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Complaints Policy

Policy Reference:	C2
Responsibility:	Personnel and Pay Committee
Reviewed by:	Mrs Paula Dix
This Review:	March 2016
Next Review Due:	March 2019
Cycle:	Three Yearly
Ratified by Full Governing Body on:	21 st March 2016
Signed:	
Dr Chris Richardson	Chair of Governors

***With Christ as our guide and example we celebrate the uniqueness of the individual.
Together we will try to:
Learn from Jesus;
Love like Jesus;
Live like Jesus.***

This policy is intended to set out how the school will deal with general complaints regarding children, staff, governors, outside providers and volunteers. Parents should feel able to express their views in the full knowledge that they will be dealt with fairly.

It is not intended to cover those aspects of school life where the law sets specific complaints procedures i.e. admissions, child protection exclusions, complaints about the delivery of the National Curriculum and the provision of collective worship and religious education. Parents who are not satisfied with an LA's decision about special needs assessments may appeal to the SEN Tribunal. Further details about these procedures are available in other documents.

Aims:

- To provide an accessible and easily understood procedure for complaints.
- To encourage parents to express their views at the earliest opportunity, through the appropriate channels.
- To aid communication between parents and school.

Whether a complaint is made informally or formally, all parties should ensure details that are only known to those involved in investigating the complaint. Parents should be assured that making a complaint will not adversely affect their child.

Guidelines:

Stage 1: Dealing with Concerns and Complaints Informally

- 1.1 The vast majority of concerns and complaints can be resolved informally. There are many occasions where concerns are resolved straight away through the class teacher or school admin officer or Headteacher depending on the nature of the complaint.
- 1.2 If the person first contacted cannot deal with the matter immediately, s/he makes a clear note of the date, name, contact address or phone number and the issue raised.
- 1.3 Any member of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. S/he will check later to make sure the referral has been successful. Complaints made informally to governors will be referred to the relevant member of staff, the Headteacher or to the Chair of Governors where appropriate.
- 1.4 On certain major issues, the Headteacher may decide to deal with concerns directly at this stage.
- 1.5 If the complaint relates to the Headteacher, the parent is advised to contact the Chair of the Governing Body (see Stage 3).
- 1.6 The person dealing with the concern makes sure that the parent is clear what action (if any) or monitoring of the situation has been agreed, putting this in writing only if this seems the best way of making things clear.
- 1.7 Where no satisfactory solution has been found parents are asked if they wish their concern to be considered further. If so they are given information, both orally and in writing, about how to make a formal complaint and about any independent advice available to them.

Stage 2: Formal Complaint to the Headteacher

- 2.1 When a formal complaint is made, it will be acknowledged in writing within 3 working days.
- 2.2 The Headteacher (or designate) acknowledges the complaint in writing within **3 working days** of receiving the written complaint. The acknowledgment gives a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This should

normally be within **15 working days**: if this proves impossible, a letter is sent explaining the reason for the delay and giving a revised target date.

- 2.3 The Headteacher (or designate) provides an opportunity for the complainant to meet with them to supplement any information provided previously. It is made clear to the complainant that if they wish they may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on their behalf, and asked if they have any special requirements the school needs to be aware of e.g. wheelchair access, signing etc.
- 2.4 If necessary, the Headteacher (or designate) should interview witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil should also be interviewed. Pupils would normally be interviewed with parents/guardians present. In some situations, circumstances may prevent this e.g. where this would seriously delay the investigation of a serious/urgent complaint or where particular circumstances mean that a pupil has specifically said they would prefer that parents or guardians were not involved. In such circumstances another member of staff with whom the pupil feels comfortable should be asked to attend. If a member of staff is complained against, the needs of that person should be borne in mind.
- 2.5 The Headteacher (or designate) keeps written records of meetings, telephone conversations, and other documentation.
- 2.6 Once all the relevant facts have been established, the Headteacher (or designate) should then produce a written response to the complainant, or may wish to meet the complainant to discuss/resolve the matter directly.
- 2.7 A written response includes a full explanation of the decision and the reasons for it. Where appropriate, this includes what action the school will take to resolve the complaint. The complainant is advised that should s/he wish to take the complaint further s/he should notify the Chair of the Governing Body within 5 weeks of receiving the outcome letter.
- 2.8 If the complaint is against the action of a Headteacher, or if the Headteacher has been very closely involved at Stage 1, the **Governors Complaints Panel** should carry out all the Stage 2 procedures.

