



## Grievances and complaints procedure

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## **UWC MAASTRICHT**

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## 1. Definitions

- a.) *MosaLira*: MosaLira, a foundation for learning, education, and upbringing;
- b.) *LVO*: foundation for Secondary Education in Limburg for special and public education;
- c.) *School Board*: body with statutory responsibility for the management of the MosaLira or LVO foundations;
- d.) *competent authority*: MosaLira, foundation for learning, education, and upbringing and/or LVO foundation, represented by the School Board;
- e.) *UWC Maastricht*: The Cooperative Foundation United World College Maastricht, a cooperative with excluded liability (UA), established in Maastricht;
- f.) *Head of College*: the titular Director appointed by the School Board and who is responsible for preparing and implementing the competent authorities' decisions on behalf of the School Board;
- g.) *Participation Council*: the participatory body of the cooperative, also known as UWC Maastricht, as referred to in article 20 section 5 of the School Participation Act, previously known as *division council*.
- h.) the *UWC Maastricht complaints committee*: the committee as defined in Section 3;
- i.) the *internal confidential advisor*: the person as defined in Section 2.3;
- j.) the *external confidential advisor*: the person as defined in Section 2.3;

## 2. Dealing with a grievance at school

### 2.1 General principles

1. Any member of the school community is entitled to raise a grievance concerning the behaviour of any other member of the school community.
2. Grievances should always in the first principle be raised by the aggrieved party with the person responsible for the grievance and preferably in a face-to-face setting. This may not always be possible and at times a more serious matter may have to be urgently directed towards a line manager or the Directors of Primary and Secondary respectively.
3. In dealing with a grievance the rights of all parties will be respected. Aggrieved parties will not be victimized for raising a grievance. Individuals against whom grievances are reported have a right to reply in a fair and unbiased process.

