

Date	Review Date	Drawn up by	Committee Approving
Autumn 20	Autumn 22	NC	Main GB

St Thomas Becket School Complaints Procedure

Introduction

Complaints are not always easy to define. It is therefore important to keep in mind a distinction between concerns, problems and complaints. They can often arise from the consequences or perceived consequences of resource allocations, operational difficulties, working practices or individual actions.

Underlying Principles

Complainants will be treated seriously and courteously and given the time they require to be heard. It is important to the school that the parents/carers have confidence in these procedures and know that their cases will be heard and impartially investigated.

Parents/Carers will be advised at the earliest possible stage of:

- The scope, if any, for pursuing their complaint and the extent of the procedure for dealing with it
- The way in which the complaint is likely to be handled

Where there are established statutory or other procedures for the dealing with a complaint, these will be followed. These guidelines do not cover those matters already provided for such as:

- Admissions to schools
- Exclusions
- Special Educational Provision (SEND Tribunal)
- School re-organisation
- Matters concerned with the curriculum
- Child Protection issues

It may be that action under the complaints procedure may lead to action being initiated under other (e.g. statutory) procedures. In these cases the investigations under the complaints procedure will be suspended until action under the procedure (including appeals) has been concluded. The parent/carer will be advised that alternative action is being taken, but will have to remain confidential until that procedure has been completed. They will also be told the likely delay in the final resolution of their complaint which will result.

This complaints procedure is compliant with The Education [Independent Schools Standards] Regulations 2010 and deals with only complaints as defined below.

Definition of a Complaint

For schools, a complaint within the terms of the procedures described here, is an expression of dissatisfaction verbally or in writing by parents/carers of children who attend the school. All complaints from parents/carers of children who attend the school will be investigated as such.

Anonymous complaints would not normally be considered under this procedure.

This procedure outlines the informal and formal stages by which a complaint may be made against the school. At all stages the aim of the policy is to reach a mutual understanding of the problems so that improvements can be made where necessary.

Where agreement cannot be reached, the aim of the procedure is to ensure that all parties are treated fairly.

Conciliation between school and the parents/carers can be considered at any time, within the informal or formal stages.

STAGES

St Thomas Becket Catholic primary School's Complaints Policy has four main stages.

In summary these are as follows:

Stage 1

A concern is raised informally with a staff member who may be supported by a senior teacher/Deputy/Assistant Head where required.

Stage 2

Complaint is heard by the Headteacher or Deputy Head

Stage 3

Complaint is heard by the Governing Body's Complaints Appeal Panel.

Stage 4

Referral to the Education and Skills Funding Agency

1. The First Stage - Dealing with Concerns and Complaints Informally

1.1 Guidelines

- 1.1.1 It is hoped that all complaints and concerns are resolved as early and informally as possible. Parents/carers need not only to be listened to but also to feel that they have been listened to.
- 1.1.2 The vast majority of concerns and complaints can be resolved informally. There are many occasions where concerns are resolved straightaway through the class teacher, member of SLT, school secretary or Head teacher, depending on whom the parents first approach. Parents must feel able to raise concerns with members of staff without any formality, either in person, by telephone or in writing. A parent/carer may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.

1.2 Procedures

- 1.2.1 Parents/carers will be given an opportunity to discuss their concern with the appropriate member/s of staff who will clarify with them the nature of the concern and reassure them that the school wants to hear about it. The member/s of staff may explain to the parents/carers how the situation arose and determine what sort of outcome the parent/carer is looking for.
- 1.2.2 The member/s of staff will respond appropriately, taking into account the seriousness of the complaint. Hopefully the appropriate member/s of staff can resolve the matter immediately.
- 1.2.3 If the member of staff first contacted **cannot** deal immediately with the matter, they will make a clear note of the date, the name, and contact address or phone number of the complainant [see Appendix 1]. The Head teacher and appropriate member of the SLT will be given a copy.
- 1.2.4 Where the concern relates to the Head teacher, the parent/carer should be advised to contact the Chair of Governors.
- 1.2.5 The member/s of staff dealing with the concern or complaint will make sure that the parent/carer is clear what action (if any) or monitoring of the situation has been agreed.

2. The Second Stage - Referral to the Headteacher or Deputy Head for Formal Investigation

2.1 Guidelines

- 2.1.1 In some cases the Headteacher will already have been involved in looking at the matter; in others it will be their first involvement. In either case, it will be helpful for the Headteacher to be given the opportunity to discuss the issue further with parents/carers to determine if there is anything more the school can do before the parent/carer feels a formal complaint is necessary. The aim here is to progress the matter for the good of the child, their parents/carers and the school.

