


| | | |
|---|--|-----------------|
|  | Human Resources Policy Document | |
| | | Effective Date: |
| | Complaints Policy | 18 March, 2009 |


Title : **Complaints Policy**

Status : ***Revision of original Complaints Policy dated 1 September 2005***

Approval Date : ***17 March, 2009***

Date for Next Review : ***March, 2010***

Originator : **Keith Tucker, Director, Human Resources**


| | | |
|---|--|-----------------|
|  | Human Resources Policy Document | |
| | | Effective Date: |
| | Complaints Policy | 18 March, 2009 |

CONTENTS

1. Purpose
2. Scope
3. Definitions/ Abbreviations
4. Responsibilities
5. Procedure
6. Compliance

Originator: *Human Resources, ESF Centre*

| | | |
|---|--------------|---|
| Originator: | Reviewed by: | Approved by : |
| Keith Tucker Director, Human Resources | SMT | Functional Director/ Chief Executive |
| Date: | Date: | Date: |


| | | |
|---|--|-----------------|
|  | Human Resources Policy Document | |
| | | Effective Date: |
| | Complaints Policy | 18 March, 2009 |

REVISION STATUS TABLE

| Revision No | Effective Date | Summary of Revision | Reviewed | | Approved | |
|-------------|----------------|---------------------|--------------|-------------|----------|-------------|
| | | | By | Date | By | Date |
| A | 1 Sep 2005 | For review by SMT | Keith Tucker | 17 Mar 2009 | SMT | 17 Mar 2009 |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

POLICY DOCUMENT ANNUAL REVIEW

This Policy document is subject to an Annual Review by ESF that is formally documented to ensure its continuing suitability, adequacy and effectiveness. Areas subject to review include, but are not limited to, follow-up action from previous reviews, policy conformity, review of complaints, status of corrective and preventive actions, and improvements for the forthcoming year. ESF reserves the right to amend this Policy by notice following such review in circumstances in which it considers such change to be necessary or appropriate.

| | | |
|---|--|-----------------|
|  | Human Resources Policy Document | |
| | | Effective Date: |
| | Complaints Policy | 18 March, 2009 |

1. PURPOSE

The English Schools Foundation (ESF) encourages an open environment where issues can be discussed and resolved between individuals in a positive manner with special regard to the ESF values. However, there will be times when an issue can not be resolved between the parties. This policy sets out a formal procedure to assist with issue resolution.

Complaints can arise from a variety of sources. They can arise among students individually or as a group, parents or members of the ESF community. They can be of relatively simple nature or of fundamental importance; they may involve matters of teaching and learning or general complaints about ESF and School services. They can involve the members of the School Council or members of ESF offices.

A separate policy (the Complaints Procedure for Schools) exists to manage complaints at the school level. Complaints not covered by the Complaints Procedure for Schools are managed under this Complaints Policy.

2. SCOPE

This Policy applies to complaints made about a Staff Member, a non-Staff Member stakeholder or about ESF services, brought by a non-Staff Member stakeholder, namely: -

1. An ESF student or their parent;
2. A member of the local community.


Out of scope: This Policy does not provide for the resolution of minor complaints or issues raised at school level by ESF students or their parents which shall be dealt with under the Complaints Procedure for Schools.

This Policy does not provide for the resolution of issues brought forward by Staff Members. Such issues shall be dealt with through the Grievance Policy.

This Policy does not deal with an appeal against the decision to expel a student from a school. As outlined in the ESF Ordinance, such matters shall be dealt with by an Appeals Panel which is convened by the Chairman of ESF at the request of the relevant parent. See Appeals Policy.