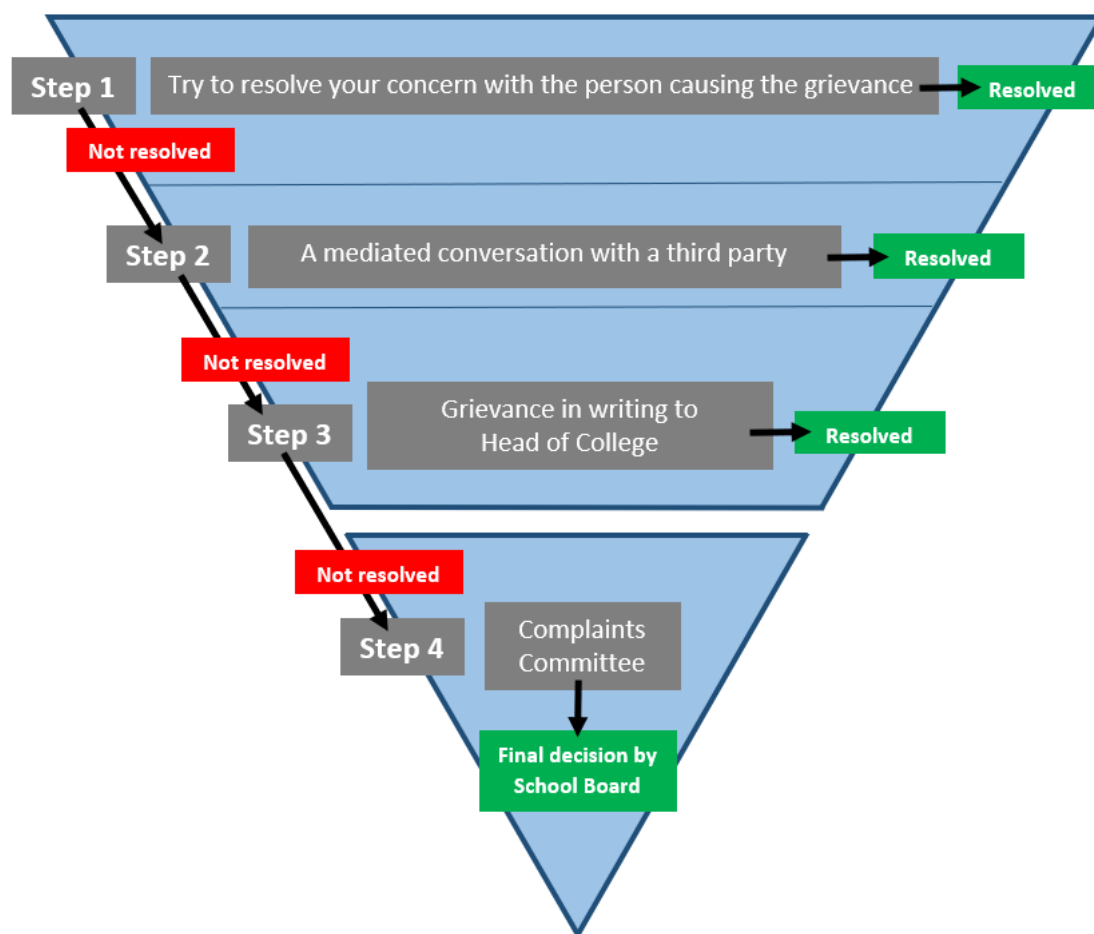
### 2.2 Steps and flowchart

1. At UWC Maastricht we recognize that tensions and conflict are sometimes inevitable. We also realize that conflict can be the means to achieve positive change, as long as conflict is dealt with constructively and peacefully. The table and flowchart below are designed to help community members understand how best to address a grievance. The complaints process of Step 4 is explained in more detail in Section 3.
2. If a (mediated) conversation does not result in a satisfactory solution, the aggrieved individual can lodge a written grievance with the Head of College (Step 3 in the flowchart). The Head of College will acknowledge receipt of the grievance within one working week. The Head of College will evaluate the process so far, and if this seems appropriate refer back to steps 1 or 2.
3. The role of the Head of College - at times delegated to the Director of Primary or Secondary respectively - is to review the positions of all parties involved and to compare these to UWC Maastricht's policies and procedures, and seek additional legal advice if needed. The aim is to complete this process within six weeks of receiving the written grievance.
4. The Head of College will communicate his decision in writing with all parties involved. This concludes the grievance process (steps 1, 2 and 3) at the school level.



## Addressing a grievance within the school step by step

<b>Step 1</b>	The aggrieved party should address a concern or dissatisfaction directly with the person causing the grievance. This is not always easy but often the most effective way to remove a concern or to address a grievance. This can best be done, if possible, in a face-to-face meeting. Addressing grievances via email or social media is usually not a productive way forward. It tends to escalate rather than de-escalate a conflict.
<b>Step 2</b>	Raising a grievance directly with the person causing the grievance does not always lead to a workable solution or can be deemed impossible. In this case the aggrieved party is advised to discuss the matter with a third party. For students this is often the classroom teacher or tutor, Head of Year or Residence Mentor. For parents it can be the tutor or class teacher, Head of Department or Head of Year, depending on the nature of the concern. For members of staff this can be their line manager or a trusted colleague. The third party will arrange a meeting with all parties at the table to try and find a solution (For the role of the confidential advisors, see paragraph 2.3).
<b>Step 3</b>	If step 1 and/or 2 do not result in a satisfactory solution, aggrieved individuals can lodge their grievance in writing with the Head of College. The Head of College will evaluate the process so far (and refer back to Step 1 or 2 if need be) and arrange a meeting or series of meetings to find a solution. The Head of College – who may at times delegate this process to the Director of Primary or Secondary respectively – will conclude this process in writing to all parties involved.
<b>Step 4</b>	The aggrieved party can submit a formal complaint to the UWC Maastricht complaints committee when it is felt that the Head of College has not resolved a grievance in a satisfactory manner. The committee will hear the parties involved and evaluate to what extent school policies have been followed and will advise and make recommendations to the School Board. Informed by the advice of the complaints committee, the School Board will decide and communicate the final decision to all parties involved.



