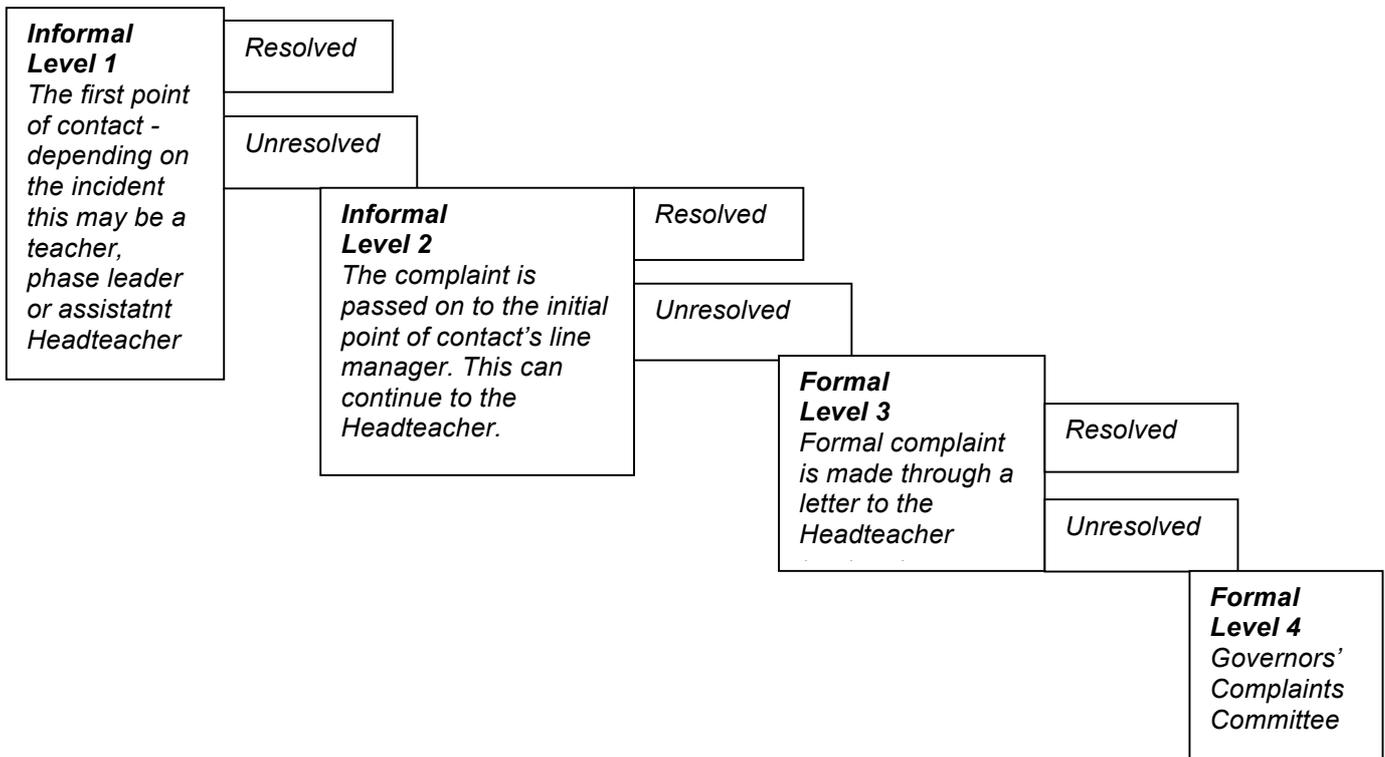




COMPLAINT PROCEDURES POLICY

November 2017
(Review November 2018)

Flowchart of procedure for handling concerns and complaints:



PROCEDURE FOR HANDLING CONCERNS AND COMPLAINTS

At Our Lady & St Philip Neri School we want our pupils to be healthy, happy and safe, and to achieve. We recognise that parents, guardians or carers play an important part in making this happen. Cooperation between parents, staff and governors leads to a shared sense of purpose and a good atmosphere in the school.

Each level of the procedure set out below offers the opportunity for concerns and complaints to be resolved as quickly as possible.

