

# Equality and Human Rights Screening Template

## PART 1 - POLICY INFORMATION

### 1.1. Policy Title

Model School Complaints Procedure for Parents, Carers, Other Stakeholders

### 1.2. Description of policy or decision

The school complaints procedure has been in use by schools since 2008 and was reviewed in 2012. With the advent of the Northern Ireland Public Services Ombudsman’s jurisdiction over schools in 2016, the procedure was again reviewed.

A complaint is described as an expression of dissatisfaction with our work. A school complaints procedure sets out how any expression of dissatisfaction relating to the school will be managed. By taking complaints seriously at the earliest possible stage, it is hoped that they can be resolved quickly and effectively. This document provides a model of support and guidance for schools to develop their own complaints procedure.

A working group, led by EA, and comprising colleagues from CCMS, NICIE, CnaG and CSSC, have developed the Model School Complaints Procedure. Officers in the Education Directorate led the work, with support from HR colleagues when appropriate.

The resulting model procedure is in line with best practice, and reflects advice provided by the Northern Ireland Public Services Ombudsman (NIPSO). NIPSO welcomes both the procedure and the addition of the guidance document.

### 1.3. Who are the main stakeholders impacted? (Internal and external as well as actual and potential)

All schools – staff and governors  
 The public who use schools or their services  
 Any member of the public who has a complaint in relation to a school

### 1.4. Is the policy likely to impact people living in rural areas?

Yes	
No	√

*If yes, please complete the rural sections of the template*

**1.5. Other policies or decisions with a bearing on this policy or decision?**

- *What are they and who owns them?*

All school policies may have a bearing on this procedure, as they may be the subject of a complaint.

Grievance or disciplinary procedures may be invoked as a result of this procedure being implemented.

**PART 2 – EVIDENCE AND MITIGATION**

**2.1. What information did you use to inform this screening? E.g. census data, Equality Impact Assessments (EQIAs), consultation reports, service level data?**

Consultation with stakeholders – principals, teachers and governors.

A working group, led by EA, and comprising colleagues from CCMS, NICIE, CnaG and CSSC have been involved in the development of the model procedure.

**2.2. Quantitative Data**

**What is the profile of the people that are impacted by this policy or decision?**

*Please provide a statistic breakdown of the people impacted by this policy or decision. Note, if the policy or decision impacts both staff and service users, please provide data on both.*

Section 75 Group	Make up of affected groups?								
Age	<p><b>Pupils</b> In the 2019/20 Schools Census Data there are: 173,884 pupils in primary schools (years 1-7) and 145,077 pupils in post-primary schools (years 8-12).</p> <p><b>DE Statistical Bulletin – 2019 – Annual enrolments at Schools 2018/19 (March 2019)</b></p> <table border="1"> <tr> <td>Funded pre-school</td> <td>23,759</td> </tr> <tr> <td>Primary</td> <td>173,856</td> </tr> <tr> <td>Post-Primary</td> <td>145,085</td> </tr> <tr> <td>Special Schools</td> <td>5,959</td> </tr> </table>	Funded pre-school	23,759	Primary	173,856	Post-Primary	145,085	Special Schools	5,959
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**Dependants**

Family type	With dependent children
Married couple family <sup>1</sup>	4,944
Opposite sex married couple family	4,938
Same sex married couple family	6
Civil partner couple family <sup>3</sup>	8
Cohabiting couple family <sup>1</sup>	1,251
Opposite sex cohabiting couple family	1,246
Same sex cohabiting couple family	4
Lone parent family	1,781
All families	7,983

Source: Labour Force Survey, Office for National Statistics

**Families by family type and presence of children**

Northern Ireland, 2017

Thousands

Number of families	2017
	Estimate
Married couple family and civil partner couple family	369
No children	176
Dependent children	138
Non-dependent children only	55
Opposite sex and same sex cohabiting couple family	59
No children	33
Dependent children	22
Non-dependent children only	5
Lone parent family	107
Dependent children	64
Non-dependent children only	43
Lone mother family	93
Dependent children	56
Non-dependent children only	37
Lone father family	15
Dependent children	8
Non-dependent children only	6
All families	536
No children	209
Dependent children	224
Non-dependent children only	103

