

HOLY ROSARY CATHOLIC PRIMARY SCHOOL

COMPLAINTS POLICY

This policy has been produced following the advice contained in the DfE publication "School complaints Toolkit 2014" to which reference should be made when dealing with a complaint.

General:

The school's complaints policy allows complaints about school issues to be dealt with efficiently and sensitively, and at the appropriate level.

Complaints can cover a wide variety of matters that concern the school stakeholders. The school expects all complaints to be taken seriously and to be dealt with comprehensively and as far as possible in confidence. Where reference is made to the number of days this relates to working days.

Legal, safeguarding or disciplinary procedures may take preference over complaints procedures and timescales.

Aims:

The policy aims to ensure that all complaints from parents, pupils and others are dealt with as quickly and sensitively as possible, and by the person best able to do so.

The stages of the complaint process:

Stage 1 (informal) complaint heard by a staff member;

Stage 2 (formal) complaint heard by Headteacher;

Stage 3 (formal) complaint heard by Chair of Governors;

Stage 4 (formal) complaint heard by Governing Body's complaints appeals panel

Appendix A gives a summary of the stages when dealing with complaints.

Stage 1 (informal) complaint heard by staff member

Stage 1

If a simple verbal complaint is made it might be possible in most cases to resolve it immediately. In more serious cases, or where a member of staff is uncertain, parents should always be asked to put their complaint in writing using the school Complaint Form, where possible. This is to ensure that there is no conflict in determining what the complaint consists of and the action taken by the members of the school staff.

All staff should listen carefully and patiently and respect the views of the complainant, if the matter is within the competence of the member of staff to resolve quickly this should be done. Otherwise the complainant should be reassured by the staff member co-ordinating the complaint that the complaint will be passed to the relevant member of staff (who should not be the subject of this) as soon as possible. That person may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial. Where the complaint concerns the Headteacher, the complaints co-ordinator should refer the complainant to the Chair of Governors.

The record of any official complaint will be kept by the complaints co-ordinator (when not a safeguarding complaint) and passed on to the line manager or appropriate member of staff. If the line manager or appropriate member of staff considers that they can deal with the complaint they should do so. If not, this may be referred to a more senior member of staff/member of Leadership Team.

If the complaint concerns a safeguarding issue or involves an allegation of abuse by a member of the school staff the 'named person responsible for safeguarding' should be informed.

If a serious complaint is made by a pupil, the member of staff should immediately inform the appropriate line manager. It will be the responsibility of the line manager to determine whether they can deal with the issue, or in consultation with the Deputy Headteacher and what the next course of action should be, including referring the matter to the Headteacher.

At Stage 1 the school should aim to respond to the complainant within one day of receiving it. Where this is not possible, the appropriate staff member/line manager will inform the parties of the action being taken, and when it is expected to be responded to.

Stage 2 (formal) Complaint heard by Headteacher

At this point the complainant may be dissatisfied with the way the complaint was handled at Stage 1. The Headteacher will decide the action to be taken at this stage, but may delegate the collating of information to another member of staff.

The Headteacher must normally respond to the matter within three days of receiving notification of the complaint. A longer time scale may be agreed, either by agreement with all parties or by a decision of the Chair of Governors if no agreement is reached.

If the Headteacher is unable to resolve the issue it is open to the complainant to make representations to the Chair of Governors.

Stage 3 (formal) Complaint heard by Chair of Governors

If the complainant is not satisfied with the response of the Headteacher or the complaint is about the Headteacher, the complainant should write to the Chair of Governors to request that their complaint is considered further. If the Chair of Governors is unable to resolve the issue it is open to the complainant to make representations to the Governing Body's Complaints Appeals panel.

Stage 4 (formal) Complaint heard by Governing Body's complaints appeals panel

The complainant usually needs to write to the Clerk to the Governing Body giving details of the complaint and asking that it is put before the appeal panel. The Chair, or if the Chair has been involved at any previous stage in the process, a nominated governor, will convene a GB Complaints Panel.

Complainants who are not satisfied by the Head's decision regarding the complaint can make representations to the governing body. The governors appeal hearing is the last school-based stage of the complaints process and is not convened merely to rubber-stamp previous decisions

Individual complaints would not be heard by the whole governing body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint, should this arise. The hearing must be within twelve days of the Clerk receiving notice of the complaint.

The complainant must be told of their right to be accompanied by a friend, and where relevant translations/interpreters must be arranged by the Clerk in consultation with the parties. The panel will ensure that the complainant is heard in private, is welcomed, and as far as possible is put at ease.

The governing body may nominate a number of members with delegated powers to hear complaints at this stage and set out the terms of reference. These can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints

The procedure adopted by the panel for hearing appeals would be agreed prior to the meeting. A checklist for a panel hearing is attached as Appendix B. The panel would consist of three governors.

The remit of the Complaints Appeal Panel

The panel can:

- dismiss the complaint in whole or part;
- uphold the complaint in whole or part;
- decide on appropriate action to resolve the complaint;
- recommend changes to the school's systems or procedures

It is important that the appeal hearing is independent and impartial and that it is seen to be so. 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 that 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 their complaint has been taken seriously. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting.

Extra care needs to be taken when the complainant is a child. 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. The governors sitting on the panel need to be fully conversant with the complaints procedure. The decision at this stage must be communicated to the parties within three days of the hearing.

Notification of the panel's decision

The Chair of the Panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response (including the reasons for the decision); The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed. This may be the LA or Archdiocese depending upon the complaint.

Final stage of appeal

The final stage of appeal is to the Secretary of State for Education. If a complainant has exhausted the local procedures, the Secretary of State for Education will examine if the complaints policies were followed in accordance with the provisions set out. They also examine policies to determine if they adhere to education legislation. However, the department will not re-investigate the substance of the complaint. This remains the responsibility of the school.

Complainants should write to The School Complaints Unit (SCU) at:

Department for Education
2nd Floor, Piccadilly Gate
Manchester
M1 2WD.

Roles and Responsibilities:

Headteacher:

The Headteacher is responsible for the overall internal management of the procedures, for hearing complaints at the Stage 2; ensuring that the procedures are monitored and reviewed and reports made to the Governing Body.

Clerk to the Governing Body

The Clerk must act as the reference point for the complainant at Stage 4. The Clerk must:

- set convenient dates and times and venues for hearings;

- collate any written material and forward it to the parties;
- meet and welcome the parties;
- record the proceedings;
- notify the parties of the decision

Chair of the Governing Body or the nominated governor

The nominated governor or Chair must:

- check that the correct procedure has been followed;
- if a hearing is requested, notify the Clerk to arrange the panel

Chair of the Panel:

The Chair of the Panel needs to ensure that:

- the parties understand the procedure;
- the issues are addressed;
- key findings of fact are established;
- complainants are put at ease;
- the hearing is conducted as informally as possible;
- the panel is open-minded and acts independently;
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously;
- all parties have the chance to be heard;
- any written material is seen by all parties

All staff and governors should be fully conversant with the procedures.

Reporting and Recording:

The school has a complaints form which is attached as Appendix C. In all cases it is important for staff to keep a written record so that details of the complaint and the action taken can be recorded and traced. Supporting documents should be attached to the records.

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Appendix A:

Summary for dealing with complaints

Stage 1 – Complaint heard by staff member

- Ensure complaints co-ordinator informed of outcome
- If not resolved, then escalate to Stage 2.

Stage 2 – Complaint heard by Headteacher

- Acknowledge receipt of complaint
- Write to complainant with outcome of investigation
- Ensure complaints co-ordinator informed of outcome
- Offer escalation to Stage 3 if dissatisfied

Stage 3 - Complaint heard by Chair of Governors

- Acknowledge receipt of complaint
- Write to complainant with outcome of investigation
- Ensure complaints co-ordinator informed of outcome
- Offer escalation to Stage 4 if dissatisfied

Stage 4 – Governor's complaints panel

- Meeting arranged
- Issue letter inviting complainant to meeting
- Issue letter confirming panel decision
- Ensure complaints co-ordinator informed of outcome
- Advise of escalation routes to the Secretary of State for Education

Appendix B

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.
- Both parties leave together while the panel decides on the issues.
- The Chair explains that both parties will hear from the panel within a set time scale.

Appendix C:

Complaint for

Please complete and return to (Complaints co-ordinator) who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
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)?
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: