



British School of Ulaanbaatar

5.13 – Complaints Procedure

The British School of Ulaanbaatar takes all concerns or complaints seriously. Taking informal concerns seriously at the earliest stage reduces the numbers of formal complaints and reflects the commitment to working effectively with all members of the community.

This policy aims to ensure that:

- as far as possible all concerns should be dealt with as informally as possible
- all complaints are dealt with as quickly and sensitively as possible, and by the person best able to do so
- where a formal process is required, the steps involved are clearly outlined
- people are aware of their responsibilities

This policy applies to all complaints received by the School. This policy applies to all employees of the School and members of the Board of Directors.

Concerns and complaints

It is important to distinguish between a "concern" and a "complaint". Most concerns can be made informally to the initial member of staff and be resolved without the need to go through the formal complaint procedures. Initial concerns should be made with the School as soon as possible to allow for a proper investigation if the need should arise.

A concern may arise (for example)

- From uncertainty regarding the application of School rules or disciplinary procedures
- from misunderstanding or misrepresentation of an incident which has taken place inside or outside the classroom
- where a parent believes that their child has been misunderstood or treated unfairly and feels it necessary to raise the matter so that steps may be taken to restore goodwill
- where a parent believes that their child is being bullied or has suffered some form of discrimination and brings the matter to the School's notice so that action can be taken to prevent a recurrence

Concerns should normally be raised with the member of the teaching staff most directly involved in the situation giving rise to the concern. Parents will appreciate that it is helpful if a concern is expressed as soon as possible after the relevant incident. The staff member will respond as soon as practicable, and in any case within three working days.

A complaint may arise (for example)

- when an individual has previously raised a concern and is not satisfied with the response offered
- where an individual has serious disquiet over an incident that has taken place, or a decision made in the School and believes the School has fallen short of appropriate standards.

Complaints should be recorded, either by the individual (writing or completing the Complaint Form in Appendix One), or by a member of staff following a Stage 1 meeting with the individual. Note - if the complaint concerns the Head Master, any correspondence should be addressed to the Board of Directors. All complaints, including all Complaint Forms, will be held by the Headmaster's' PA. All correspondence and material relating to a complaint is confidential (see [5.14 – Complaints and Confidentiality](#)).

Investigating and Resolving Complaints

The person investigating the complaint will make sure that they:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them;
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning; and
- keep notes of the interview.

At each stage in the procedure the person attempting to resolve the complaint will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is a valid complaint (in whole or in part) without admitting liability. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again; and
- an undertaking to review School policies considering the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the School could have handled the situation better is not the same as an admission of negligence. At all stages those hearing the complaint will attempt to identify areas of agreement between the parties, and to clarify any misunderstandings that might have occurred to create a positive atmosphere in which to discuss any outstanding issues.

Stages of complaint

Stage 1: Complaint heard by a member of staff

It is in the interests of everyone that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the School can be crucial in determining whether their complaint will escalate. Staff need to be sensitive to any potential actual or perceived conflicts of interest or difficulties of a member of staff being involved in hearing and investigating the complaint. To ensure clarity of understanding, a Complaint Form needs to be completed. This ensures that there is no conflict in determining what the complaint consists of and the action taken by members of staff.

The member of staff hearing the complaint needs to ensure that they have investigated it appropriately, after which he or she will respond to the complainant in writing. It is normally expected that complaints will be acknowledged within three working days, and the Stage 1 process completed within 5 working days. If the process is going to take longer than this, the reasons for this should be explained to the complainant.

If the complaint is resolved, the member of staff should complete the Complaints Form and pass this to the Head Master's PA for retention alongside their written response to the complainant. If the complaint is not resolved, the Complaint Form should be completed and passed to the Headmaster who will determine which senior member of staff should be involved in Stage 2.

Stage 2: Complaint heard by a Senior Member of staff

A senior member of staff will be designated by the Headmaster to consider both the original complaint and the process followed during Stage 1. He or she may formally reject a complaint if, in their judgment, the complaint;

- was received too long after the alleged incident for realistic investigation to take place;
- does not identify specific actions or incidents that are capable of being investigated;
- refers only to issues that have already been determined;
- raises only minor matters that should have been resolved in discussion with the staff member involved.

The senior colleague will put their judgment and rationale, including details of the process followed, in writing to the complainant.

It is normally expected that the Stage 2 process would be completed within 5 School days of the Head Master initiating Stage 2. If the process is going to take longer than this, the reasons for this should be explained to the complainant.

If the complaint is resolved, the Complaints Form should be completed and passed to the Head Master's PA for retention. If the complaint is not resolved, the complainant has the option of seeking a meeting with the Headmaster in Stage 3.

Stage 3: Meeting with the Headmaster

The Head Master will consider both the original complaint and the process followed during Stage 1 and Stage 2. The Headmaster will put his judgment and rationale, including details of the process followed, in writing to the complainant.

It is normally expected that the Stage 3 process would be completed within 5 School days of the appointed staff member completing Stage 2. If the process is going to take longer than this, the reasons for this should be explained to the complainant.

If the complaint is resolved, the Complaints Form should be completed and passed to the Head Master's PA for retention. If the complaint is not resolved, the complainant has the option of seeking a meeting with the Owner's representative in Stage 4. In normal circumstances, the decision and judgment of the Head Master will be final. However, should the complaint be about the Head Master's conduct or regarding serious safeguarding concerns or reputational/legal issues to the School, a final stage involving the direct involvement of members of the Board of Directors may be invoked.

Stage 4: Meeting the Board of Directors

The Headmaster will write to the Chair of the Board of Directors giving details of the complaint and the process followed to that point. The Chair of the Board will then convene a meeting of the Board to appoint a panel. This Panel will comprise at least three individuals, none of whom will have been directly involved in previous consideration of the complaint. At least one member of the Panel will be independent of the management and running of the School. The panel will have the powers to determine the complaint. However, the Chair of the Board may reject the request for a Panel Hearing if, in their judgment, the request:

- is vexatious; and/or
- refers only to issues that have already been reasonably determined and with no reasonable basis (such as new information) upon which a Panel Hearing could reach a different decision.

Any member of the Board who was part of the Panel Hearing would not be part of any panel that was subsequently required for a disciplinary hearing regarding a member of staff following a serious complaint. The Panel Hearing should be heard within 10 School days of the Chair receiving notice of the complaint.

The Panel Hearing will be heard in private, will consider the substance of the complaint, consider all the views expressed, and decide the outcome. The complainant may be accompanied by a supportive friend/colleague (and if the complainant is a child, they may be accompanied by their parent(s) and another person).

The panel can:

- dismiss the complaint in whole or in part
- uphold the complaint in whole or in part
- decide on appropriate action to resolve the complaint; or
- recommend changes to the School's systems or procedures.

The decision of the panel is binding. The decision must be communicated within three working days of the hearing.

Complaints about the School to the Ministry of Education (MoE)

Individuals can complain to the MoE if their complaint concerns the provisions or operation of this complaints policy. The MoE usually expects complainants to have made their complaint directly to the School first in accordance with the School's own policy.

Written Responses to Complaints

All letters, whether for information or responses to complaints sent to parents, must be approved by the relevant Head of School, Faculty and/or Head Master and filed by the member of staff who dispatched them. A copy should be sent to the Head of School for retention on School files.

LETTERS TO PARENTS should be:

- Written on official School headed notepaper and in standard font – Calibri 12 point (see [5.6 – House Style Guide](#)).
- Measured in tone and never critical to anyone raising an issue, even where the complaint has proved unfounded. We should not adopt a defensive stance when faced with a complaint.
- In all correspondence; pejorative language should be avoided. Calmness and fairness should be the tone of all communications.
- Shown to and approved by the author's Line Manager before dispatch to reduce the possibility of errors or inappropriate tone.
- If a colleague is acknowledged to be at fault, then that colleague should also be shown the letter, or should be aware of what has been communicated to parents orally.

Such stipulations are equally applicable to electronic means of communication, although formal recognition and notification of complaints should be made by a letter in hardcopy rather than email alone. If parents are unable to collect such a letter in a reasonable timescale, a softcopy can be provided prior to the receipt of the hardcopy. Please refer to the School's policy on Social media for other methods of communication other than the School email system but remember that connection with current pupils or parents via any other medium than email or SMS text message or WhatsApp groups during authorized School trips is not allowed.

Vexatious and abusive complaints

The School takes its responsibilities to investigate concerns and complaints seriously and will do so professionally. The School does not expect staff to tolerate unacceptable behavior by complainants, which would include behavior viewed as abusive, offensive or threatening. The School defines unreasonably persistent and vexatious complainants as those complainants who, because of the frequency or nature of their contacts with the School, hinder the ability to investigate their original complaint. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a complainant.