Source: Labour Force Survey (LFS), Office for National Statistics

	<p><b>ONS: Families and Households in the UK: 2019</b>          Over the last decade the number of families with dependent children has increased by 4.1%, while the number of families with non-dependent children only has grown more than twice as fast. These both represent statistically significant increases. This reflects the fact fewer people are having children and those that do tend to have fewer children than in the past.</p> <p>In 2019, married and civil partner couple families accounted for the largest share of families with dependent children (61.4%), followed by lone parent families (22.3%) and cohabiting couples (16.3%).</p> <p>----</p> <p>On Census Day 2011, there were a total of 238,071 households with dependent children in Northern Ireland. This figure represents a third (33.8%) of all households.</p> <p>92,000 of these families in NI are lone parents families and they incorporate around 150,000 children. <i>Gingerbread 2017/18</i></p> <p>Based on ONS 2018 population statistics for Northern Ireland (1.882m), there could be around 226,000 people in Northern Ireland with some form of caring role.</p>																								
<p><b>Disability</b></p>	<p><b>General Population</b>  <i>Disability by Age and Gender</i></p> <table border="1" data-bbox="414 1265 1412 1545"> <thead> <tr> <th></th> <th>Males (%)</th> <th>Females (%)</th> <th>All persons (%)</th> </tr> </thead> <tbody> <tr> <td>16-24</td> <td>14.4</td> <td>13.1</td> <td>13.8</td> </tr> <tr> <td>25-34</td> <td>14.1</td> <td>13.8</td> <td>13.9</td> </tr> <tr> <td>35-49</td> <td>14.8</td> <td>20.7</td> <td>17.9</td> </tr> <tr> <td>50-64</td> <td>29.6</td> <td>32.8</td> <td>31.2</td> </tr> <tr> <td><b>All</b></td> <td><b>19.1</b></td> <td><b>21.8</b></td> <td><b>20.5</b></td> </tr> </tbody> </table> <p style="text-align: right;"><b>Source:</b> Labour Force Survey, October-December 2019</p> <p>The 2011 Census reports that just over one in five of the usually resident population (21 percent) had a long-term health problem or disability which limited their day-to-day activities.</p> <p><b>DE Statistical Bulletin – 2019 – Annual enrolments at Schools 2018/19 (March 2019)</b>          There are 78,918 pupils with Special Educational Needs in schools in N Ireland – 17.5% at SEN stages 1-4, 5.3% with a Statement of SEN.</p>		Males (%)	Females (%)	All persons (%)	16-24	14.4	13.1	13.8	25-34	14.1	13.8	13.9	35-49	14.8	20.7	17.9	50-64	29.6	32.8	31.2	<b>All</b>	<b>19.1</b>	<b>21.8</b>	<b>20.5</b>
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<p><b>Religious Belief</b></p>	<p><b>DE Statistical Bulletin – 2019 – Annual enrolments at schools 2018/19 (March 2019)</b></p> <table border="1" data-bbox="411 309 1054 387"> <tr> <td>Protestant</td> <td>Catholic</td> <td>Other</td> </tr> <tr> <td>114,290</td> <td>175,617</td> <td>56,390</td> </tr> </table> <p><b>NI population Statistics</b> According to the latest Labour Force Survey Religion Report the Proportion of the population aged 16 and over reporting as Protestant is 42%, while the proportion reporting as Catholic is 41%.</p>	Protestant	Catholic	Other	114,290	175,617	56,390									
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<p><b>Gender</b></p>	<p><b>DE Statistical Bulletin – 2019 – Annual enrolments at Schools 2018/19 (March 2019)</b></p> <table border="1" data-bbox="411 680 1131 873"> <tr> <td></td> <td>Female</td> <td>Male</td> </tr> <tr> <td>Nursery</td> <td>49%</td> <td>51%</td> </tr> <tr> <td>Primary</td> <td>49%</td> <td>51%</td> </tr> <tr> <td>Post Primary</td> <td>50.5%</td> <td>49.5%</td> </tr> <tr> <td>Special</td> <td>30%</td> <td>70%</td> </tr> </table> <p><b>NI Populations Statistics</b> Women make up 51% of the NI population Men make up 49% of the NI population <i>Census 2011 figures</i></p>		Female	Male	Nursery	49%	51%	Primary	49%	51%	Post Primary	50.5%	49.5%	Special	30%	70%
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<p><b>Marital Status</b></p>	<p><b>NI Population Statistics</b> The 2011 Census reports that 36.14% of the NI population (Aged 16+) Have never married or never registered a same-sex civil partnership, 47.56% of that age cohort are married, 0.09 are in a registered same sex civil partnership, 3.98% are separated but still legally married or still legally in a same-sex partnership, 5.45% are divorced or have their same-sex partnership legally dissolved and 6.78% are widowed of are a surviving partner from a same-sex civil partnership.</p> <p>In terms of marital status, while males are more likely to be single (39 per Cent versus 33 per cent), females are more likely to be widowed. On Census Day 2011, over three-quarters (77 per cent) of widowed Residents were female.</p>															
<p><b>Political Opinion</b></p>	<p>Limited data is available, however the NI Assembly Election Report (Mar 2017) gives a good guide to political preferences in the province as a whole.</p>															
<p><b>Ethnicity</b></p>	<p><b>DE Statistical Bulletin – 2019 – Annual enrolments at schools 2018/19 (March 2019)</b> All funded Pre-school, Nursery, Primary, Post Primary, Special Schools and EOTAS Centres.</p>															