3. DEFINITIONS / ABBREVIATIONS

| | |
|-----------------|---|
| ESF | - the English Schools Foundation |
| ESL | - ESF Educational Services Limited |
| Senior Managers | - Members of the Senior Management Team of ESF or the management team of ESL |
| Staff Member | - Any employee of ESF and/or ESL |
| Stakeholder | - Any party with a direct interest of association (contractual or otherwise) with ESF |
| Principal | - Principal of an ESF School or ESL School or kindergarten |
| School Council | - School Council of the relevant ESF School |

| | | |
|---|--|-----------------|
|  | Human Resources Policy Document | |
| | | Effective Date: |
| | Complaints Policy | 18 March, 2009 |

| | |
|--------------------|---|
| Student Council | - Student Council of the relevant ESF School |
| PTA | - Parent Teacher Association of the relevant ESF School |
| Head of Department | - Head of the relevant department within the school or ESF office |
| Chief Executive | - Chief Executive Officer of ESF |
| Board | - Board of Governors of ESF |
| Director HR | - Director Human Resources of ESF |
| APTESFS | - Association of Professional Teachers in ESF Schools |
| The Complainant | - The person raising the complaint |

4. RESPONSIBILITIES

4.1 Principals and Senior Managers

Principals and Senior Managers are responsible for ensuring that the procedures outlined in this policy are followed appropriately and fairly with due regard to for the values of mutual respect outlined in the ESF Professional Code. They are responsible for settling any complaint speedily and as close as possible to the point of origin.

4.2 Complainants

Complainants should give due consideration to the needs of other parties when considering raising a complaint. They are responsible for presenting their complaint constructively with due regard for the values of mutual respect outlined in the ESF Professional Code.


Sometimes the resolution of a complaint may involve some degree of compromise by one or both parties; this should be borne in mind by all parties during any issue resolution.

5. PROCEDURE

5.1 Informal Complaint Procedure

Every effort should be made to resolve the complaint, between the parties concerned directly using the informal procedure as follows:

- (i) If the complaint involves an issue with a school, the Complainant should first refer to the Complaints Procedure for Schools and follow the procedures outlined.
- (ii) If the complaint falls outside the school, the Complainant should first seek to resolve the matter by discussing their dissatisfaction directly with the other party, to see if an appropriate resolution is possible.
- (iii) If this fails, then issue should be discussed with the appropriate Senior Manager.
- (iv) The Senior Manager should seek to resolve the issue personally or by mutual agreement in consultation with both parties and where appropriate, other stakeholders.

| | | |
|---|--|-----------------|
|  | Human Resources Policy Document | |
| | | Effective Date: |
| | Complaints Policy | 18 March, 2009 |

5.2 Formal Complaint Procedure

Should a Complainant believe that an issue has not been satisfactorily resolved, or because of the nature of the complaint, he/she feels unable to use an informal procedure, a formal procedure shall be invoked. A formal written complaint may be made to the Principal or appropriate Senior Manager.

- (i) The Principal or Senior Manager is responsible for responding to the formal complaint. They will acknowledge receipt of the complaint within five working days of receiving it, clarifying the nature of the complaint, and set out a timetable for dealing with the complaint (normally within fifteen working days). Where appropriate, the Complainant would be invited to a meeting to discuss the issue.
- (ii) If the complaint relates to serious staff incompetence or inappropriate behaviour, the Principal will inform the Director HR who shall proceed with a formal disciplinary investigation. The investigation shall include interviews with the Complainant, the Staff Members(s) and any witnesses. The process would then follow that outlined in the Disciplinary Policy or the Performance Management Policy as appropriate.
- (iii) If the matter is not deemed to be a disciplinary issue the Principal or Senior Manager in consultation with the Director HR or Senior Manager, as appropriate, shall seek to settle the problem. All relevant documents should be provided to all parties concerned to ensure all relevant information is taken into consideration by the Principal or Senior Manager in determining how the issue is best resolved.
- (iv) If the Complainant is not satisfied with the resolution of the issue, they may appeal to the Chief Executive who will carry out an investigation of the process previously followed. If the process is found to be thorough and to have considered all the evidence, then the outcome will not be changed.
- (v) If the complaint relates to the Chief Executive then the Complainant should address the complaint to the Chairman of the Board.

5.3 Record Keeping

The Principal or Senior Manager shall keep a record of all complaints received and how they were resolved.

5.4 Protecting the Reputation of ESF

Should a complaint be considered serious in nature, such that, if made public it may negatively affect the reputation of ESF and its Schools, the Chief Executive should be informed.

6. COMPLIANCE

Any matters concerning the implementation of this Policy in a particular school/organisation should be raised with the Principal or Senior Managers with a view to reaching a mutually workable solution. Any matters of non compliance should be raised with the Director, Human Resources, ESF Centre.