

# School Complaints Procedure



## **Our Lady's procedures for dealing with complaints**

The majority of concerns from parents, carers and others are handled under the following general procedures.

The procedure is divided into three stages;

**The informal stage** aims to resolve the concern through informal contact at the appropriate level in school.

**Stage one** is the first formal stage at which written complaints are considered by the headteacher (or the Chair of Governors if the complaint is against the headteacher), who has special responsibility for dealing with complaints.

**Stage two** is the next stage once stage one has been worked through. It involves a complaints appeal panel of governors.

How each of these stages operates is explained below:

### **Informal stage: your initial contact with the school**

1. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's class teacher.
2. Once your concern is made known to us, we will see you, or contact you by telephone, email or in writing, within 3 school days. If it is necessary, all members of staff know how to refer to the appropriate person with responsibility for your particular issues.
3. Any actions or monitoring of the situation that has been agreed will be clearly communicated and we will normally confirm this in writing, or in person, to you within 10 school days.
4. If necessary we will contact appropriate people who may be able to assist us with our enquiries into your concern.
5. Once we have responded to your concern, you will have the opportunity of asking for the matter to be considered further.
6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the formal stage.

### **Stage one: formal consideration of your complaint**

This stage in our procedures deals with written complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined above.

1. Normally, your written complaint should be addressed to the headteacher. If, however, your complaint concerns the headteacher personally, it should be sent to the school marked "for the attention of the chair of governors"
2. We will acknowledge your complaint in writing within 3 school days.
3. We will enclose a copy of these procedures with the acknowledgement.
4. The headteacher may appoint any of the following as an Investigating Officer:
  - The headteacher
  - An independent person agreed by the Chair of Governors
  - A designated member of senior staff who has the responsibility for the investigation into a specific complaint
  - A designated Governor

If the complaint is regarding the headteacher, the Chair of Governors will appoint an investigating officer to investigate your complaint.

5. Normally we would expect to respond in full within 15 school days but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.

6. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.

7. The Investigating Officer may also be accompanied by a suitable person if they wish.

8. Following the meeting, the investigating officer will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.

9. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where there is a potential safeguarding issue. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.

10. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.

11. The Complaints Officer will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.

12. The investigating officer will establish all the relevant facts, and the Headteacher will send you a written response to your complaint. This will give an explanation of the outcomes and the reasons for them. If follow-up action is needed, we will indicate, where appropriate, what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.

13. We reserve the right not to consider complaints that:

- are malicious
- use obscenities, racist or homophobic language
- contain personally offensive remarks about members of our staff
- are repeatedly submitted with only minor differences after we have fully addressed the complaint
- have been fully answered in previous correspondence.

14. If you are unhappy with the way in which we reached our conclusions, you may wish to proceed to stage two: consideration by a governors' appeal panel.

### **Stage two: consideration by a governors' panel**

- If the complaint has already been through stage one and you are not happy with the outcome as a result of the way in which the complaint has been handled, you can take it further to a governors' appeal panel. This is a formal process, and the ultimate recourse at school level.
- The purpose of this arrangement is to give you the chance to present your arguments around whether the investigation has been conducted fairly and that correct procedure has been followed. This will be done in front of a panel of governors who have no prior knowledge of the details of the case and who can, therefore, consider it without prejudice. The panel will consist of three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the school.
- However, the aim of a panel is not to rehear the complaint. It is there to review how the complaint has been investigated and to determine whether this has been conducted fairly. It is there to establish facts and make recommendations which will reassure you that we have taken the complaint seriously.

The governors' appeal panel operates according to the following formal procedures:

1. The Governing Body will convene a panel of three governors and will aim to arrange for the panel meeting to take place within **20 school days** of receiving your request to review the process. Your request for a review should be lodged with the Chair of Governors within 10 school days of receiving the School's response to your initial complaint.
2. The headteacher and investigating officer will be asked to prepare written reports for the panel, highlighting the process followed as part of the investigations and any recommendations made. The panel can request additional information from other sources if necessary.
3. You will be informed, at least **five school days** in advance, of the date, time and place of the meeting. We hope you will feel comfortable with the meeting taking place in the school but we will do what we can to make alternative arrangements if you prefer.
4. With the letter, you will receive any relevant correspondence or reports regarding stage one and you will be asked whether you wish to submit further written evidence to the panel.
5. The letter will explain what will happen at the panel meeting and that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish (not acting in a legal capacity).
6. If it is necessary in the interests of the ratifying the investigative process, the headteacher may, with the agreement of the chair of the panel, invite relevant witnesses directly involved in matters raised by you to attend the meeting.
7. The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
8. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
9. The chair of the panel will ensure that the meeting is properly minuted.
10. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes, be aware that due to their confidential nature, some areas/parties' names may be redacted.
11. During the meeting, you can expect there to be opportunities for:
  - the panel to hear you explain your case and your argument for why it should be heard at stage two;
  - the panel to hear the school's case in response;
  - you to raise questions via the chair;
  - you to be questioned by the headteacher through the chair;
  - the panel members to be able to question you and the headteacher; and you and the headteacher to make a final statement.
12. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to you and the headteacher (or the chair of governors if the complaint is against the headteacher) **within three school days**. All participants other than the panel and the clerk will then leave.
13. The panel will then consider the complaint and all the evidence presented in order to:
  - reach a unanimous, or at least a majority, decision on the case;
  - decide on the appropriate action to be taken, if necessary; and

- recommend, where appropriate, to the Governing Body changes to the school's systems or procedures to ensure that similar problems do not happen again.

14. The clerk will send you and the headteacher (or the chair of governors if the complaint is against the headteacher) a letter outlining the decision of the panel. The letter will also explain that you are entitled to have the handling of the complaint reviewed by the Secretary of State for Education.

15. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

### **Closure of complaints**

- Very occasionally, a school will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.

- We will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".

- If a complainant persists in making representations to the school – to the headteacher, chair of governors or anyone else, this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.

- For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and that the complaint has exhausted our official process.

Where you have been through the school's internal complaints procedures and are still unhappy with the outcome or decision from the Governing Body, you can write to the Secretary of State for Education at the address below:

Department for Education (DfE)  
2 St Paul's Place  
125 Norfolk Street  
Sheffield  
S1 2FJ

- Please enclose with your letter to the DfE a copy of the complaint outcome.

**We would advise parents that, unless the school is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken, as governing bodies are empowered to deal with many issues without reference to either the local authority or the Secretary of State.**