

# Complaints Policy

St Anne's Catholic School and Sixth Form College



<b>Approved by:</b>	Headteacher
<b>Frequency</b>	Three-yearly
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<b>Next review due by:</b>	January 2023
<b>Owner:</b>	James Rouse

## Introduction

This policy sets out the procedure adopted by the Governing Body (GB) to deal with complaints relating to the school and to any community facilities or services that the school provides.

If St Anne's Catholic School receives complaints which are outside the remit of the Governing Body, then the Governors will refer the matter to others for guidance, this could be:

- a) Hampshire County Council HR department.
- b) Our solicitors Stone King; a full service law firm specialising in charity and education law.
- c) For complaints about collective worship which the governors wish to get further guidance they would refer to the Director of Schools at the Diocese of Portsmouth.

In the case of any third-party providers offering community facilities or services through the school premises, or using school facilities, the GB will seek to ensure that these have their own complaints procedure in place.

## Aims

The St Anne's Complaints Procedure seeks to

- be implemented in line with:
  - the school's LSU values of simplicity, hospitality, openness and warm relations.
  - the school's vision statement of being committed to reconciliation, integrity and justice.
- encourage resolution of problems by informal means wherever possible;
- be impartial;
- be non-adversarial;
- allow swift handling with established time-limits for action and keeping people informed of the progress;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;

The Complaints Procedure will also

- be easily accessible and publicised;
- be simple to understand and use;
- provide information to the school's senior leadership team so that services can be improved.
- not replace the need for a staff grievance procedure, which is to be used in circumstances where a member of staff has a concern that needs to be addressed.

## General Principles

### Dealing with Complaints - Initial concerns

The school distinguishes between a concern and a complaint. By taking informal concerns seriously at the earliest stage we endeavour to keep the numbers that develop into formal complaints to a minimum.

This document deals with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure should not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

### Dealing with Complaints – Formal procedures

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

## General Principles for Dealing with Complaints

### Investigating complaints

At each stage, the person investigating the complaint must seek to

- establish **what** has happened so far, and **who** has been involved;
- identify areas of agreement between the parties as well as clarify any misunderstandings that might have occurred
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- 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;
- conduct the interview with an open mind and be prepared to persist in the questioning;

### Resolving Complaints

At each stage in the procedure we will want to 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 (This is not the same as an admission of negligence.)
- 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.

## Vexatious Complaints

The St Anne's complaints procedure seeks to limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the GB can inform them in writing that the procedure has been exhausted and that the matter is now closed.

### Time-Limits

A complainant should be able to expect to have a response, even if not the final response, to their complaint within three working days of having made the complaint.

The response may initially be a phone call. Many concerns are resolved at this stage. Where further investigations are necessary, new time limits can be set and the complainant will be informed of the new deadline and an explanation for the delay. Further contact may be in writing or at a meeting with written confirmation of the outcome.

## The Formal Complaints Procedure

### The Stages of Complaints

**The Formal Complaints Procedure has three school-based stages:**

- Stage one: complaint heard by staff member (though not the subject of the complaint);
- Stage two: complaint heard by the Headteacher or Executive Headteacher
- Stage three: complaint heard by the GB's complaints appeal panel

#### **Stage One: Complaint heard by Staff Member**

It is in everyone's interest that complaints are resolved at the earliest possible stage. We consider the experience of the first contact between the complainant and the school as crucial in determining whether the complaint will escalate.

When dealing with a concern or complaint we 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 can be referred to another staff member.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may consider referring 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 first approach is made to a governor, the complainant will be referred to the appropriate person and advised about the procedure. Governors will not usually act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

## **Stage Two: Complaint heard by the Headteacher or Executive Headteacher**

Where the complainant has been dissatisfied with the way the complaint was handled at stage one and/or is pursuing the initial complaint the complaint may now be addressed to the Headteacher or Executive Headteacher. The Headteacher or Executive Headteacher may delegate the task of collating the information to another staff member but will take the decision on the action to be taken.

Once a complaint has been made to the Headteacher or Executive Headteacher, he/she will acknowledge receipt of complaint and inform the complainant of the time limits of the investigation. Where appropriate, the Headteacher or Executive Headteacher may arrange a personal interview with the complainant. Once the matter has been fully investigated, the Headteacher or Executive Headteacher will write to the complainant with the outcome of the investigation.

The complainant must be informed of his or her right to have the matter referred to Governors if the outcome of this stage is not satisfactory. Any such request by a complainant should be addressed to the Clerk of the Governors of St Anne's.

## **Stage Three: Complaint heard by Governing Bodies Complaints Appeal Panel**

The complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a GB complaints panel.

The governors' appeal hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

Individual complaints will not normally be heard by the whole GB 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.

### **Possible further action by the complainant**

An unsatisfied complainant can always take a complaint further by approaching the LEA, Diocese Body (DB) or other external agency who may be providing an independent appeal or review.

### **How to raise a concern or make a complaint**

Most complainant's concerns can be adequately resolved by discussion with the form tutor/subject teacher/Head of Year/Head of Department or with other members of staff. There may be no need for the complaint to be put in writing which would formalise matters and may lead the complainant to feel less prepared to articulate concerns perhaps because of a fear that such action may prejudice the interests of their child.

The school has an official complaints form which complainants may choose to use for complaints which have reached Stage Two, or which they may be asked to complete if this has been deemed helpful. The complaints form can be found at the end of this policy.

## **Publicising the Complaints Policy**

There is a legal requirement for the Complaints Policy to be publicised. This policy is found on the school website.

## **Review**

The Governors Curriculum Committee will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the formal procedure and make changes where necessary. Complaints information shared with the Governors Curriculum Committee will not usually name individuals.

We consider the monitoring and review of complaints by the school and the GB to be a useful tool in evaluating the school's performance. Should underlying issues be identified we will seek to address these in the School Development Plan and the SEF.

The Complaints Procedure itself will be reviewed by the Headteacher or Executive Headteacher on a biannual basis.

# Implementing the Complaints Procedure - Guidance Notes

## Managing and Recording Complaints

### Recording Complaints and their outcome

Staff dealing with a concern or complaint are expected to record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing. At the end of a meeting or telephone call, the member of staff needs to seek to ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls must be kept and a copy of any written response added to the record, including whether the complaint was resolved at stage two or progressed to a stage three panel hearing and what action was taken by the school as a result of the complaint. Records of complaints will be kept confidentially by the Head's PA., except where the secretary of state requests access to them.

### Stage Three – The Complaints Appeal Panel

The governing body will nominate a number of members with delegated powers to hear complaints at that stage. These powers can include:

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

The panel can be drawn from the nominated members and will consist of three people; two governors and one member who is independent of the management and running of the school. The panel may choose their own chair.

### 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 systems or procedures to ensure that problems of a similar nature do not recur.

There are several points which any member 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 member 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 to ensure that it is a cross-section 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 complainant is a parent, it would be helpful to give he/she the opportunity to say which parts of the hearing, if any, the child needs to attend.
- (e) The members sitting on the panel need to be aware of the complaints procedure.

## **Roles and Responsibilities**

### **The Role of the Clerk**

Any panel or group considering complaints will be clerked. The clerk will 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 the following parties of the panel's decision:
  - the complainant,
  - where relevant, the person complained about
  - the headteacher.

### **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 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 the procedure. 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 or Executive Headteacher may question both the complainant and the witnesses after each has spoken.
- The Headteacher or Executive 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 or Executive 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 or Executive 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.

**St Anne's Catholic School**

**Formal Complaint Form**

Please complete and return to either the person who asked you to complete this form or the Headteacher 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:**

**e-mail address:**

**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:**