Level 1 – informal

If a parent, carer or guardian has a concern or complaint they should, in the first instance, make an appointment to speak to the class teacher or, if appropriate, the phase leader. If the concern/complaint involves a member of support staff, an appointment should be made with one of the assistant Headteachers.

If possible, it is best to resolve issues at this point.

Guidance on informal level 1:

- Concerns should initially be handled informally in a manner that offers the best way of resolving issues.
- The appropriate member of staff should offer an appointment at a mutually convenient time to discuss the issue as quickly as practically possible, as this will give both parties time to talk about it calmly and politely without being interrupted. This can allow parties to remain calm. It will also show a commitment to resolving issues.
- It is important for parents to recognise that schools are busy organisations and that it may not be possible to offer an appointment straight away.
- The parties involved should be encouraged to offer their view of what would be a realistic resolution to the problem.

Level 2 - informal

Parents, carers or guardians dissatisfied with the result of the discussions with the class teacher should arrange to meet with the assistant Headteacher responsible for that phase. If a resolution to the issue is still proving difficult to find, an appointment should be arranged with the Headteacher.

If a meeting with the Headteacher fails to resolve the issue it may be necessary to ask for information or support from a governor or external agency. The issue that is the focus of the complaint will determine the person contacted. This will only happen if both parties are happy with the suggested mediator.

Guidance on informal level 2:

- It is always best to resolve issues informally at the earliest possible time, but if the person is not satisfied with the result of the discussions there should always be an opportunity to meet with the staff member's line manager.
- It is in everyone's interest, particularly the child or children, for concerns and complaints to be sorted out quickly and smoothly.
- The aim should be that discussions end on a positive note with no bad feeling.
- The Headteacher may feel that a particular governor's input would be helpful in bringing about a resolution but there is no obligation on any governor to become involved at this level.

It is hoped that most problems will have been resolved by now.

Level 3 – formal complaint letter to the Headteacher

An issue that has not been resolved through the informal levels 1 and 2 can become an official complaint.

Parents, carers or guardians wishing to move to level 3 must write a formal letter of complaint to the Headteacher. The letter will need to set out clearly the issues which have previously been discussed and why the parent, carer or guardian considers the issue to be unresolved.

Headteachers should consider the complaint and discuss a resolution with the complainant. The Headteacher should offer a resolution to the complainant in writing within 15 school days of receipt of the formal letter of complaint.

Guidance on level 3 - formal:

- An unresolved issue can now move to a formal complaint. This is a serious step to be taken. In consideration of future home/school relationships everyone concerned will need to negotiate an agreement and concentrate on finding a resolution to the issue.

Concerns or complaints specifically about the Headteacher

The decision that the Headteacher has made as a result of the complaint does not become a complaint about the Headteacher. If the complainant feels the complaint has not been resolved he/she should proceed to Level 4, a Governors' Complaints Committee.

If, the concern or complaint is specifically about the Headteacher and is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Chair of Governors. The school will provide the Chair of Governor's name and the complainant should write to him or her at the school address.

The Chair of Governors should acknowledge the complainant's letter in writing within 5 school days of receipt.

Level 4 – formal complaint requesting a Governors’ Complaints Committee

Time Scales:

Receipt of complainant’s letter	Acknowledgement within 5 school days
Receipt of complainant’s letter	Governors’ Complaints Committee meeting within 15 school days (unless this goes into school holidays)
Written documentation sent to Governors’ Committee Members and complainant and Headteacher	5 school days before meeting.
Governors’ Committee members decision communicated to all concerned	As soon as possible but within 10 school days of meeting.

Complainants wishing to move to level 4 of the formal complaints procedure will need to write a letter to the Chair of Governors to request that a Governors’ Complaints Committee meets to hear the complaint. This formal complaint letter must be received within 10 school days of the last meeting with the Headteacher concerning the issue. The complainant should write to the Chair of Governors at the school address marking the envelope ‘urgent and confidential’. The letter will need to set out the complaint that has previously been formally discussed with the Headteacher and show why the matter is not resolved.

Before the meeting:

The Chair of Governors should appoint a clerk to the Governors’ Complaints Committee, acknowledge the complainant’s letter in writing within 5 school days of receipt and arrange for a Committee of governors to meet within 15 school days of receipt. It must be recognised that if the letter is received within 14 school days to the end of term it may not be possible to organise the governors’ Committee meeting. In this case the matter should be dealt with within 10 school days of the school reopening.

