

St Peter's Catholic College of Maths & Computing

Complaints Policy

September 2009

Ratified by Governors: 6th May 2010
Next Review: May 2013



Complaints Procedure

There are times when the school receives a complaint from a parent or another party. This policy sets out the procedures that should be followed by all staff on receipt of a complaint.

1. Principles

- 1.1 Informal concerns relating to the school or the provision of facilities or services will be treated seriously at the earliest stage.
- 1.2 Concerns will be handled by the most appropriate person – member of support staff, Class Teacher, Tutor, Head of Department, Head of House or a member of the Leadership Team.
- 1.3 Most concerns will be dealt with straight away by telephone or meeting. A record of the complaint and the outcome of the contact made should be kept.
- 1.4 If a concern needs further investigation, collection of information or referral to another member of staff, then a record of the concern and action taken so far should be passed to that member of staff. Full details of the investigation, including any contact made with the complainant, must be kept and filed once the matter has been resolved.
- 1.5 The Headteacher must be kept informed at all stages.

2. Investigating Complaints

It is suggested that at each stage, the person investigating the complaint makes 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 (if unsure or further information is necessary);
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

3. Resolving Complaints

- 3.1 At each stage of the procedure, the person dealing with the complaint should keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:



- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

3.2 It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

3.3 An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

4. Vexatious Complaints

If there is an occasion when, despite all stages of the procedure having been followed, the complainant remains dissatisfied and tries to re-open the same issue, the Chair of Governors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

5. Complaints

5.1 When concerns have been discussed but not resolved, then a complaint may be made formally. This should be in writing (using the Complaint Form) and the complaint dealt with by the appropriate Head of Department, Head of House or member of the Leadership Team initially and referred, if necessary, to the Headteacher.

5.2 Complaints against a member of staff will be referred to the Headteacher. The Headteacher may decide to conduct an investigation under the Disciplinary Procedure.

5.3 Complaints can be referred to the Governing Body Appeal Committee. The complainant needs to write to the Chair of Governors giving details of the complaint. The chair will convene a Governing Body Complaints Panel. The Governors' Appeal hearing is the last school-based stage of the complaints process. 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.

- 5.4 Complaints about the Headteacher, another individual or the school may be made to the Education Department or a Governor. These will be referred to the Headteacher and a response made by the Headteacher after consulting with appropriate staff. Where the complaint relates to the Headteacher, another member of the Leadership Team or representative of the LEA may be involved.
- 5.5 The Headteacher will inform the Chair of Governors if the complaint cannot be resolved following an investigation and recommended action followed. Details of the investigation and a report of action taken will be kept in writing.
- 5.6 Where a complaint is not resolved by the school, the LA or Diocese will then take up the matter under their complaints procedure.

Remit of the Governors' 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 systems 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 welcome 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 aware of the complaints procedure.

Roles & Responsibilities

The Role of the Clerk

It is recommended that any Panel or group of Governors considering complaints be clerked. The clerk would be the contact point for the complainant and be 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 Governors or the Nominated Governor

The nominated Governor role:

- 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 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 it would be useful to give all parties the opportunity to consider and comment on it.

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; this is usually within a set deadline which is publicised in procedures. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

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 Panel may ask questions at any point.**
- **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 responses 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.**

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Complaint Form

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken.

Your Name:	
Student's Name:	House & Tutor Group:
Your relationship to the student:	
Address:	
Post Code:	
Daytime Telephone No:	Mobile No:
Evening Telephone No:	Date of Complaint:
Please give details of your complaint:	
What action, if any, have you already taken to try to 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?

Signature:

Date:

Official Use Only

Date received:

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Staff Response to Complaint Form

Please complete and return to the Headteacher as soon as possible and no later than 3 working days.

Name of Staff Member:	
Name of Student:	House & Tutor Group:
Name of person making the complaint:	
Relationship to the Student:	
Student's Address:	
Post Code:	
Daytime Telephone No:	Mobile No:
Evening Telephone No:	Date of Complaint:
Please give details of the circumstances surrounding the complaint:	

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

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

Signature:

Date:

Official Use Only

Date received:

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: