptable time outside of normal class hours).

2. Staff will record routine parent concerns in triplicate books provided by the school. Where a concern is resolved both the parent and staff member should sign a page indicating the agreed plan forward. One copy to parent, one copy to teacher.
3. Staff members are strongly encouraged to follow up all minor complaints/concerns with the person making the complaint after an appropriate passage of time to discuss perceived developments. These contacts may need to continue for whatever time is deemed appropriate by the staff member, both for an evaluation of developments and for PR reasons.

The staff member is to keep the senior teacher or other relevant senior person informed.

4. Should the staff member or parent so wish, or should the complaint be anything but of a minor nature, such complaints are to be referred to the Syndicate Leader or Principal.
5. Anyone making a serious complaint or having a serious concern is to be requested to give it in writing and a copy is to be given to the Principal and staff member concerned. Where the complainant refuses to do this, appropriate support will be sought for parents who need help, for instance with English.
6. A copy is to be given to the employee identifying the alleged misconduct and an explanation sought. The employee is advised they may bring someone by way of personal support during discussions.
7. Such complaints/concerns will be investigated by the Principal, with a report going to the staff member and to the Board. A copy of the complaint and the Principal's response will be kept on the staff member's personal file along with a record of the staff member's response. The time frame for the staff member's response should be determined by the Principal and be relevant to the matters causing concern.

NB. This informal discussion stage **does not** constitute or imply **any** disciplinary process.

8. Changes in the employee's behaviour or practices may be suggested at this stage.
9. After an appropriate passage of time, it might be pertinent for a senior staff member (usually the Principal) to follow up all serious concerns by having further discussions with the person making the complaint regarding perceived developments.

10. Verbal Warning

Where the complaint is found to have some basis, the staff member will receive support, to effect change and be given a verbal warning that failure to effect the stated changes by a due date will result in a written warning. Again, at this stage, the staff member will be advised of their right to bring a representative/witness with them to the disciplinary meeting.

11. Written Warning

Where insufficient improvement occurs a further interview is to be held and if the staff member has no satisfactory explanation for the failure to meet the standard, the Principal will notify the employee in writing that she/he will recommend to the Board of Trustees that they review the staff member's employment if the standard is not achieved by a newly given date.

12. Where the behaviour/performance continues to give concern a further interview is to be held and if the staff member has no satisfactory explanation for the continued failure to improve, the Principal will notify the employee in writing that he/she will recommend to the Board of Trustees that they terminate the staff member's employment

13. Final Action

(a) The Principal is to make a recommendation to the Board.

(b) The Principal is to remove him/herself from the final decision. This fact and a record of the Board's decisions are to be accurately minuted.

14. Nothing in the above prevents summary dismissal in the case of serious misconduct. However, even in such cases, an unprejudiced investigation will be carried out and the employee given the opportunity to answer any allegations against them or results of any investigation.

15. Confidential aspects of any action taken will not be divulged to the person making the complaint or to any other inappropriate person(s) but the complainant will be advised that the Board of Trustees is taking appropriate steps to address the matter.

However, following a dismissal, it might be appropriate to disclose certain information about the dismissal to reduce damage to the school, the employee or other employees. This should be done following consultation with the dismissed party and their advisers.

A copy of this policy will be given to people making a complaint at the time.