

Complaints Policy & Procedures

Introduction

This policy covers three distinct procedure areas:

1. Staff complaints.
2. Parent complaints.
3. Student complaints.

As guiding principles, each complaint policy/procedure should:

- Be publicized so that each party knows it exists (each area will be made into a separate document and shared with the relevant parties).
- Be easily accessible.
- State the rights and responsibilities of the complainant.
- Have a timeline for response.
- State confidentiality agreements.

Complaint vs Conflict Resolution

Conflict Resolution: In a deliberately diverse community it is inevitable that there will be misunderstandings and differences of opinion. **The Restorative Justice Policy** will aim to provide guidance in how we work through these misunderstandings and move towards understanding and resolution.

It is expected that in most incidences, individuals or groups will attempt to work through issues and arising conflict, using the guidance in the (pending) **Restorative Justice Policy**. However, where issues are unable to be resolved through dialogue, or where there has been a serious transgression from the conduct expected of UWC Maastricht community members, then the **Complaints Procedure** is used.

Complaint: A complaint is a formal process to be used when there is:

- **violence**
- **serious misconduct**
- **unresolved conflict**
- **bullying**
- **harassment (sexual or otherwise)**
- **abuse (sexual or otherwise)**

If a staff member is unsure whether a formal complaint should be raised they can:

- Talk to the Trust Person in the Primary and Secondary schools and/or
- Talk to the external Trust person
- Talk to Human Resources, in confidence and/or
- Talk to someone in the Leadership Team

The procedures are intended to ensure that all complaints are handled fairly, consistently, in a timely manner, and, where necessary, in accordance to Dutch legal guidelines.

The complaints procedures at LVO and Mosa Lira are more or less aligned.

1. Staff Complaints

The Governance and Leadership structure of UWC Maastricht is complex. This procedure aims to provide a coherent structure for complaints within this complex structure.

- If you are on an LVO contract, you can complain via LVO HR or UWC Maastricht Leadership Team.
- If you are on a UWC Maastricht contract, you can make a complaint to UWC Maastricht Leadership Team.
- If you are on a Mosa Lira contract, you can complain to either Mosa Lira HR or to UWC Maastricht Leadership Team.

General Principles for UWC Maastricht

1. The complaint should be lodged with a member of the Leadership Team within 8 weeks of an incident occurring, and ideally as soon as possible after an incident. If an issue is ongoing (such as harassment), the complaint should be brought as soon as the individual recognizes the issue.
2. The complaint should be in writing (email or paper) and made explicit that it is a formal complaint, according to the Complaints Procedure.
3. The school has a Trust Person for Primary and one for Secondary who are available, in confidence, and can help someone decide the appropriate course of action. *It should be noted that the Trust person is NOT a mediator. It should also be noted that they must report the number and type of incidences of issues brought to them to the UWC Maastricht Leadership Team and each respective Stichting (LVO and Mosa Lira). Dutch regulations on the role of a Trust Person can be found in the Collective Labour Agreement.*
4. The school also has an external Trust Person for staff. He or she can be reached through HR or the internal trust persons.
5. Trust persons can advise a complainant on how to resolve a complaint or to special help, as in: the Arbo Doctor, a psychologist, the police etc.
6. The complaint should be acknowledged within 5 days of receipt.
7. The Leadership Team member will work with Human Resources to identify required action and legal frameworks.
8. The complaint will be considered as confidential to protect all parties involved.
9. If the Leadership Team and the complainant cannot agree on a course of action, or if the complaint is about a member of the Leadership Team, then the complaint will be passed on to the Board of UWC Maastricht.

After examination by the Leadership Team the complaints are assessed in the following manner:

- The complaint is founded.
- The complaint is unfounded for lack of evidence.
- The complaint is unfounded.
- The complaint is unfounded on false grounds (this concerns false complaints).
- The complaint is handled by the Complaints Commission (National organisation linked to the CLA) or the police.

Possible outcomes

1. Complaint resolved

A complaint is considered to be resolved when the complainant and UWCM agree on an appropriate response or remedy. Remedies should be implemented as soon as possible.

A complaint can only be dismissed:

- After it has been investigated.
- If an investigation has determined that the complaint cannot be substantiated.

2. Complaint unresolved

A complaint is considered to be unresolved if the complainant does not agree on a course of action and/or a remedy, or if the remedy cannot be implemented. If this happens then the next stage within the Complaints Procedure will be initiated which is to direct the complaint to the Board of UWC Maastricht. There is also the choice to go to the Complaints Commission.

The complaints procedure ends with a formal letter to the complainant about the outcome of the procedure.

2. Parent and Student Complaints

UWC Maastricht aims to try and resolve conflict quickly through open dialogue and expect both staff and parents to uphold the values of UWC by not shying away from difference, but by seeking understanding through non-violent communication and reaching an agreement or agreed upon set of actions that both parties are satisfied with.

An internal Trust Person is available that anyone can contact in confidence at any stage during the process.

In UWCM Primary this person is Peter Wijnker who can be contacted at p.wijnker@uwcmaastricht.nl

In UWCM Secondary this person is Ulrike Trey who can be contact at u.trey@uwcmaastricht.nl

The school also has an external trust person, who can be contacted through the HR department, the internal trust persons or the Leadership Team.

In the first instance, we ask parents to take the concern to the person directly involved following the three steps:

1. Seek clarity.
2. Express concern.
3. Non-violent communication towards resolution.

If the parent believes the concern to be more serious, and/or they feel unable to speak with the person directly responsible and/or they were unable to resolve it through the above 3 steps, then they should address the concern to the Director of Primary, Director of Secondary or Head of College.

If a satisfactory resolution is unable to be found within the Leadership team, then the complaint should be directed to the following groups/individuals in the order given below, moving up the list one by one if there is no resolution at that level.

1. Person directly involved.
2. Leadership Team.
The complaint should be in writing (email or paper) and made explicit that it is a formal complaint, according to the Complaints Procedure.
3. Participation Council (for general, structural matters).
4. Board of UWC Maastricht.
5. The Bevoegd Gezag, LVO or Mosa Lira respectively.

Concerning complaints regarding the Board of Mosa Lira please contact: info@mosalira.nl

Concerning complaints regarding the Board of LVO please contact the Klachtencommissie: info@stichtinglvo.nl

Possible outcomes

1. Complaint resolved

A complaint is considered to be resolved when the complainant and UWCM agree on an appropriate response or remedy. Remedies should be implemented as soon as possible.

A complaint can only be dismissed:

- After it has been investigated.
- If an investigation has determined that the complaint cannot be substantiated.

2. Complaint unresolved

A complaint is considered to be unresolved if the complainant does not agree on a course of action and/or a remedy, or if the remedy cannot be implemented. If this happens then the next stage within the Complaints Procedure will be initiated and arbitration may be sought from outside parties.

The complaints procedure ends with a formal letter to the complainant about the outcome of the procedure.

Last review: December 2017