

ST THOMAS MORE CATHOLIC SCHOOL

POLICY ON: Complaints Procedure

School Mission Statement: *“To guide and encourage students to be responsible, caring and confident in a climate of Gospel values where they can realise their full potential and celebrate each other’s success”.*

Our Complaints Procedure is based on our School Mission Statement and aims.

- 1.1 The main purposes of a complaints procedure are:-
 - To solve problems.
 - To give parents a means to raise issues of concern and have them addressed.
- 1.2 These guidelines for dealing with complaints consist of two elements:-
 - A statement of principles and
 - formal procedures relating to management of, and response to, complaints.

2. **Principles**

It is important that everyone has a clear understanding of the context within which the procedure operates and of how the process of investigating a complaint is conducted. The following statement of principles provides that understanding:-

- 2.1 Complainants will be treated respectfully during and after the course of any complaints investigation.
- 2.2 Action through a 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 other procedure (including appeals) has been concluded. The complainant will be advised if this is the case. They will also be told the likely delay in the final resolution of their complaint which will result.
- 2.3 In most cases, it will be necessary for details of the complaint to be shared with a range of people who might contribute to its resolution. However, within this constraint, the confidentiality of the complaint will be respected.
- 2.4 Employees will be informed of any complaints against them, will be shown the complaint (if in writing) and will be shown all subsequent correspondence. Employees should be advised to seek advice on their rights in this situation.
- 2.5 No person will investigate a complaint against her/himself.

3. **Accepting a complaint**

- 3.1 The objective of the complaints procedure should be the resolution of problems. This objective may be achieved without using the formal procedure.

3.2 Complaints will be accepted in writing or verbally.

3.3 The school will ensure that all complaints are recorded. The information to be recorded (where possible) for complaints requiring a formal investigation is:-

- Name of complainant.
- Address of complainant.
- Telephone number.
- Nature of Complaint.
- Preferred solution (what the complainant would like to happen).
- Name of the person recording the complaint.
- Date complaint recorded.

4. **Processing a Complaint**

4.1 It is in everyone's interest that complaints are resolved at the earliest possible stage. To this end, staff should be made aware of the procedures and know what to do when they receive a complaint.

4.2 A complaint can be dealt with at a number of levels. Where appropriate, these stages are:-

- Complaint heard by staff member, Head of Year, Assistant Head or Deputy.
- Complaint to Headteacher.
- Complaint to Governing Body.

4.3 The school will ensure that:-

- There is a formal mechanism for nominating someone to investigate complaints which cannot be resolved speedily and easily.
- Anyone investigating complaints is aware of good investigative practice.
- Any matters raised more than three months after the event will only be considered in exceptional circumstances.

5. **Outcomes**

5.1 In all cases where a complaint has been investigated, the complainant will be given a verbal or written report covering:-

- The complaint investigated.
- The scope of the investigation.
- The conclusion of the investigation.
- Any action which has resulted (e.g. changes in procedures or practice, an intention to invoke other proceedings which are within the remit of data protection).

5.2 Resolving the complaint could involve:

- An explanation.
- An appropriate expression of regret.
- Providing the solution desired by the complainant.
- Changing the procedures to prevent future problems.

- 5.3 Any admission that the school could have handled the situation better is not the same as an admission of negligence.
- 5.4 The school will have responsibility for:-
- Deciding who can take remedial action and to what extent action can be taken under delegated powers.
 - Arrangements to ensure that the remedy is carried out.
 - Ensuring that any remedy is within the school's legal powers.
 - Ensuring that the approach to remedies is reasonable and consistent.

6. **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 reopen the same issue, the chair of the Governing Body may inform them in writing that the procedure has been exhausted and that the matter is now closed.

7. **Records and Monitoring**

- 7.1 A record of complaints is held.

Complaints Procedure

Stage One: Complaint heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. To that end, if staff are made aware of the procedures, they know what to do when they receive a complaint.

It would assist the procedure if the school respected the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaints co-ordinator can refer the complainant to another staff member.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Stage Two: Complaint heard by Headteacher

At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The head may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

Stage Three: Complaint heard by Governing Bodies Complaints Appeal Panel.

The complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a Governing Body complaints panel.

The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.

The Remit of The Complaints Appeal Panel

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in 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.

Roles and Responsibilities

The Role of the Clerk

Any panel or group of governors considering complaints will be clerked. The clerk is required to:

- set the date, time and venue of the hearing;
- collate any written material and send it to all parties;
- record the proceedings;
- notify all parties of the panel's decision.

The Role of the Chair of the Governing Body

The Chair of Governors will:

- Check that the correct procedure has been followed.
- If a hearing is appropriate, notify the clerk to arrange the panel.

The Role of the Nominated Governor to Chair the Panel

The Chair of the Panel has a key role, ensuring that:

- the issues are addressed;
- key findings of fact are made;
- 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.

Notification of the Panel's Decision

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.