An unreasonably persistent and/or vexatious complainant may:

- have insufficient or no grounds for their complaint, or refuse to specify the grounds for their complaint, and appear to be making the complaint only to annoy or for undeclared reasons;
- refuse to cooperate with the complaints investigation process;
- refuse to accept that issues are not within the power of the School to investigate, change or influence;
- make what appear to be groundless complaints about the staff dealing with the complaint(s);

- make an unreasonable number of contacts with the School, by any means, about the complaint;
- make persistent and unreasonable demands or expectations of staff and/or the complaints process;
- harass, abuse, or otherwise seek to intimidate staff dealing with their complaint;
- raise subsidiary or new issues during the investigation;
- introduce trivial or irrelevant new information and expect this to be considered;
- change the substance or basis of the complaint without reasonable justification;
- deny statements he or she made at an earlier stage;
- electronically record meetings and conversations without the prior knowledge and consent of the other person involved;
- refuse to accept the outcome of the complaint process after its conclusion and/or denying that an adequate response has been given;
- make the same complaint repeatedly, perhaps with minor differences, and insist that the minor differences make these 'new' complaints which should be put through the full complaints procedure;
- persistently approach the School through different routes about the same issue; and
- combine some or all these features

If there is either unacceptable behavior and/or unreasonably persistent and/or vexatious complaints, the Head Master will ensure that any legitimate complaint is being investigated and progressed in accordance with this policy; and impose such restrictions on the complainant's contact with the School as may be appropriate and proportionate and inform the complainant of the restriction and the time that it will continue for as well as the reason for the restriction.

Positive Outcomes of Complaints

Every complaint is a marketing opportunity. A complaint that is professionally managed and that produces an outcome that is satisfactory to all parties will enhance the school's reputation. The following comments are offered to colleagues by way of advice when dealing with a complaint. There is no ideal way in which to manage such situations, since all parents are individuals, as are all children. Effective complaint handling, however, can play a key role in improving our relations with the parent body. What follows is directed towards improving our methods of dealing with complaints, whether formal or informal.

- No school is perfect and so we should have the confidence to investigate complaints fairly in an open and self-critical way.
- Staff should take care not to criticize colleagues and parents until any investigation is complete. Even at this stage, the language used should be measured and professional.
- The speed of a response is critical to achieving a satisfactory outcome from the complainant's point of view; matters should not be allowed to drag on.
- It is better to bring parties together face-to-face and avoid lengthy, time-consuming correspondence wherever possible. However, a written allegation requires a written response. Full notes of all such meetings must be kept and filed with the Human Resources Department.
- Complaints should be dealt with by the teacher responsible for the criticized activity, or their line manager as deemed best by the Headmaster or relevant Head of School in discussion with those individuals making the complaint.
- Individual complaints should be placed in a broader context to ascertain if there is a widely shared concern. All staff must report such concerns to their Head of School, Human Resources Director or the Head Master directly for discussion at SLT meetings.

Responsibilities under the policy

Under this policy, the following are responsible for:

Board of Directors:

- approving the School policy, procedures, and guidelines;
- establishing the Panel Hearing for Stage 4; and
- monitoring the level and nature of complaints and reviewing the outcomes and associated lessons to learn annually or more frequently as required by the Chair.

Chair of the Board of Directors:

- receiving complaints at Stage 4 of the complaints procedure;
- nominating the individuals for the Panel Hearing in Stage 4 and ensuring that it includes one person who is independent from the management and running of the School; and
- checking that the correct procedure is followed;
- the parties understand the procedure;
- the issues are addressed;
- key findings of fact are established;
- complainants are put at ease;
- the hearing is conducted as informally as possible;
- the panel is open-minded and acts independently;
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously;
- all parties have the chance to be heard;
- any written material is seen by all parties;

Head Master

- the overall internal management of the procedures;
- identifying who will hear complaints at Stage 2 of the procedure;
- related Child Protection and Data Protection rules are observed and maintained.
- ensuring that the procedures are monitored and reviewed, and reports made to the Board of Directors as appropriate.

Head Master's PA:

- To maintain records of all complaints received by the School

All staff:

- listening to any concerns brought to them by parents and students;
- reassuring them that they will be dealt with as soon as possible by the appropriate member of staff;
- for informing the relevant staff of the concerns being raise; and
- passing any complaints received from other people who are not parents or students to the Business Director, CFO or Head Master as appropriate.

Lead Author: Jonathan Warner	Date drafted: August 2020
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British School of Ulaanbaatar

Complaint Registration form

Please complete and return to the Head Master's PA who will acknowledge receipt and explain what action will be taken.

Your Name:	
Student's Name:	
Relationship to student:	
Address:	
Email Address:	
Contact Telephone number:	
Please give details of your complaint:	
What action, if any, have you already taken to try and resolve the complaint? Who did you speak to and what was the response?	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details:	
Signed:	Dated:

For School Use only

Date acknowledgement sent:		
Acknowledgement sent by:		
Signature		
Please complete the following, acknowledging the stages of the complaints procedure that have been followed and include any comments, as necessary.		
Stage One (complaint heard by member of staff)		
	Signed:	Date:
Stage Two (complaint heard by Senior staff)		
	Signed:	Date:
Stage Three (complaint heard by Headmaster)		
	Signed:	Date:
Stage Four (complaint heard by BoD Panel)		
	Signed:	Date: