



Walking in the footsteps of Jesus, loving and serving together.

Complaints Procedure

**St Joseph's Catholic Primary School,
Malmesbury.**

Mission Statement

The Mission of our school is to provide a broad and challenging education within the context of a Christian environment. An understanding of the Catholic faith, in line with the Gospel message, underpins the whole work of our school. Our main aim is to develop the self-esteem, dignity and respect of all members of the community in a celebration of each person's infinite worth in the eyes of God.

The Catholic school is, or should be, a unique Christian community. It brings together in one enterprise, not only the teachers and pupils, but also the parents and local Priests. It is therefore, a community, not only where the faith is taught and learned, but where it can be celebrated through well planned liturgies and lived in daily practice."

Cardinal Basil Hume
September 19th 1988

St Joseph's School Complaints Procedure

Introduction

The headteacher, staff and governors at St Joseph's work hard to build positive relationships with all parents and carers. It is in everyone's best interests in our school community to communicate well with one another and to ensure that any concerns and complaints are dealt with as quickly and appropriately as possible. In addition, concerns and complaints brought to the attention of the school can be an opportunity to inform, review and help improve school procedures.

From 1st September 2003, the Governing Bodies of all maintained schools in England are required, under Section 29 of the Education Act 2002, to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides.

The law also requires that the procedure be publicised. The requirement to have a complaints procedure in place does not in any way undermine efforts to resolve concerns informally.

Taking informal concerns seriously will reduce the number of concerns that develop into formal complaints. This document follows guidance published by the Department for Education and sets out the staged procedures that the school follows if a complaint is made.

Investigating complaints

The following formal procedures will be invoked when attempts to resolve an issue informally are unsuccessful, and the person raising the concern wishes to take the matter further. The headteacher will have responsibility for the operation and management of the school complaints procedure. Where the complaint concerns the headteacher, or a governor, the Chair of Governors will carry out this role.

At each stage of the complaints procedure, 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 by telephone;
- 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;
- respect confidentiality;
- conduct any interview with an open mind;
- keep notes of the interview.

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Individual complaints will not be heard by the whole Governing Body at any stage because this could compromise the impartiality of any panel set up to hear an appeal at Stage 3 of this Complaints Procedure.

Stage One – Complaint Heard by Staff Member

If a parent is concerned about anything they should, in the first instance, discuss the matter with their child's teacher immediately. Most matters can be dealt with in this way. Teachers work very hard to ensure that each child is happy at school and is making good progress. They will always want to know if there is a problem so that they can take action before a child's progress is affected

The school will respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complainant should contact the headteacher to ask to be referred to another staff member. Where the complaint concerns the headteacher or a governor, the complainant will be referred to the Chair of Governors. Where the complaint concerns the Chair of Governors, the complainant will be referred to the Vice-Chair of Governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, they may ask the headteacher to refer the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the complainant's first approach is to a governor, they should refer the complainant to the appropriate person (which could be a staff member or the headteacher) and advise the complainant about the Complaints Procedure. Governors should not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages of a complaint in case they are required to sit on a panel at a later stage of the procedure.

Complaints at this stage of the procedure will be heard within five (5) working days.

Stage Two: Complaint Heard by Headteacher or Chair of Governors

At this point, the complainant may be dissatisfied with the outcome of their complaint at Stage One. In these cases, the complainant will be asked to complete the school's Complaint Form to enable the complaint to be fully explained and documented. The Complaint Form should be returned to the headteacher or Chair of Governors as appropriate.

The headteacher or Chair of Governors may delegate the task of collating the information relating to the complaint to another staff member but the decision regarding the action to be taken cannot be delegated.

Complaints at this stage of the procedure will be heard within five (5) working days.

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Stage Three: Complaint Heard by Governing Body's Complaints Appeal Panel

Where a complainant is dissatisfied with the outcome of their complaint at Stage Two, they must write to the Chair of Governors to request an appeal. The Chair of Governors will then convene a Governing Body Complaints Appeal Panel Hearing to which the complainant will be invited. The Governors' Appeal Panel is the final stage of the school-based process.

Where the complaint concerns the Chair of Governors the complainant should write to the Clerk to the Governing Body, who will then co-ordinate Stage Three of the complaints procedure.

Complaints at this stage of the procedure will be heard within fifteen (15) school days. Complainants will be given at least three (3) days notice of the date of the appeal hearing. If the timescales cannot be adhered to the chairman of the panel should discuss with the school and the complainant the next most appropriate date.

The Governing Body may nominate a number of members with delegated powers to hear complaints at the appeal stage and set out its terms of reference. These can include:

- hearing individual appeals;
- making recommendations on policy and procedures as a result of complaints.

The panel can be drawn from the nominated members and will consist of three governors who have had no previous involvement in or knowledge of the complaint. The panel will nominate its own chairman.

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The Remit of the Complaints Appeal Panel

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's policies or procedures to ensure that problems of a similar nature do not recur.

There are several points which any governor sitting on a complaints panel needs to remember:

- a. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No Governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, Governors need to try and ensure that it is a cross-section of the categories of Governor and sensitive to the issues of race, gender and religious affiliation.
- b. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- c. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel Chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- d. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- e. The Governors sitting on the panel need to be familiar with the complaints procedure.

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Roles and Responsibilities

The Role of the Clerk

The panel of Governors considering complaints should be clerked. The clerk is the contact point for the complainant and is required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

The Role of the Chair of the Governing Body or the Nominated Governor

The nominated governor will:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the clerk to arrange the panel.

The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises, all parties should be given the opportunity to consider and comment on it.

