

# **ST MICHAEL'S RC PRIMARY SCHOOL**



## **GOVERNING BODY**

### **COMPLAINTS POLICY**

**St Michael's RC Primary School is a Catholic family of faith, following the teaching of Christ. We strive to create an environment where all members of our school community become caring, independent and resilient individuals who fulfil their potential.**

**"I came so that you may have life, life in all its fullness" John 10:10**

#### **Introduction**

We strive to provide a good education for all our children. The headteacher and staff work very hard to build positive relationships with all parents. However, the school is obliged to have procedures in place in case there are complaints by parents or guardians. The following policy sets out the procedures that the school follows in such cases.

If any parents are unhappy with the education that their child is receiving, or have any concerns relating to the school, we encourage them to talk to the child's class teacher immediately.

We deal with all complaints in accordance with procedures laid down by the LA. If the school itself cannot resolve a complaint, those concerned can refer the matter to the LA.

All parents have the right, as a last resort, to appeal to the Secretary of State for Education, if they still feel that their complaint has not been properly addressed.

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints, and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. In all cases we put the interests of the child above all else. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

#### **The complaints process:**

##### **Stage 1**

If a parent is concerned about anything to do with their children education, they should, in the first instance, discuss the matter with the class teacher. Most concerns can be dealt with in this way.

Teaching staff and senior leaders are available at the start and end of every school day on the playground

## **Stage 2**

If a parent feels that the situation has not been resolved they should make an appointment to see the Headteacher or write a letter or email. The Headteacher will consider the complaint, discuss it with the parent and reply via letter. Most complaints are normally resolved at this stage.

## **Stage 3**

If these stages do not resolve the issue, a formal complaint can be made to the Governing Body via the Chair of the Governing Body. This complaint must be made in writing, stating the nature of the complaint and how the school has handled it so far.

A representative of the Governing body, usually the chair person, will consider all written complaints and responds in writing to the complaint.

## **Stage 4**

If unresolved, the Governing Body may convene a complaint panel. The meeting will discuss the issue, inviting the person along to discuss the issue in greater depth.

After hearing all the evidence, the panel will consider their decision and inform the parent in writing.

## **Stage 5**

If the parent is not content that the complaint has been dealt with properly then they are entitled to appeal to the Secretary of State for Education.

## **Complaints in stage 3 or above**

When a parent is not satisfied with the response from the headteacher regarding their complaint or if their complaint is about the headteacher, they are entitled to take their complaint to the Governing Body.

## **The Procedure**

The complainant writes to the chair of governors within ten school days after receipt of the headteacher's letter, providing full details of the complaint and enclosing any supporting evidence.

The Governing Body will respond, usually through the chair or governors. They will contact or meet with the complaint to try to resolve the complaint (*stage 3*).

If unsuccessful in resolving the complaint, the chair or nominated governor will convene a governing body complaints panel (*stage 4*).

The clerk to the governors will write to the complainant within 5 school days outlining the procedure and the way in which the hearing will be conducted and advise the complainant they may be accompanied by a relative or friend.

The clerk will advise the complainant and headteacher that any written documentation they wish the panel to consider will need to be submitted in time for distribution of the documents to the panel members at least 5 days prior to the hearing.

The hearing should be held within 20 school days, be minuted, and copies of all relevant correspondence and notes should be kept on file by the clerk.

## **The remit of the Complaints Panel**

The panel can:

- Dismiss the complaint in whole or part
- Uphold the complaint in whole or 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.

It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor 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 and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

The aim of the hearing, which needs to be in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to recognise 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.

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. If necessary support for the complainant should be arranged, such as translation of any papers, provision of an interpreter or disabled access.

## **Roles and Responsibilities**

### **The role of the Clerk**

The clerk is the contact point for the complainant and is required to:

- Set the 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 all parties of the panel's decision

### **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 explain that each party has the opportunity of putting their case without undue interruption
- The issues are addressed
- Key findings of facts 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.
- Notify the complainant in writing of the panel's decision.

### **The nominated governor role**

The nominated Governors role is to:

- Check that the correct procedure has been followed
- Notify the clerk to arrange the panel

### **The hearing**

The chair of the panel should invite the complainant and headteacher into the room; the chair should clarify the scope of the governing body's powers and clarify the aims of the hearing:

- To review the complaint
- To attempt to resolve the complaint
- Achieve reconciliation between the school and the complainant
- Identify a way forward

The chair should introduce all those present and ensure all parties have been advised of the way the hearing will be conducted.

The complainant is invited to explain the basis of their complaint and may call witnesses

The headteacher will be invited to explain the schools actions with regard to the complaint and may call school witnesses

The headteacher may question both the complainant and witnesses after each has spoken

The complainant may question both the headteacher and school witnesses after each has spoken

The panel may ask questions of either the complainant or headteacher at any point

The complainant will be given the opportunity to sum up

The headteacher will be given the opportunity to sum up

The chair to confirm that a decision will be issued within 5 school days

The complainant and headteacher will then be asked to leave the hearing

### **The decision making process**

The committee should consider a decision based on the information and evidence presented to them. It should decide whether or not to uphold the complaint, suggest any actions, which may be taken to resolve the complaint and consider whether it would be appropriate to suggest a review of any school policies in light of issues raised in the course of the complaint. The panel should reach a unanimous or majority decision on the complaint.

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. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed

### **Vexatious Complaints**

If properly followed, a good complaints procedure will 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 re-open the same issue, the chair of the governing body should inform them in writing that the procedure has been exhausted and that the matter is now closed.

### **Monitoring and review**

The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The headteacher has records of complaints received by the school, and records how they were resolved.

Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.

This policy is reviewed every two years, or before if necessary.

**Date of last review: Jan 2016**

**Date of next review: Jan 2018**

This policy was formally adopted on \_\_\_\_\_

Chair of Governors: \_\_\_\_\_

Head teacher \_\_\_\_\_