		<table border="1"> <tr><td>White</td><td>330,359</td></tr> <tr><td>Chinese</td><td>1,409</td></tr> <tr><td>Irish Traveller</td><td>1,059</td></tr> <tr><td>Indian/Sri Lankan</td><td>1,753</td></tr> <tr><td>Pakistani</td><td>389</td></tr> <tr><td>Black</td><td>1,914</td></tr> <tr><td>Other Ethnic Group</td><td>4,424</td></tr> <tr><td>Mixed Ethnic Group</td><td>5,064</td></tr> </table>	White	330,359	Chinese	1,409	Irish Traveller	1,059	Indian/Sri Lankan	1,753	Pakistani	389	Black	1,914	Other Ethnic Group	4,424	Mixed Ethnic Group	5,064	
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<p><b>Sexual Orientation</b></p>		<p><b>According to the 2011 Census:</b>          The 2011 Census recorded that 1.8 per cent (32,400) of the usually resident population of Northern Ireland belonged to minority ethnic groups in 2011, more than double the proportion in 2001 (0.8 per cent). In 2011, 0.1 per cent (1,300) of people were Irish Travellers.</p> <p>2011 Census revealed that English was not the main language for 3.1 per cent (54,500) of Northern Ireland residents aged 3 years and over. The most prevalent main language other than English was Polish (17,700 people; 1.0 per cent). The rates for other languages included: Lithuanian (6,300 people; 0.4 per cent); Irish (4,200 people; 0.2 per cent); and Portuguese (2,300), Slovak (2,300), Chinese (2,200), Tagalog / Filipino (1,900), Latvian (1,300), Russian (1,200), Malayalam (1,200) or Hungarian (1,000) - all 0.1 per cent.</p> <p>The DE Census October 2017 (Statistical bulletin 2/2018) reports that schools are increasingly becoming more ethnically diverse. There are more than 14,400 pupils in NI recorded as 'non-white', representing 4.2% of the school population. This is an increase of 1.1 percentage points compared to five years prior.</p>																	
<p><b>Rural Impacts</b></p>		<p><b>NI Population</b>          Census figures for 2011 highlight that more than one third of young people from Northern Ireland live in communities that have been defined as rural.</p> <p>These According to DAERA, 37% of the population lives in a rural setting.</p>																	

### 2.3. Qualitative Data

**What are the needs and experiences of the groups that are impacted by this policy or decision?**

*Are there different needs and experiences for any of the equality groups and what equality issues emerge from this?*

**A school complaints procedure sets out how any expression of dissatisfaction relating to the school will be managed. By taking complaints seriously at the earliest possible stage, it is hoped that they can be resolved quickly and effectively. This document provides a model of support and guidance for schools to develop their own complaints procedure.**

Section 75 Group	What are the needs and experiences of the groups as they relate to the policy or decision?
Age	Permission needed from parents, carers to interview as part of any potential investigation
Dependants	None identified
Disability	Ability to make a complaint in writing. Procedure gives guidance on how to access support with this.
Religious Belief	None identified
Gender	None identified
Marital Status	None identified
Political Opinion	None identified
Ethnicity	None identified
Sexual Orientation	None identified

**What are the social and economic impacts of the policy of people living in rural areas?**

Please consider positive and negative impacts around issues such as access to education or youth provision, transport, broadband accessibility and employment impacts

<b>Rural Impacts</b>	Rural impacts have been considered and there are no obvious social or economic impacts from this policy for people living in rural areas.
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**2.4. Policy / Decision changes**

**Based on the equality issues that have been identified, what changes (mitigation) can you make to the policy in order to better promote equality of opportunity?**

*In developing the policy or decision, what changes did you make, or do you intend to make to address any equality issues that you identified?*