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Notification of the Panel's Decision

The Chair of the panel needs to ensure that the complainant is notified of the panel's conclusions and decision, in writing, within 14 days. The letter needs to explain that the panel's decision is the final stage of the school's Complaints Procedure. If the complainant remains dissatisfied with the outcome of their complaint once they have been notified of the Panel's decision, they can write to the Local Authority or to the Secretary of State for Education. The Local Authority and/or the Secretary of State will investigate whether the school has carried out the complaints process appropriately but they cannot overturn the Panel's decision.

Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Headteacher may question both the complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher is then invited to sum up the school's actions and response to the complaint.
- The Chair explains that both parties will hear from the panel within a set time scale.
- Both parties leave together while the panel decides on the issues.

Managing and Recording Complaints

The headteacher will have responsibility for the operation and management of the school complaints procedure and will hold records centrally. A complaint can be made in person or in writing. The headteacher will log all complaints received by the school and record how they were resolved. Staff will keep brief notes of meetings and telephone calls.

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Publication of the Complaints Procedure

Details of this complaints procedure can be found:

- In full in the school policy directory at school;
- In full on the school website.

Arrangements for Monitoring and Evaluation

The Governing Body will monitor the level and nature of complaints and review the outcomes on an annual basis to ensure the effectiveness of the procedure and make changes where necessary.

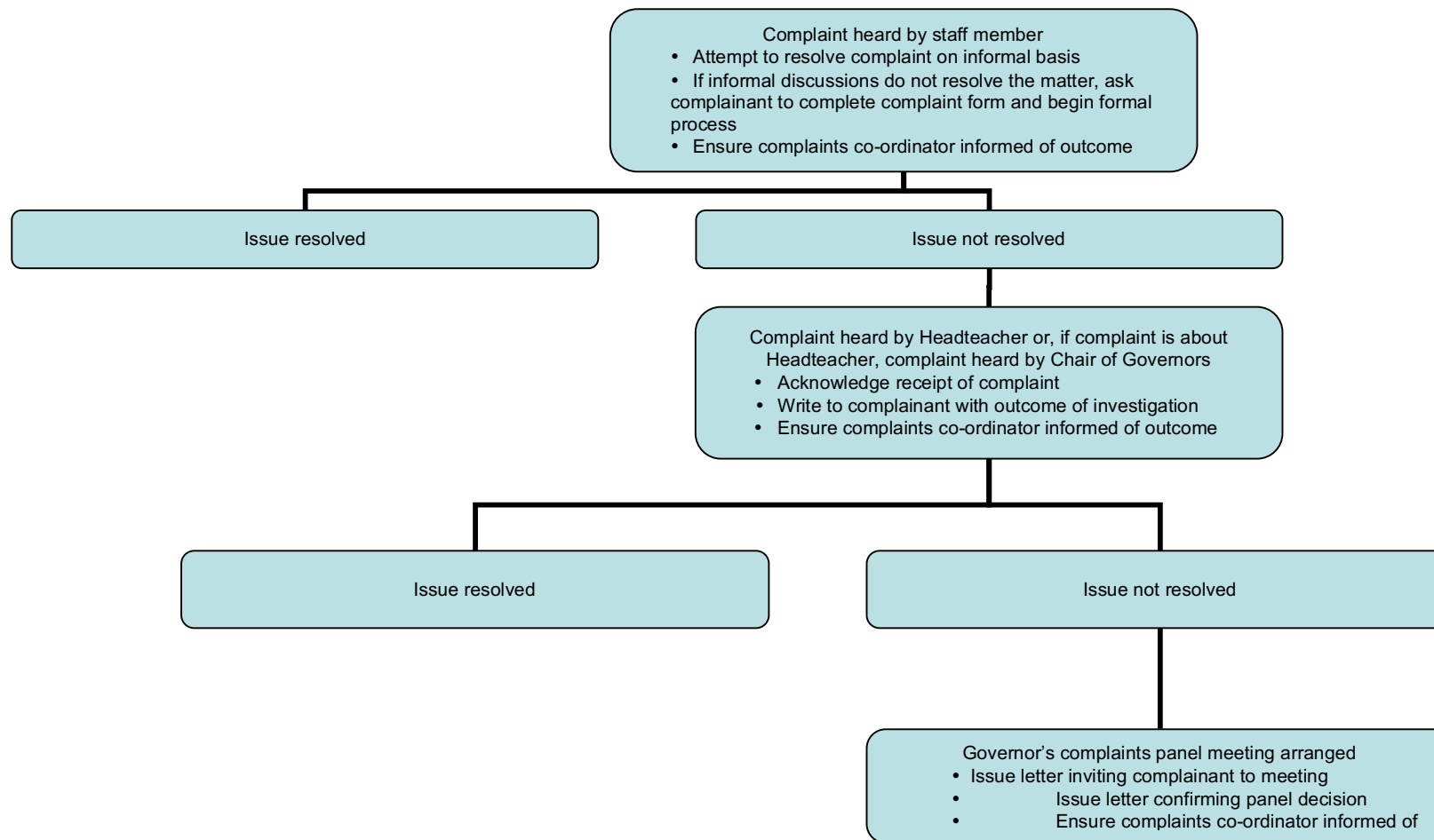
The Governing Body will review this policy document biennially.

This policy was reviewed by the Mission, Vision and Ethos Committee at its meeting on 27 Sep 18 and was approved and adopted by the Governing Body on 18 Oct 2018. The policy will be reviewed again in September 2020.

St Joseph's School Complaints Procedure

Flowchart

Summary of Dealing with Complaints



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Complaint Form

Please complete and return to the Headteacher or Chair of Governors, as appropriate, who will acknowledge receipt with 5 school days and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint

**What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?**

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What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date: