



2015.07.12.CPP Complaints handling procedure

1. Introduction

For all complaints and appeals it is necessary for all concerned to look at the latest version of the **General Rules of the European Schools** and in all cases the current published version will be taken as the starting point for any actions. In the case of any complaints from seconded teachers the starting point will be the latest version of the **Regulations for Members of the Seconded Staff of the European Schools**. These documents are available on the website of the European Schools.

In the **General Rules**, the following section on procedures are of particular interest since they deal with complaints and appeals:

Chapter VI, Discipline, Articles 40-44

Chapter VII, Admissions, Articles 50a, 51,52

Chapter IX, Appeals against decisions on repeating a year, Article 62

Chapter XI, Complaints and appeals procedures, Articles 66, 67

Under the **Regulations for Members of the Seconded Staff**, the following sections deal with complaints and appeals:

Title VI, Disciplinary measures, Articles 75-77

Title VII, Appeals, Articles 78-80

See also: **Digest of Decisions of the Board of Governors, Chapter VIII, The Complaints Board**

2. The procedure - principles

- The basis of this document is that pupils, parents/guardians and staff members have a right to make complaints concerning what they see as a problem or cause for complaint
- It is recognised that many complaints, problems, misunderstandings and issues will be dealt with in the normal course of the school day by a range of formal and informal means, and this procedure is not intended to replace this, but rather to reinforce it when this method does not work
- The school is committed to providing the best possible response to problems and will do everything possible to resolve these problems in a transparent, fair and appropriate manner within the framework of the above regulations. This means, therefore, that help will be given if necessary to those requiring it to follow the procedure below and to find the relevant regulations
- **Complaints should be based on evidence and not hearsay or rumour**, and therefore all complaints must be made in writing
- All persons making a complaint should be aware that the person who is the subject of the complaint will be informed at every step to ensure fair treatment and transparency.
- In principle the person who is the subject of the complaint should be approached first, although it is also recognised that this may not always be possible
- Child protection must always come first, and the school will act swiftly in any cases where there is not time because of certain situations to follow all the steps below.
- For any oral complaints where, for example, one of the deputies is approached, but it is the wish that the person concerned is not informed, a form will be completed as a matter of record, but no further action can be taken
- It is important that anyone making a complaint is informed of these steps and follows them. If someone starts at a different level in the procedure, for example, they should be sent or given this document. This is particularly important if parents go directly to the director or deputy; although either are available to provide advice on this procedure

3. The procedure - practice

If the problem cannot be resolved with the person concerned (step 1), the procedure will be to follow the steps below:

Step	Complaint addressed to:
1	The person concerned
2	The class teacher/educational advisor (secondary), student rep, staff rep, Parents Association, as appropriate, a counsellor
3	The deputy of the appropriate cycle, bursar
4	The director
5	Externally, following the procedures according to the General Rules and Staff Regulations

- It is possible that steps 1 and 2, or one of the other steps, will be the same if the person concerned is, for example, the class teacher.
- Every complaint will require a form to be completed at each step (unless it is a simple matter as in step 1) which is accompanied by copies of any documents, emails or letters and this will be passed on to the person dealing with the problem at the next stage.
- Once the problem has been resolved the completed file will be kept in the pupil's file, or other files as appropriate.
- If the complaint is about any member of the management the starting point should be the member of the management team concerned; and then the director (step 5) who could also be approached by the staff representatives, student representatives and the Parents Association.

Step 1 – The person concerned

The complaint should be made as soon as possible after the situation or incident. The initial contact with the person concerned could be oral, written, by email or in a meeting. If it is a simple case and is resolved easily then there is no need for the documentation, but if it is more complex and has involved letters, emails, meetings etc. then it should be documented. If the problem is resolved the form and documentation (if appropriate) are recorded. If it is not resolved the documentation is passed onto step 2.

Step 2 – Involvement of others

In step 2 it is expected that various people in the school can become involved if it is not possible to resolve the situation in step 1.

<i>Class teacher</i>	He/she should be the first point of contact for issues arising with pupils, complaints from parents etc.
<i>Student representatives</i>	The elected student representatives can be contacted on more general issues by fellow pupils if it is a complaint of a more general nature, and can approach the management about complaints about them
<i>Parents Association</i>	They can be contacted by any member of the school community to complain about issues affecting one or more individuals of this school community or issues of a more general nature. They can also deal with complaints about the management
<i>Educational advisors, and/or counsellors</i>	In the secondary they can be contacted regarding problems and complaints about absences, lates, examinations etc. and issues which affect the general welfare of pupils
<i>Staff representatives</i>	The elected staff representatives in the nursery/primary, secondary and the administration should be the first reference point for all staff complaints; and the elected part-time teacher representatives can also be contacted, especially over issues which affect them specifically. They should approach the management about complaints about them.

Step 3 – Involvement of management

If the problem cannot be resolved in steps 1 and 2 it will be passed on to the deputies or the bursar, and they will receive the information collected so far. They will deal with the situation and if it cannot be resolved it will be passed on to step 4, to the director. Written feedback needs to be provided, even if the issue is resolved,

and a copy should go to the director. It is expected that only in extreme cases will a complaint go further than this

Step 4 – Involvement of the director

By this stage the complaint will clearly have become more serious and the director will undertake to resolve the situation using any means at his/her disposal, and this may involve consultation with, and advice from, relevant external agencies, the office of the secretary general and/or others. If the complaint is about the director and it cannot be resolved it will be necessary for the problem to go to the office of the secretary general. If it is about anyone employed at the school he/she has the jurisdiction to deal with the problem. The outcome must be communicated in writing or by email.

Step 5 - External

If the problem cannot be resolved in school it will be subject to the procedures under Chapter XI of the General Rules and it can go as far as the Complaints Board in Brussels. The Complaints Board shall have sole jurisdiction in the first and final instance, once all administrative channels have been exhausted (Article 27, Convention defining the statute of the European Schools).

4. Passing on information to others

In this procedure the class teacher plays an important role regarding the pupils and it is important that if problems move from the class teacher to the other steps that the class teacher is informed about the outcome of the case once it has been resolved and before it is filed. It is then the task of the class teacher to pass on the information to anyone else who requires it (i.e. the other teachers). In the same way others who are involved such as the Parents Association, student and staff representatives, need to be informed about the outcomes unless there are confidentiality issues. If the complaint is about one or more pupils, their respective parents must be involved as well as fully informed in each step of the procedure, unless the pupils is 18 years old or above.

5. Confidentiality

On the complaint form if the confidentiality box is ticked with a “yes” it should be the decision of the appropriate member of the management team as to how the information is passed on to others, but the person who is the subject of the complaint and his/her parents if it concerns a pupil below the age of 18 must still be made fully aware of the situation.

6. External agencies and local bodies

The school will involve external agencies as and when necessary, and will also seek advice from the school lawyer. This could be for advice, support or in a mediation role.

European School Bergen - Complaint Form

To be completed and signed by the person responsible in the school

Step	1	2	3	4				
Name of person making the complaint. If a parent, also name of the pupil								
Status in the organisation (pupil, parent etc)								
Summary of the complaint								
Summary of action taken								
Further action required								
Confidential <table border="1"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td></td> <td></td> </tr> </table>	Yes	No			Documents attached			
Yes	No							
Name of the person dealing with the complaint								
Status in the organisation (class teacher etc.)								
Date	Signed (Person responsible in the school)							