2.2 Procedures

- 2.2.1 Complaints should normally be in a written format. In exceptional cases the school will consider progressing an oral complaint where there are sufficient grounds to do so. The Head teacher (or designated member of staff) will acknowledge the complaint orally or in writing within five working days of receiving the written complaint. The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint.
- 2.2.2 The Head teacher will provide an opportunity for the parent/carer to meet him to supplement any information provided previously.
- 2.2.3 If necessary, the Head teacher will interview witnesses and take statements from those involved.
- 2.2.4 Once all the relevant facts have been established, the Head teacher will then discuss the complaint with the Chair/ Vice-Chair of Governors. A written response to parents will include a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint.
- 2.2.8 The parent/carer will be advised that should they wish to take the complaint further they should notify the Chair of Governors within 10 school working days of receiving the outcome letter.
- 2.2.9 Where the complaint is against the Head teacher, arrangements should be made for the initial investigation to be conducted by the Chair / Vice Chair of Governors.
- 2.2.10 Where the complaint is against the Chair of Governors, arrangements should be made for the initial investigation to be conducted by the Vice Chair of Governors.

3. The Third Stage - Appeal to the Governing Body of the School

3.1 Guidelines

Any appeal will be heard by a panel of 2 School Governors, not previously or directly involved in earlier stages of the complaints procedure, and another panel member who is independent of the management and running of the school, e.g. Human Resources advisor, another school's member of their Governing Body, etc

- 3.1.1 Complaint appeals should always be in a written format. In exceptional cases the school will consider progressing an oral complaint appeal where there are sufficient grounds to do so. The appeal should state clearly why the parent/carer feels their case has not been dealt with and should be based on evidence or supported by witness statements.
- 3.1.2 All complaints which reach this stage will have done so because the parent/carer has not been satisfied by the Headteacher's/Chair of Governors response at the earlier stage of the procedure.

3.2 Procedures

- 3.2.1 Upon receipt of a written request by the parent/carer for the complaint to proceed to Stage 3, the procedures outlined below will be followed:
 - 1. The Chair of Governors or Vice Chair will write to the complainant to acknowledge receipt of the written request
 - 2. The acknowledgement will inform the parent/carer that the complaint will be investigated by a panel appointed by the Governing Body within 20 school working days of receiving the request.
 - 3. The letter will also explain that the complainant has the right to submit any further documents relevant to the complaint.
- 3.2.2 The Chair of Governors will convene a Governor Appeal hearing panel, consisting of two Governors and an independent member who is not directly involved in the management of the school, and appoint a Panel Chair. The Panel Chair will ensure that the panel hearing takes place within 20 school working days of receiving the request, unless an extension is otherwise agreed. All relevant

correspondence regarding the complaint will be given to the Panel Chair by the Chair of Governors.

- 3.2.3 The Panel Chair will write and inform the parent/carer, Head teacher and any relevant witnesses at least ten school working days in advance, of the date, time and place of the meeting. The details of the complaint available at that time should also be sent in writing to the Head teacher.
- 3.2.4 The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/interpreter. The letter will also explain how the meeting will be conducted and the parent/carer right to submit further written evidence, at least five school working days in advance of the meeting.
- 3.2.5 The Head teacher may also invite members of staff directly involved in matters raised by the complainant to respond in writing or, at the discretion of the Chair of Governors to attend the meeting.
- 3.2.6 The Panel Chair will ensure that the meeting is properly minuted.
- 3.2.7 The aim of the meeting will be to resolve the complaint and achieve reconciliation between the school and the parent/carer. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations, which will satisfy the complainant that his or her complaint has at least been taken seriously.
- 3.2.8 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.
- 3.2.9 The Panel Chair will explain to the parent/carer and the Head teacher that a written response will be sent to both parties within 15 school working days.
- 3.2.10 The panel will then consider the complaint and all the evidence presented and
 - Reach a unanimous, or at least a majority decision on the complaint
 - Decide upon the appropriate action to be taken to resolve the complaint
- 3.2.11 The Panel Chair will ensure that a copy of all correspondence and notes are kept confidentially on file. These records should be kept separately from the pupil's personal records. (Files will only be made available if requested by the Secretary of State or by a body conducting an inspection under section 162A of the 2002 Act

4. The Final Stage - Referral to the EFA [Educational Funding Agency]

If all attempts to resolve the complaint have been unsuccessful you may refer your complaint to the EFA (Educational Funding Agency).

Generally, the EFA can only look at complaints about academies that fall into the following two areas.