**None**

**Based on the rural impacts that you have identified, what changes (mitigation) can you make to the policy?**

**None**

**PART 3 – GOOD RELATIONS**

**3.1. Are there any changes to the policy or decision that you would make to better promote good relations?**

GROUP	Impact on Good Relations	Policy / Decision Changes
Religion	No	
Ethnicity	No	
Political Opinion	No	

**PART 4 – SEC 75 EQUALITY SCREENING DECISION**

**This section is only relevant to the Section 75 Equality Duties**

**4.1. How would you categorise the impacts of the policy or decision?**

*Please refer to guidance notes on categorising impacts*

**Please select:**

Major Impact	
Minor Impact	
No Impact	X

**4.2. Does the policy or decision require a full Equality Impact Assessment?**

*Please select:*

Yes	
No	No

*Please provide reasons for your decision*

The procedure has been written in a broad base and takes account of the wide range of life situations.

A school complaints procedure sets out how any expression of dissatisfaction relating to the school will be managed. By taking complaints seriously at the earliest possible stage, it is hoped that they can be resolved quickly and effectively. This document provides a model of support and guidance for schools to develop their own complaints procedure.

The resulting model procedure is in line with best practice, and reflects advice provided by the Northern Ireland Public Services Ombudsman (NIPSO). NIPSO welcomes both the procedure and the addition of the guidance document.

**PART 5 – DISABILITY DUTIES**

**5.1. Does the policy or decision encourage the participation of disabled people in public life? Or is there anything you can do within the policy or decision to encourage participation of disabled people in public life?**

<i>How does the policy encourage the participation of disabled people in public life?</i>	<i>Is there anything further you can do to encourage the participation of disabled people in public life?</i>
N/A	

**5.2. Does the policy or decision promote positive attitudes towards disabled people? Or is there anything you can do within the policy or decision to promote positive attitudes towards disabled people?**

<i>How does the policy promote positive attitudes towards disabled people?</i>	<i>Is there anything further you can do promote positive attitudes towards disabled?</i>
N/A	

**PART 6 – HUMAN RIGHTS**

**6.1. Are Human Rights Relevant?**

Article		Relevant Yes/No
<b>Article 2:</b>	Right to Life	
<b>Article 3:</b>	Right to freedom from torture, inhuman or degrading treatment or punishment	
<b>Article 4:</b>	Right to freedom from slavery, servitude & forced compulsory labour.	
<b>Article 5:</b>	Right to liberty and security of person.	
<b>Article 6:</b>	Right to a fair & public trial in a reasonable time	
<b>Article 7:</b>	Right to freedom from retrospective criminal law & no punishment without law	
<b>Article 8:</b>	Right to respect for private & family life, home & correspondence.	<b>Yes</b>
<b>Article 9:</b>	Right to freedom of thought, conscience & religion.	
<b>Article 10:</b>	Right to freedom of expression.	<b>Yes</b>
<b>Article 11:</b>	Right to freedom of assembly & association	
<b>Article 12:</b>	Right to marry & found a family.	
<b>Article 14:</b>	Prohibition of discrimination in the enjoyment of the convention rights	<b>Yes</b>
<b>Protocol 1, Article 1</b>	Right to a peaceful enjoyment of possessions & protection of property	<b>Yes</b>
<b>Protocol 1, Article 2</b>	Right of access to education	<b>Yes</b>

*If you answered 'no' to all human rights considerations, please go to section 7 – monitoring*

**6.2. If you have answered yes to any of the Articles, does the policy or decision have a potential positive impact or does it potentially interfere with anyone's Human Rights?**

Article number	Positive impact or potential interference?	How?	Any legal issues arise?
<b>As above</b>	This document provides guidance to schools on how to develop their own complaints procedures thus ensuring stakeholders have the opportunity to raise concerns and issues and have them addressed in a timely manner.		

**PART 7 – MONITORING**

**7.1. What data will you collect to monitor the impact of the policy in terms of equality of opportunity, disability duties or human rights compliance?**

Section 75	Disability Duties	Human Rights
<p>EA will monitor the range of complaints dealt with by schools to monitor the nature and type of complaints. This will enable EA to understand when schools may be contravening any equality agreements.</p>		

**SIGN OFF**

**Approved Lead Officer:** Helen Fraser, Head of Operations & School Governance, EA

**Policy Screened by:** Joan Shine, Education Officer and Locality Lead, EA

**Date:** September 2019

Please note that the template **must be published** as part of the screening process. Please forward the completed template to [equality.unit@eani.org.uk](mailto:equality.unit@eani.org.uk) for publication