



# St. William of York Catholic Primary School

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## COMPLAINTS POLICY

### INTRODUCTION

The partnership between the parent and the school is integral to the ethos and mission of the Catholic school and should be characterised by a mutual respect by which parents feel they are able to bring their concerns to the attention of someone in the school, at any time, with the expectation they will be listened to and their concerns addressed.

Not all concerns are complaints. A concern is an issue raised by a parent, pupil or other person that is resolved quickly and informally. Most concerns are resolved by the person to whom the concern is addressed e.g. the class teacher or the subject coordinator. **Every effort should be made to allay concerns at this level and with the least possible formality. The ideal is that no concern should ever become a formal complaint.**

Occasionally, however, a concern will be too serious to be handled in this way, perhaps needing greater investigation; or the person concerned may not feel that the answers given so far have been acceptable or adequate. In such circumstances the concern will become a **complaint** and this document outlines the formal procedure that should be followed in such cases.

#### **Statutory requirements.**

The complaints Procedure is one of the procedures governing bodies are required to have in place by law and therefore should be reviewed regularly.

This guidance is designed to support governing bodies in managing complaints relating to the school and to any community facilities or services that the school provides.

The complaints procedure **does not** deal with:-

- complaints about the curriculum (including the provision for collective worship)
- staff grievances;
- staff capability and/or disciplinary issues:
- spurious or vexatious complaints:
- pupil exclusion from school
- special education provision
- admissions to schools

There are separate policies and procedures to deal with the above.

## AIMS

The two most important aims of a complaints procedure are

- I. that the person's concerns have been taken seriously and have been addressed in a fair way and,
- II. that 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 then, that the gospel values of justice and reconciliation underpin the whole process.

### THE FORMAL PROCEDURE.

The procedure can involve up to three stages, with each next stage only being required if the complaint has not been resolved to the satisfaction of all parties at the previous stage. The three stages are:

**Stage 1.** Complaint heard by a senior member of staff (not the subject of the complaint).

**Stage 2.** Complaint heard by the headteacher (if not the subject of the complaint).

**Stage 3.** Complaint heard by the governing body's complaints appeal panel.

#### Stage 1 Complaint heard by a member of staff

**1.1** The complaint can in the first instance be made in writing, telephone or in person and should be addressed to the Complaints Co-ordinator who will log the complaint and request that a **Complaint Record Form** be completed (see Appendix for example). Completing this form initiates the complaints process (please note that anonymous complaints will not be dealt with). The Complaints Co-ordinator will be a member of staff who has been selected to act in this capacity. The Complaints Co-ordinator will either investigate the complaint personally or refer it to an appropriate member of staff.

**1.2** The Complaints Co-ordinator will acknowledge receipt of the complaint by replying in writing within **five school days** or receiving a Complaint Record Form giving the name of the member of staff investigating the complaint.

**1.3** If the complaint concerns the headteacher or a member of the governing body it should be referred to the chair of governors and the headteacher or governor should be informed. If the complaint concerns the chair of governors it should be referred to the vice chair and the chair informed.

**1.4** Whoever investigates the complaint will

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right, clearing up any areas of misunderstanding, identifying areas of agreement and discussing what might be possible;

- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish (maximum of two adults should attend the whole interview. plus child if appropriate; others may be invited to attend in part as witnesses, but they should only stay while they are giving their evidence);
- conduct each interview with an open mind and be prepared to persist in the questioning;
- keep notes of each interview.

**1.5** The investigation should be completed within **ten 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 immediately and within the ten school days timescale. The complainant should be given the reasons why more time is needed with an approximation of the number of extra days.

**1.6** Within **three school days** of the completion of the investigation the investigator will contact the complainant to arrange a meeting

**1.7 Every effort should be made to resolve the complaint at this meeting.**

**1.8** If a resolution has been reached, the Complaints Co-ordinator should be informed and a letter confirming this should be sent by the Complaints Co-ordinator to the complainant

**1.9** If the complaint cannot be resolved the complainant may refer it to Stage 2.

## **Stage 2: Investigation by the headteacher**

**2.1** If the complaint remains unresolved after stage 1 it may be referred to the headteacher by the complainant unless the complaint concerns the headteacher or governor in which case it will be referred to stage 3.

**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 undertaking the investigation.

**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 parts need to be investigated.

**2.4** In conducting the investigation, the investigator will operate in accordance with section 1.4.

**2.5** The investigation should be completed within **ten 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 should be informed immediately and within the ten school days timescale. The complainant should be given reasons why more time is needed with an approximation of the number of extra days.

**2.6** Within **three school days** of the completion of the investigation the headteacher will contact the complainant to arrange a meeting.

**2.7** When the investigation is complete the headteacher will consider the evidence and, whether or not he or she has investigated the matter personally, will meet with the complainant (with or without the person who conducted the investigation if different) to try to resolve the complaint. **Every effort should be made to resolve the complaint at this meeting.**

**2.8** If a resolution has been reached the Complaints Co-ordinator should be informed and a letter confirming this should be sent by the Complaints Co-ordinator to the complainant.

**2.9** If the complaint cannot be resolved the complainant may refer it to Stage 3.

### **Stage 3 Complaint heard by Governing Body's Complaints Appeal Panel.**

**3.1** A complaints appeal panel consisting of three governors should be appointed annually by the governing body. Governing bodies should consider appointing more than three from whom three may be appointed to hear a particular complaint. This guards against not having a panel if one of only three governors appointed has prior involvement in or detailed knowledge of the complaint.

**3.2** 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 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.

**3.3** The date of the meeting should be agreed between all parties within **five school days** from receipt of the written referral of the complaint to stage 3 and must take place within **fifteen school days of receipt.**

**3.4** The clerk to the governors will manage all administration for the meeting.

**3.5** If the complainant or headteacher wishes to submit information in writing to the meeting it should reach the clerk at least five school days before the meeting.

**3.6** 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.

**3.7 Before the meeting:** Members of the panel should consider carefully any documentation from the headteacher or the complainant but should not discuss the matter with anyone, including the other members of the panel, before the meeting. This is in the interests of fairness and natural justice. The appeal panel must operate scrupulously as an independent arbiter of the complaint.

### **3.8 The order of the meeting:**

Welcome, introduction and explanation of the meeting by the chair.

The chair reminds all parties that this is the final stage in the procedure and the decision made is final. There is no provision for further redress or appeal.

The complainant is invited to explain the complaint.

The headteacher may question the complainant.

The panel may question the complainant.

If there are any witnesses for the complainant, each one is invited into the hearing in turn and invited to speak. The headteacher may then question them. The panel may question them. In each case the witness must leave after giving their evidence.

The headteacher is invited to explain the school's actions.

The complainant may question the headteacher.

The panel may question the headteacher.

If there are any witnesses for the school they are treated in exactly the same way as witnesses for the complainant.

When the chair is sure all parties have been able to present what they intended and have asked all they need to, the complainant is invited to sum up their complaint.

The headteacher is then asked to sum up the school's actions and responses to the complaint.

The chair asks all parties if they feel they have had a fair hearing and reminds them that this is the final stage of the procedure.

The chair explains that they will consider impartially all the submissions and documentation presented at the meeting and will inform the complainant and the school of their decision, in writing, within **five calendar days**.

Both parties are invited to leave the meeting at the same time.

If an LA/Diocesan advisor is present she/he may advise the panel at this stage and leaves the meeting before the panel comes to its decision.

The panel must consider all the submissions made and 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 to ensure that problems of a similar nature do not recur.

**The letter sent by the clerk informing the complainant of the decision reached by the panel should also state this was the final stage of the complaints procedure and there is no further appeal.**

### **Recording Complaints**

All formal complaints should be recorded in a complaints register kept by the Complaints Co-ordinator. The record form should include:

- the name of the complainant;
- the nature of the complaint;
- date of complaint being made and dates of referral to stages 2 and 3 if applicable;
- whether the complaint was unfounded or upheld in whole or in part;
- the stage at which a resolution was reached.
- the resolution outcome, if applicable;
- names of investigators at each stage.

