

KEY MESSAGES – PUBLICLY FUNDED SCHOOLS

On 1 April 2016 the Office of the Northern Ireland Public Services Ombudsman (NIPSO) was established by the Public Services Ombudsman Act (Northern Ireland) 2016 to replace the offices of the Assembly Ombudsman and Commissioner for Complaints for Northern Ireland. Marie Anderson was appointed as the Ombudsman from that date. The Ombudsman's jurisdiction was extended to include publicly funded schools.

From 1 April 2017 NIPSO will have the power to investigate complaints about publicly funded schools.

Once the internal complaints process has been completed, all schools in jurisdiction have a statutory obligation to inform complainants they can make a complaint to the Ombudsman. From **1 April 2017** schools are required to provide to a complainant a **written notice** which must state:

- the internal complaints process has been exhausted;
- that the complainant may refer the matter to the Ombudsman if he/she remains dissatisfied with the school's response;
- the time limit for making such a referral; and
- how to contact NIPSO.

The school **must** do this within **two weeks** of the day on which the internal complaints process is exhausted. Below is an example of how this statement can be worded.

'You have now exhausted our internal complaints procedure. If you remain dissatisfied you may refer your complaint to the Northern Ireland Public Services Ombudsman. You must make your complaint to the Ombudsman within 6 months of the date of this letter. The NIPSO contact details are...'

Some examples that the Ombudsman may regard as maladministration include:

- Avoidable delay
- Faulty procedures or failing to follow the correct procedures
- Not informing a complainant about any rights of appeal
- Unfairness, bias or prejudice
- Giving advice that is misleading or inadequate
- Refusing to answer reasonable questions
- Discourtesy and failure to apologise
- Mistakes in complaint handling

Some examples of complaints the Ombudsman might be able to consider include:

- Failure to follow guidance in examinations
- Failure to provide information on the awarding of grades
- Difficulties or delays in getting Special Educational Needs Assessment
- How the school handled a complaint about bullying
- Failure to take account of information for school admissions
- Complaints handling

The full text of the Public Services Ombudsman Act (Northern Ireland) 2016 can be accessed at www.legislation.gov.uk/nia/2016/4/enacted

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