Stage 3: Formal Complaint to Governors

- 3.1 Upon receipt of a written request by the complainant for the complaint to proceed to Stage 3, the procedures outlined below should be followed.
- 3.2 The Clerk to the Governing Body should write to the complainant to acknowledge receipt of the written request. The acknowledgement should inform the complainant that the complaint is to be heard by three members of the school's Governing Body within **20 working days** of receiving the complaint. The letter should also explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be received by the full members.
- 3.3 The Clerk to the Governors should arrange to convene a Governors' Complaints Panel elected from the members of the Governing Body.
- 3.4 The Chair/Vice-Chair will ensure that the complaint is heard by the Panel **within 20 working days** of receiving the letter in 3.1. All relevant correspondence regarding the complaint should be given to each panel member as soon as the composition of the Panel is confirmed. If the correspondence is extensive, the Chair of the Panel should prepare a thorough summary for sending to panel members.
- 3.5 The Clerk to the Governors will write and inform the complainant, Headteacher, any relevant witnesses, and members of the Panel at least **5 working days** in advance, of the date, time and place of the meeting. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/advocate/interpreter. The letter will also explain how the meeting will be conducted and the complainant's right to submit further written evidence to the Panel.
- 3.6 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

3.7 The meeting will **allow for**

- the complainant to explain their complaint and the Headteacher to explain the school's response.
- the Headteacher to question the complainant about the complaint and the complainant to question the Headteacher and/or other members of staff about the school's response.
- panel members to have the opportunity to question both the complainant and the Headteacher
- any party to have the right to call witnesses (subject to the approval of the Chair) and all parties having the right to question all the witnesses
- final statements by both the complainant and the Headteacher.

3.8 The Chair of the Panel will explain to the complainant and the Headteacher that the Panel will now consider its decision, and a written decision will be sent to both parties within **15 working days**. The complainant, Headteacher, other members of staff and witnesses will then leave.

3.9 The panel will then consider the complaint and all the evidence presented and (a) reach a unanimous, or at least a majority, decision on the complaint and (b) decide upon the appropriate action to be taken to resolve the complaint and (c) where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.

3.10 A written statement outlining the decision of the Panel must be sent to the complainant and Headteacher. The letter to the complainant should explain whether a further appeal can be made, and if so, to whom.

Stage 4: Formal Complaint to LA (Local Authority) or Diocese

4.1 This is as far as the school's general complaints procedure goes. If the matter relates to the National Curriculum, provision of collective worship or religious education complainants can contact the LA or the Diocese. Contact details are available from the school office.

Responsibilities

This policy is to be reviewed three yearly:

Monitored by the Headteacher and Governing Body.

Dear

I am writing to acknowledge your letter of **(date)** which we received on **(date)**, in which you expressed concern regarding-----.

St Patrick's Catholic school takes concerns and complaints made about the services we provide to the children very seriously and I will conduct a full investigation into the concerns you have raised and will write to you with my findings.

If you would find it helpful however to discuss your concerns with me, the please telephone me on 01252 542511 and I will arrange this for you.

If you do not think a meeting is necessary at this stage, or would prefer not to discuss your concerns, then I will still conduct a formal investigation and will write to you. In accordance with St Patrick's complaints policy, within 15 working days, you will receive a letter from me detailing the outcome of my investigation and any actions that I will be taking.

If, however, the investigation takes longer than 15 working days, I will keep you informed of my progress on a regular basis.

I am sending you with this letter, a copy of our complaints process, which I hope you will find helpful should you wish to take matters further.

Thank you for bringing your concerns to my attention.

Yours Sincerely

CONCERNS/COMPLAINTS FORM

When we receive a complaint, we aim to acknowledge its receipt within 3 working days and send a full or interim response within 15 working days.

Name of parent/carer
Pupils name
Address: Postcode
Telephone (day)
Telephone (evening)
What is your concern and how has it affected you?
Are you attaching any paperwork? If so, please list this below

Have you discussed this matter with a member of staff before filling in this form? If so, whom did you speak to and what was the response?	
What would you like to happen as a result of making this complaint?	
Signature	Date
Official use only Initial response and acknowledgement By Whom Date	Complaints reference number: Action taken Date
Data Protection Act 1998 – <i>We will only process your personal data to respond to your complaint. In general, this data will be used for administrative and statistical purposes only.</i>	