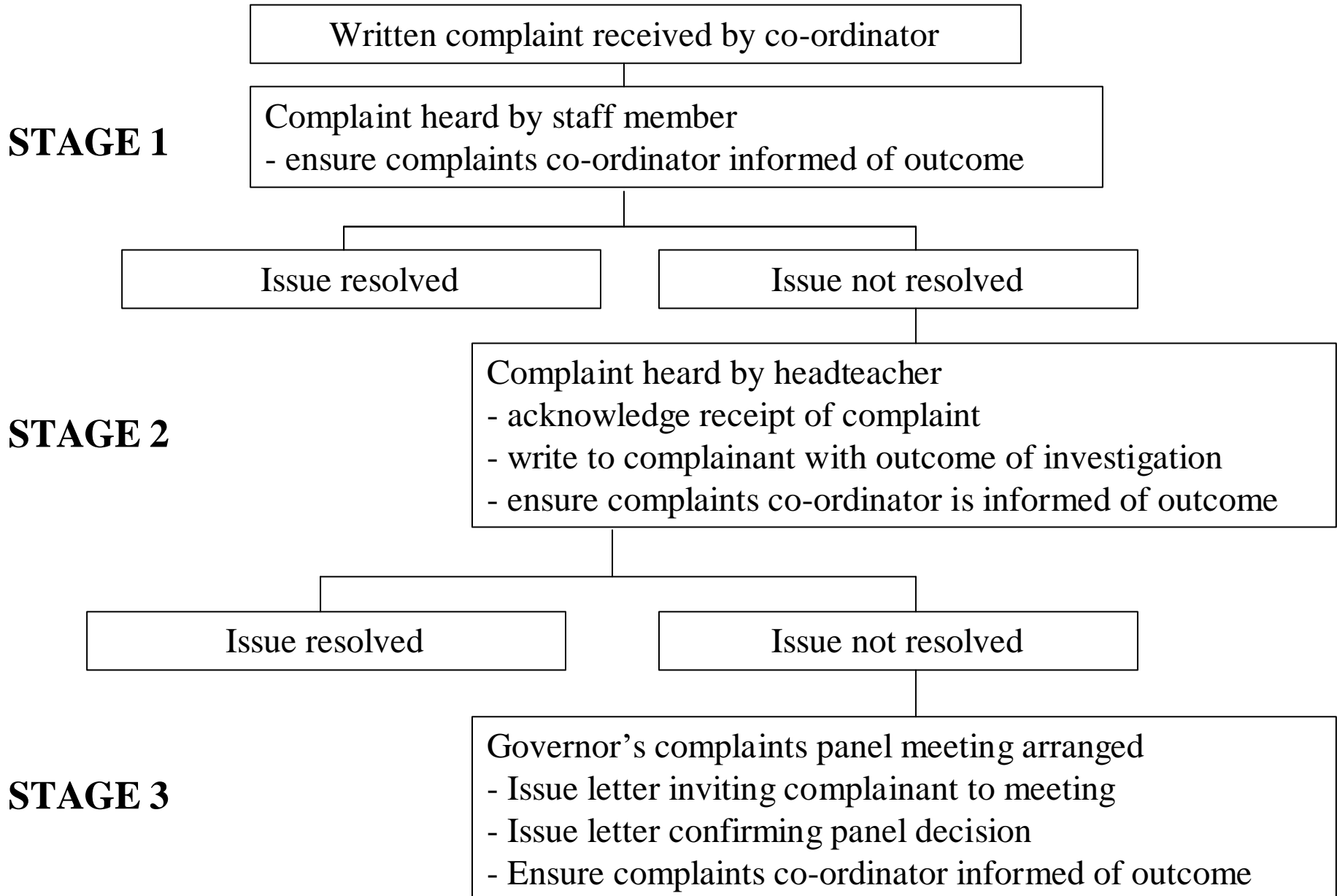
As well as keeping a record the register will allow the senior leadership team and the governing body to evaluate issues that have arisen to help them improve their quality assurance procedures so that any areas needing attention can be identified.

### **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 published procedures and that the matter is now closed.

Autumn 2020

# Summary of Dealing with Complaints







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

**Part A RECORD OF COMPLAINT**

**Complainant's Name:**

**Address:**

**Telephone:**

**Details of the Complaint:**

**Date Complaint Made:**

**Action Already Taken to Resolve the Matter:**

**Complainant's View of what might resolve the issue:**

**Part B ACTION TAKE IN ACCORDANCE WITH THE COMPLAINTS PROCEDURE**

**Complaint Investigated By:**

**Action (with dates)**