The Complaints Committee will consist of at least three governors, none of whom will have been previously involved in the complaint.. Governors will be aware of equal opportunity when looking at the composition of a Complaints Committee.

The Headteacher should be given a copy of the complainant’s letter and written documentation should be requested from the school. The clerk should send both the complainant’s letter and the school documentation to the Governors’ Complaints Committee members, complainant and Headteacher (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.

The complainant and Headteacher (or his representative) will be invited to attend the Governor's Complaints Committee meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish. As the panel meeting is intended to be investigatory, rather than adversarial, the persons giving evidence or making representations to the panel will normally attend separately. If both parties are in agreement, they may appear before the panel together. (If not, they will appear separately).

At the meeting:

The complainant and Headteacher (or his representative) should provide all the relevant information they wish and the Governors' Complaints Committee members should clarify any points.

The Governors' Complaints Committee will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate.

Chapter 3, paragraph 14 of a Guide to the Law for School Governors states: under the Education Act 1996, paragraphs 496 and 497, anyone can complain to the Secretary of State for Education and Skills if he or she believes that a governing body is acting "unreasonably" or is failing to carry out its statutory duties properly. However, intervention can only occur if the governing body or the Local Education Authority has failed to carry out a legal duty or has acted "unreasonably" in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State could instruct either party to do to put matters right.

Guidance on level 4 - formal:

Before the meeting:

- The formal complaints letter should be passed to the Vice-Chair if the Chair will be unable to receive the letter within 5 days.

At the meeting:

- The Complaints Committee must be made up of at least three governors and a clerk.
- Although this is a formal meeting, every effort should be made to make it as informal as possible for all concerned.
- The clerk should take notes of the meeting, listing who is will be in attendance
 - Governors, stating who is the Chair of the Governors' Complaints Committee
 - Headteacher (or his/her representative) and any other members of school staff
 - Parents and anyone accompanying them e.g. friend, Clerk
- The chair of the Governors' Complaints Committee should open the meeting stating the purpose and the format of the meeting to clarify this to all in attendance.

- People present should introduce themselves stating their reason for being at the meeting.
- The chair of the Governors' Complaints Committee should request a verbal statement from the complainant in support of his or her written letter of complaint and why s/he feels the issue has not been resolved. The Governors' Complaints Committee members can ask questions to make sure they understand the issue from the complainant point of view.
- The chair of the Governors' Complaints Committee should request a verbal statement from the Headteacher (or his representative) in support of his/her written account of the complaint and the steps taken to resolve the issue. The Governors' Complaints Committee members can ask questions to make sure they understand the issue from the Headteacher's point of view.
- The members of the Governors' Complaints Committee should make sure they fully understand the issues and ask any further questions to clarify any points that are still not clear to them.
- The chair of the Governors' Complaints Committee must ask the complainant and the Headteacher (or his representative) if they are satisfied that they have provided all the information they wanted or if there is something they wish to add and if they feel they have had a fair hearing.
- When the Governors' Complaints Committee members understand all the issues, the chair will thank all those who attended and only the committee members and clerk will remain.

After the meeting:

- The Governors' Complaints Committee members then discuss the issues in private and the clerk remains to record the decision.
- The Committee members will need to consider the information, come to a decision and suggest a way to resolve the issue taking into account the best interests of the child and the school
The committee may
 - Dismiss the complaint in whole or in part.
 - Uphold the complaint in whole or in part
 - Decide on the appropriate action to take in order to resolve the complaint.
 - Recommend changes to the school's systems, policies or procedures.
 - When the Committee have reached a decision the Clerk will inform everyone concerned in writing as soon as possible, but in any event, within 10 school days of the Committee meeting.

The decision of the Governor's Complaints Committee is final.

Once a Governor's Complaints Committee has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the chair of governors should inform the complainant that the matter is closed.

A complainant has the right to appeal to the Secretary of State. Some complaints regarding admissions, the curriculum or special educational needs are covered by statutory regulations. The Headteacher can give information about these issues.

Signed (Headteacher)

Signed(Chair of Governors)