## 2.3 Confidential advisors

1. Aggrieved individuals can, if they wish, discuss their grievance with a confidential advisor (in Dutch: *vertrouwenspersoon*). You can also contact a confidential advisor if a grievance or complaint has been brought up against you. You can also, of course, ask to be supported by a friend, colleague or relative.
2. UWC Maastricht has two appointed internal confidential advisors, who are available to listen to a grievance or concern in a confidential atmosphere. In addition to the internal advisors, UWC Maastricht also offers the services of an external advisor.
3. The confidential advisor will listen, advise, and explore with you how the grievance or complaint can be resolved. In all circumstances, issues raised with a confidential advisor will be treated confidentially and he/she will only act if you agree to it.

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 Ania de Bruin [a.debruin@uwcmaastricht.nl](mailto:a.debruin@uwcmaastricht.nl)

Tel. +31 (0)43 2 410 410  
 Tel. +31 (0)43 2 410 410

The external confidential advisor is:

Joep Peters [contact@deeikmediation.nl](mailto:contact@deeikmediation.nl)

Tel. +31 (0)6 20 30 51 59

### 3. The UWC Maastricht complaints committee

#### 3.1 Introduction

1. The UWC Maastricht complaints committee deals with grievances that have not found a satisfactory solution during Steps 1, 2 and 3 of the grievance and complaints procedure *after* the Head of College has reached a decision on behalf of UWC Maastricht. The function of the complaints committee is to review the entire process and to give advice to the School Board with regards to the particular case presented to the committee.
2. In agreement with the competent authorities LVO and MosaLira, UWC Maastricht has set up its own designated complaints committee, catering for the needs of all stakeholders of UWC Maastricht: parents, students and staff. This committee is set up within the context of UWC Maastricht, and with the purpose of dealing with complaints in English within the framework of the legal requirements of a complaints committee (*klachtencommissie*) for Dutch primary and secondary schools.
3. This means that aggrieved parties contacting the UWC Maastricht complaints committee cannot simultaneously address their complaints to the LVO and/or MosaLira complaints committees. Written complaints submitted to the complaint committees of LVO and MosaLira will be directed to the UWC Maastricht complaints committee.

#### 3.2 Composition

1. The UWC Maastricht complaints committee has at least three members including one Chair, elected by the committee.
2. The complaints committee is composed in such a way that they are able to consider complaints in a professional manner in English. Members understand the national and international context in which UWC Maastricht operates. Members may not be employed by UWC Maastricht.
3. Members are appointed by the School Board on behalf of the competent authorities. The Board seeks advice from the UWC Maastricht Participation Council before requesting the School Board to confirm an appointment.
4. Members are appointed for a three-year term, and may be reappointed. Members can decide to resign at any time, resulting in the recruitment and appointment of a new committee member.

#### 3.3 Mandate

1. The complaints committee gives the School Board solicited and unsolicited advice and recommendations with regards to:
  - The extent to which a complaint is grounded in fact.
  - The quality of the process conducted under Steps 1-3 of this policy.



2. In addition to advising on particular cases, the complaints committee writes an annual report with regards to its activities during the course of a school year. This report summarizes the nature of complaints received, the advice given by the complaints committee, the motivation for this advice, and the response from the school. An anonymized version of this report is shared with the Participation Council.

3. The committee is also allowed to present more generic unsolicited advice with regards to school policies and grievance/complaints procedures to the Head of College.

### 3.4 Submitting a complaint

1. The complainant submits the complaint to the UWC Maastricht complaints committee.
2. Complaints need to be submitted to the complaints committee within six months after the written conclusion shared by the Head of College in step 3.
3. If the complaint is submitted to the competent authorities LVO or MosaLira, these competent authorities refer the complainant back to the Head of College.
4. The school may make a provisional arrangement pending the process of the complaints committee.
5. After receipt of a complaint, the complaints committee informs the Head of College, the complainant and the alleged perpetrator, in writing, within five working days, that they are investigating a complaint.
6. The complainant and the alleged perpetrator can be assisted or represented by an authorised representative.

### 3.5 Withdrawing a complaint

1. If the complainant withdraws the complaint during the procedure before the complaints committee, the complaints committee will inform the alleged perpetrator and the Head of College accordingly.

### 3.6 Contents of the complaint

1. A complainant submits the complaint in writing to the complaints committee. Complaints must always include:
  - The name, signature and contact details of the complainant.
  - The date of submission.
  - A factual description of the complaint.
2. If the provisions of paragraph 3.6.1 have not been complied with, the complainant will be given the opportunity to rectify the default within two weeks. If even then the provisions of paragraph 3.6.1 have not been complied with, the complaint may be declared inadmissible.
3. If the complaint is declared inadmissible, notification of this is sent to the complainant, the alleged perpetrator, the Head of College and the School Board.

### 3.7 Investigation and hearing

1. In connection with preparations for dealing with the complaint, the complaints committee is authorised to obtain all the required information. To this end it can call upon experts and if necessary, invite them to the hearing. If there are costs involved beyond the committee's annual budget, prior authorisation from the head of College is required.
2. The Chair determines the location and time of the hearing at which the complainant and the alleged perpetrator are given an opportunity to be heard at a meeting that is closed to the public.
3. The complainant and the alleged perpetrator will not be heard in one another's presence, unless the complaints committee determines otherwise.
4. The complaints committee can determine, whether or not in response to a request by the complainant or the alleged perpetrator, that the confidential advisor will attend the hearing.
5. The hearing of the complainant may be waived if the complainant has declared not to wish to make use of the right to be heard.
6. A report of the hearing is drawn up. The report contains:
  - a) the names and positions of those present;
  - b) a brief summary of what was said on both sides.

### 3.8 Advice

1. The complaints committee deliberates and decides on its advice behind closed doors.
2. The complaints committee reports its findings in writing within four weeks after the hearing took place. This period may be extended by four weeks. The complaints committee informs the complainant, the alleged perpetrator, the Head of College and School Board about the reasons for such an extension.
3. In its advice, the complaints committee provides a substantiated opinion about whether the complaint is well-founded or not and informs the complainant, the alleged perpetrator, the Head of College and the School Board in writing about this opinion.
4. In its advice, the complaints committee may also make a recommendation about measures to be taken by the Head of College.

### 3.9 Decisions on advice

1. Within four weeks after receiving the complaints committee's advice, the School Board will notify the complainant, the alleged perpetrator, the Head of College and the complaints committee in writing, and with grounds, as to whether it shares the opinion on the merits of the complaint and whether it feels measures should be taken - and if so, which measures - based on that opinion. The notification is

accompanied by the complaints committee's advice and the report of the hearing, unless compelling interests advise against this.

2. This period can be extended by four weeks at the most, in which case the complainant, the alleged perpetrator and the complaints committee are informed about the reasons for such an extension.

### 3.10 Confidentiality

1. In order to protect the integrity and interests of all parties involved in a complaint, the complaints committee will work to ensure the confidentiality of its proceedings.

2. Committee members continue to be bound by confidentiality once they step down from the complaints committee.

## 4. Final provisions

1. The Head of College makes sure all interested parties are aware of this procedure.

2. This procedure can be cited as the "UWC Maastricht Grievances and Complaints Procedure".

3. This procedure will be reviewed at the initiative of the Head of College or at the request of the Participation Council.

4. This procedure came into effect on **1 February 2022**.

## 5. Contact details

1. The UWC Maastricht complaints committee can be reached via the below address:

UWC Maastricht  
The Complaints Committee  
Discusworp 65  
6225 XP Maastricht  
The Netherlands