- a. The academy did not comply with its own complaints procedure when considering a complaint or the academy's complaints procedure does not comply with statutory requirements
- b. The academy has failed to comply with a duty imposed on it under its funding agreement with the Secretary of State.

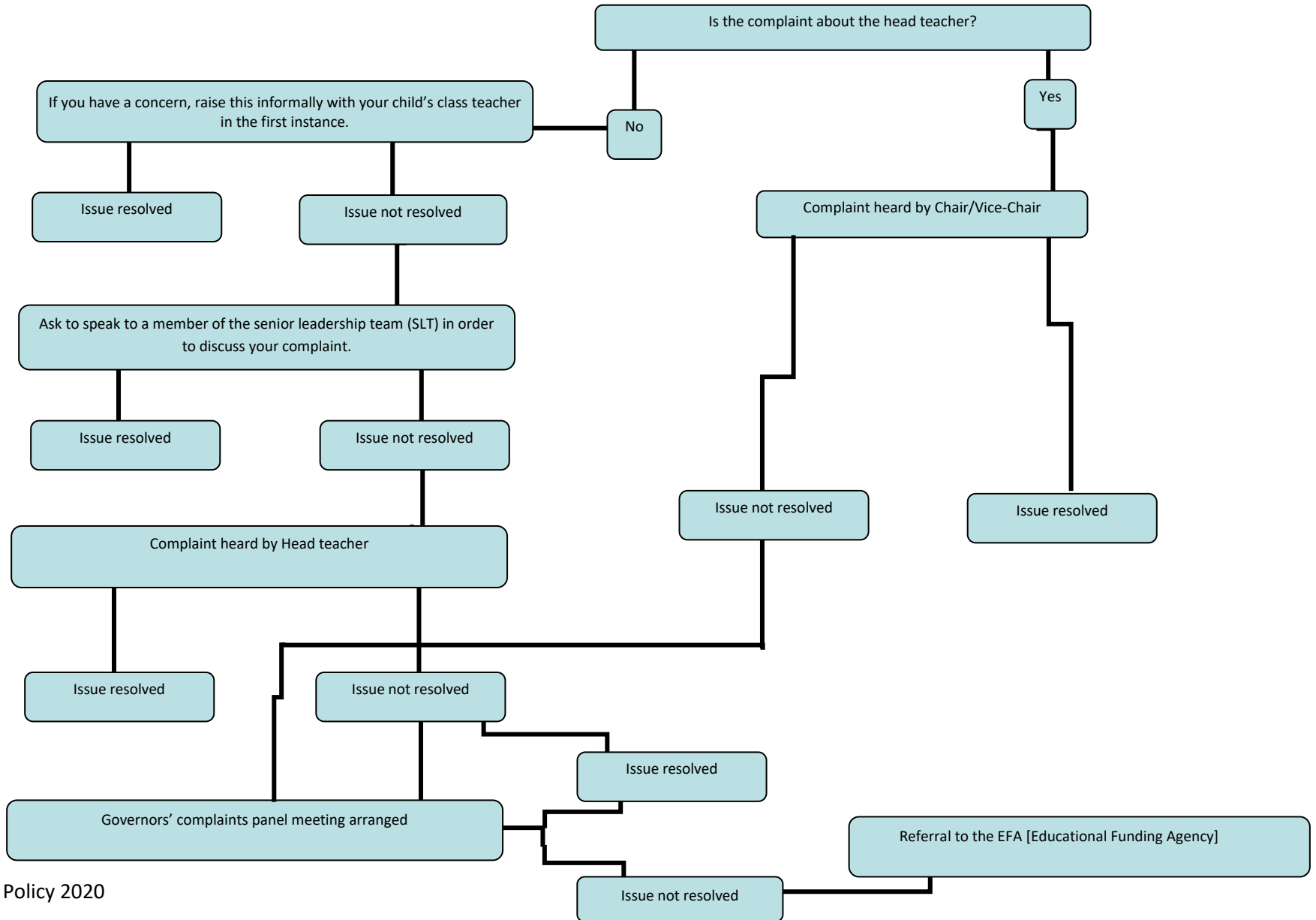
Further information is available directly from the EFA.

Persistent and Vexatious Complaints

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 is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. The Governing Body has a policy regarding persistent and vexatious complainants (**St Thomas Becket Catholic Primary Policy and Procedure for Persistent and Vexatious Complainants**) and will act according to this policy.

Summary of Dealing with Complaints

Flowchart



Appendix 1- St Thomas Becket School Complaint Form

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Email:

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: