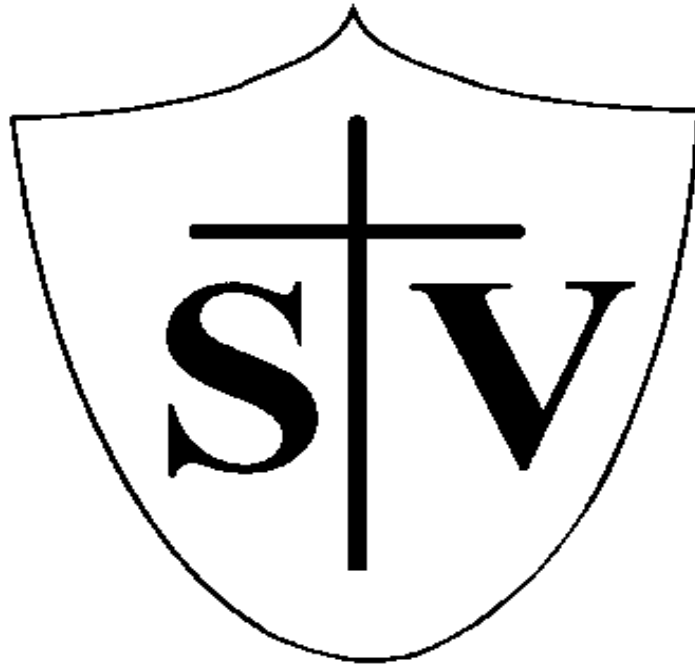


St Vincent's Catholic Primary School



Complaints Procedure

Approved by: Governing Body

Date: January 2021

Last reviewed on: February 2019

**Next review due
by:** January 2022

The Catholic Ethos of St Vincent's

As the first educators of their children, we believe that parents have a duty to take an active interest in their school. Canon Law requires that there is a partnership between the parent and the school "...there must be the closest co-operation between parents and the teachers to whom they entrust their children to be educated. In fulfilling their task, teachers are to collaborate closely with parents and willingly listen to them." (Canon 796)

At St Vincent's the partnership between the parent and the school is integral to the ethos and mission of the Catholic school and is characterised by a mutual respect. We endeavour to create a climate where parents feel they are able to bring their concerns to the attention of staff in the school, with the expectation they will be listened to and their concerns addressed.

Dealing with concerns

We encourage parents to raise their concerns with the school so that they can be resolved quickly and informally. Most concerns can be resolved by the person to whom the concern is addressed e.g. the Class Teacher. It is only when a resolution cannot be reached at the informal stage that the concern becomes a complaint and the formal part of the procedure is applied. We treat all concerns seriously and take prompt action to reach a resolution.

Many concerns are expressed because of misunderstandings. At St Vincent's we try to reduce these concerns by:-

- providing parents with regular information;
- involving parents and pupils in school workshops, reviews and evaluations;
- inviting feedback from parents e.g. policy developments;
- providing adequate times in the school year for parents to meet with teachers;
- regular communication between the school and home by notes home, informal conversations, email, newsletters and phone calls;
- inviting parents in if there are concerns

The school recognises that there may be other parties, e.g. neighbours, who may also express concerns; these concerns are treated as seriously as those expressed by parents.

Concerns that are resolved informally are not complaints and are not recorded as complaints, but they are recorded. It may be that a concern that was resolved becomes a complaint at a later date. It is important that there is evidence to show that the school takes prompt action to resolve a concern in its initial stage. The Headteacher or Deputy Headteacher must be informed of all concerns so that services can be improved if necessary.

Aims

At St Vincent's we ensure that

- the person's concerns have been taken seriously and have been addressed in a fair way;
- the resolution reached will enable relationships to be strengthened so that the school and those who use its services can continue to work together

It is important to the school that the gospel values of justice and reconciliation underpin the whole process.

We believe it is important that all people concerned in an investigation are supported. The complainant may feel intimidated by the school as an institution and members of staff who are subjects of complaints may feel vulnerable.

Principles

The formal procedure is determined by the following principles:-

- it is published in the school prospectus, on the school website and is easily accessible to all school users;
- it is non adversarial;
- it is impartial and allows for a fair investigation by an independent person should the complaint reach the final stage;
- it is designed to facilitate a swift handling of complaints with established time limits for keeping people informed of progress;
- it respects confidentiality;
- it shows at each stage how issues are addressed;
- it provides an effective response and appropriate resolution;
- it provides information about persons to whom a concern or complaint is made.

The Complaints Procedure

Time Scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved. When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the time scales we have set out in this policy, we will

- set new time limits with the complainant;
- send the complainant details of the new deadline and explain the delay

Informal stage

It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter, telephone, or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

In the case of serious concern it may be appropriate to address them directly to the Headteacher (or to the Chair of the Governors if the complaint is about the Headteacher).

If you are uncertain about who to contact please seek advice from the school office.

Formal stage

If concerns have been raised with the subject of the concern and no satisfactory resolution has been reached, then the next stage could be a formal complaint, in which case the following procedure must be applied:-

- 1. Complaint heard by the Deputy Headteacher or Senior Leadership Team. App. 1(The Headteacher if the Deputy Headteacher is the subject of the complaint).** If not resolved the complainant must then put the complaint in writing to the Headteacher (App 2).
- 2. Complaint heard by the Headteacher (The Chair of Governors if the**

Headteacher is the subject of the complaint). The receipt of the complaint will be acknowledged.

3. Complaint heard by the Chair of Governors. The receipt of the complaint will be acknowledged.

4. Complaint heard by the Governing Body's complaints appeal panel. The Chair of Governors will issue a letter inviting the complainant to the hearing and a letter to confirm the panel's decision.

• **Anyone can complain to the Secretary of State if they believe that the Governing Board is acting unreasonably or is failing to carry out its statutory duties. The Education Funding Agency (EFA), representing the Secretary of State will only hear complaints that fall into three areas:**

- Where a complaint has been delayed or the academy does not comply with its own complaints procedure.
- Where the academy is in breach of its funding agreement with the Secretary of State.
- Where the academy has failed to comply with any other legal obligation.

The intention is to resolve the complaint at the first stage. It is up to the complainant to take the complaint to the next stage.

Recording Complaints

All complaints are recorded in a complaints record kept by the Headteacher. See Appendix 2 for the complaints form.

As well as keeping a record, the register allows the Senior Leadership Team and the Governing Body to evaluate issues that have arisen, in order to help them improve their quality assurance procedures so that any areas needing attention can be identified.

FORMAL PROCEDURE

Stage 1 Complaint heard by the Deputy Headteacher or a member of Senior Leadership Team.

1.1 The complaint can be made in writing or in person and should be addressed to the Deputy Headteacher or Senior Leadership Team, who will log the complaint (App. 2) and either investigate the complaint personally or refer it to an appropriate member of staff.

1.2 The Deputy Headteacher will acknowledge receipt of the complaint by replying in writing within 5 school days giving the name of the member of staff investigating the complaint.

1.3 The complaint should be investigated in accordance with the guidelines on investigating complaints (Appendix 3).

1.4 The investigation should be completed within 10 school days of receiving the complaint. There may be occasions when more time is needed. If this is the case the complainant should be informed and within the 10 school days timescale. The complainant should be given the reasons why more time is needed with an approximation of the number of extra days.

1.5 Within 3 days of the completion of the investigation the investigator will contact the complainant to arrange a meeting

1.6 The purpose of the meeting with the complainant is to ensure them that the investigation has been thorough and fair and to make every effort to reach a resolution. (See Appendix 4 for possible resolution outcomes.)

1.7 If a resolution has been reached, the Headteacher should be informed and a letter confirming this should be sent by the Deputy Headteacher to the complainant.

1.8 If the complaint cannot be resolved the Deputy Headteacher should be informed who will then write to the complainant informing them of their right to refer the complaint to Stage 2.

1.9 If the complaint concerns the Headteacher or the conduct of the school generally it should be referred to the Chair of Governors and the Headteacher will be informed.

1.10 If the complaint concerns a member of the Governing Body it should be referred to the Chair of Governors and the Governor will be informed. If the complaint concerns the Chair of Governors it should be referred to the Vice Chair and the Chair informed.

1.11 For a complaint under 1.9 or 1.10 above, the investigator (Chair of Governors or Vice Chair) may also seek the involvement of a second governor.

Stage 2 Investigation by the Headteacher

2.1 If the complaint remains unresolved after Stage 1 it will be referred to the Headteacher unless the complaint concerns the Headteacher or Governor, in which case it will be referred to Stage 4.

2.2 The Headteacher may investigate the complaint personally or appoint a more appropriate senior member of staff or arrange for an independent investigation, in which case the complainant should be notified of the name of the person.

2.3 In referring the complaint to this stage it may now contain dissatisfaction at how it was managed in the first stage, in which case both elements of the complaint need to be investigated.

2.4 The complaint will be investigated in accordance with the guidelines on

investigating complaints (Appendix 3).

2.5 The investigation should be completed within 10 school days of the complaint being referred to this stage. There may be occasions when more time is needed and if this is the case the complainant will be informed immediately and within the 10 school days timescale. The complainant will be given reasons why more time is needed with an approximation of the number of extra days.

2.6 Within 3 days of the completion of the investigation the Headteacher will contact the complainant to arrange a meeting.

2.7 The purpose of the meeting with the complainant is to ensure them the investigation has been thorough and fair and to make every effort to reach a resolution. (See Appendix 5 for possible resolution outcomes.)

2.8 If a resolution has been reached a letter confirming this should be sent to the complainant.

2.9 If the complaint cannot be resolved the school will then write to the complainant informing them of their right to refer the complaint to Stage 3.

Stage 3 Complaint heard by the Chair of Governors

(In a very small number of cases this may be the start of the procedure.)

3.1 If the complaint remains unresolved after Stages 1 and 2 it can be referred to the Chair of Governors unless the complaint concerns the Headteacher or a Governor, in which case it will be referred to Stage 4.

3.2 The complainant must write to the Chair of Governors, giving detail of the complaint. The Chair will meet with the complainant and Headteacher separately and hear the complaint and make every effort to resolve the issue.

3.3 The date of the meeting should be agreed between all parties within 5 school days from receipt of the written referral of the complaint to Stage 3 and must take place within 15 school days of receipt. The purpose of the meeting with the complainant is to ensure them the investigation has been thorough and fair and to make every effort to reach a resolution (see Appendix 4 for possible resolution outcomes). There may be occasions when more time is needed and if this is the case the complainant will be informed immediately and within the 10 school days timescale. The complainant will be given reasons why more time is needed with an approximation of the number of extra days.

3.4 The procedure should only move to Stage 4, below, if the complaint cannot be resolved by the Chair of Governors level.

Stage 4 Complaint heard by Governing Board's Complaints Appeal Panel.

4.1 A Complaints Appeal Panel consisting of two Governors and an independent member of the wider community will be convened as required. This enables the panel to be flexible in case some Governors have prior knowledge or involvement.

4.2 The complainant must put the complaint in writing to the Chair of Governors also giving reasons why they have been dissatisfied with the outcomes of the first two stages. The Chair of the Complaints Appeal Panel will check that the procedures have been followed correctly up to this point and then arrange for a meeting of the Governing Body Complaints Appeal Panel. If the original complaint concerned the Chair of Governors and was referred to the Vice Chair at Stage 1, the Vice Chair will arrange for the panel to meet.

4.3 The date of the meeting should be agreed between all parties within 5 school days from receipt of the written referral of the complaint to Stage 4 and must take place within fifteen school days of receipt.

4.4 The Clerk to the Governors will manage all administration for the meeting.

4.5 If the complainant or Headteacher wishes to submit information in writing to the meeting it should reach the Clerk at least 5 school days before the meeting.

4.6 The timescale may be altered with agreement of all parties if the referral to Stage 3 comes at the end of term, particularly the summer term. It will be in everyone's interest not to delay the meeting to the start of the next term, since the aim of the procedure is to resolve issues as soon as possible to effect reconciliation.

4.7 Before the meeting takes place all parties will be given details outlining the following

- The purpose of the meeting*
- The conduct of the Meeting*
- The order of the meeting*
- The role of the Clerk*
- The role of the Chair of the Panel.*

*(See Appendix 5 The management of the Governing Body Complaints Appeal Panel meeting)

The Clerk will inform the complainant of the decision reached by the panel within 5 calendar days of the meeting. The letter should also state this was the final stage of the complaints procedure and there is no further appeal.

Vexatious complaints

If the complainant remains dissatisfied with the outcome of the Complaints

Appeal Panel meeting and attempts to reopen the issue, the Chair of Governors will inform them in writing that the complaint has been heard according to the published procedures and that the matter is now closed.

Covid Pandemic

During the Covid pandemic it may be necessary to vary these complaints procedures, in particular the conduct of meetings. The investigator of any complaint will determine the procedures to apply, possibly after consultation with colleagues, and will notify the complainant of any variations to the procedures in order to protect the safety of the individuals involved.

Appendix 1

Headteacher – Mrs Juliana Gonzalez

Deputy Headteacher – Miss Jennifer Clark

Chair of Governors – Mrs Christine Fisher

Appendix 2
Complaint Record Form
(To be used for stages 1 and 2)

Part A RECORD OF COMPLAINT –

Please return to..... (the member of staff dealing with the complaint) who will acknowledge receipt and explain what action will be taken.

Your Name:

Pupil's Name:

Your relationship to the pupil:

Address:

Telephone:

Details of the Complaint:

Date Complaint Made:

Action Already Taken to Resolve the Matter:

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

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

Signature:

Date:

Part B ACTION TAKE IN ACCORDANCE WITH THE COMPLAINTS PROCEDURE

Acknowledgement sent:

By whom:

Complaint Investigated by:

Actions (with dates):

Complaint referred to:

Date:

Appendix 3

Guidelines on Investigating Complaints.

It is important to everyone concerned in the complaint that the investigation is impartial, thorough and fair. It is also important that everyone concerned is able to feel they have been listened to and have been able to make their contributions.

The investigating person should

- establish the exact nature of the complaint (the complainant may need to be contacted if there is any uncertainty. The investigation should not proceed until there is absolute clarity);
- establish what has happened so far and who has been involved;
- clarify what the complainant feels would put things right, clearing up any areas of misunderstanding and identifying ways forward;
- interview those involved in the matter and/or those named in the complaint, ensuring they are aware of the exact details of the complaint and allowing them to be accompanied if they wish;
- conduct all interviews and investigations with an open mind (the appointed person should continue with the investigation until they are sure that they have all the necessary detail to come to a fair conclusion even if it means interviewing people more than once);
- keep full notes with times and dates;
- make sure all information has been collated before arranging the meeting with the complainant;
- seek assistance by means of independent investigators if this is necessary (permission must be obtained from the Headteacher if another person is investigating);
- give a summary of the investigation to the complainant at the meeting called to reach a resolution and give reasons for the decision reached;
- give copies of all notes from the investigation and the meeting with the complainant to the Headteacher

Appendix 4

Examples of Resolution Outcomes

Before the investigating person meets with the complainant it is important that she/he is satisfied that the investigation has been impartial, thorough and fair and that the summary explained to the complainant is able to demonstrate this clearly. If an independent investigator has been used for all or part of the investigation it is important to explain the reasons to the complainant.

The complainant should be informed of the decision reached by the investigator giving reasons and evidence as to why the decision was reached. Every effort should be made to reach a resolution at this meeting. Any of the following may be appropriate:

- an acknowledgement that a complaint is valid in whole or in part (if this is the case the investigator should refer to the part of the investigation where the complainant was asked what they feel would put things right);
- an apology;
- an explanation;
- a clarification of misunderstandings;
- an admission that the situation could have been handled differently or better;
- an assurance that, as far as is possible, the event complained of will not happen again;
- an explanation of the steps to be taken to ensure that it will not happen again;
- an undertaking to review the school policies in light of the complaint

Some of the above may require that the investigator seeks authority from the Headteacher or, in the case of the Headteacher investigating, the Governing Body.

The investigator may come to the decision the complaint is unfounded. If this is the case the investigator should ensure that the evidence from the investigation confirms this beyond reasonable doubt. The investigator must be sensitive to the complainant's feelings and should make them aware that they had a right to bring their concerns to the attention of the school and, if the complaint arose from a misunderstanding, to explain how this might have occurred and clarify the area from which the misunderstanding arose.

Appendix 5

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 part of the hearing in which they give 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.