

CARDINAL NEWMAN CATHOLIC SCHOOL COMPLAINTS POLICY

Initial Concerns

Parents and carers will have aspirations for their children as they progress through school. These will centre upon a wide range of issues covering school/examination work as well as personal safety and development. Aspirations may generate concerns, expressed either by the parent/carer or personally by the student. Sharing concerns enables us all to seek prompt solutions and the school will ensure a ready response on such occasions.

‘Concerns’ trigger an informal but professional reaction and, hopefully, the agreed solution will restabalise the students’ school life and strengthen the home/school relationships.

Dealing with Complaints : Framework of Principles

Formal Procedures

The formal procedures will need to be invoked only when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

When considering a formal complaint we will:

- encourage resolution of problems by **informal** means wherever possible
- be **impartial** and non adversarial
- allow **swift** handling with established **time-limits** for action and keep people informed of the progress
- respect people’s desire for **confidentiality**
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary

Complaints Procedure

Complaints from Students

Students who feel they have been unfairly treated in school are encouraged to speak to the appropriate manager, usually the Head of Year. He/she will investigate the complaint and will seek to resolve the matter informally between the student and the member of staff. Where the complaint or subsequent investigation raises issues of a disciplinary significance, the matter should be referred immediately to a member of the School Leadership Team.

Receipt of Complaints from Parents or Others

1. Telephone complaints (not initial concerns) should be directed to the head's PA who will complete a complaint form (Formal Complaint Record) and refer the matter to the headteacher.
2. Verbal complaints or allegations made by a visitor to the school will be referred to any available member of the Senior Leadership Team who will complete a complaint form.
3. Written complaints received by the school staff should be copied immediately to the head's PA who will complete a complaint form and attach the copy letter.

Verbal Complaints Received by Governors

In normal circumstances, the governor should advise the complainant to contact the school direct. If the complainant is reluctant to do so, the governor should ensure he/she understands the full facts as perceived by the complainant without making any commitment or comment on the issue, except that it will be investigated and that a response will be provided either direct to the complainant or via the governor. The governor should then discuss the matter with the headteacher.

Written Complaints Received by Governors

It is the responsibility of the receiving governor to ensure that the complaint is acknowledged within two working days of receipt. The letter of complaint should be passed to the headteacher and copied to the chair of governors. The matter will be investigated in the usual way and a copy of the response sent to the receiving governor and to the chair of governors.

Processing of Complaints

The headteacher will investigate or cause investigation to be made of all complaints, except in cases relating to alleged misconduct of the headteacher. Where such allegations have been made against the headteacher, the deputy head may be authorised to investigate in the first instance. Thereafter the LEA's Personnel Procedures will apply.

No action will be taken without the subject(s) of the complaint having opportunity to comment on the complaint and to suggest independent witnesses who might be called upon to provide evidence to the investigating manager.

Most complaints are satisfactorily resolved by the appropriate manager reporting back, usually in writing, to the complainant. If the complainant is still not satisfied, they may appeal to the headteacher, who has final authority in matters of the internal organisation, management and control of the school. If a parent feels that the headteacher has acted unreasonably in the exercise of his duties and powers, he/she may appeal in writing to the chair of governors.

The outcome of the investigation and any action taken as a result will be entered in the record of complaints. The headteacher will provide a report each term to the Finance and General Purposes Committee of the Governing Body on complaints received and any implications arising.

The Role of the Governing Body

Complaints about the school's policies or procedures will be referred to the chair of governors for consideration by the relevant governors' committee.

Complaints about the headteacher or any governor should be directed to the chair of governors. Allegations of misconduct will be dealt with according to the relevant county procedures.

Representations to the chair of governors concerning the treatment of a complaint may, at the discretion of the chair, be referred to an Appeal Panel of three governors convened for that purpose.

In matters which fall within the scope of county procedures, such as for exclusion appeals or staff disciplinary matters, those procedures will take precedence.

Appendix A

Strategies and Protocols

Investigating Complaints

At each stage, the person investigating the complaint (the complaints co-ordinator), makes sure that they:

- 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
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview

Resolving Complaints

We will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review school policies in light of the complaint

We will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Appendix B

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 GB complaints panel.

The governors' appeal hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

Individual complaints would not be heard by the whole GB at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The governing body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures
- hearing individual appeals
- making recommendations on policy as a result of complaints.

The procedure adopted by the panel for hearing appeals would normally be part of the school's complaints procedure. 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.

There are several points which any governor sitting on a complaints panel needs to remember:

- a. 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.
- b. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised 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.
- c. 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.
- d. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- e. The governors sitting on the panel need to be aware of the complaints procedure.

Roles and Responsibilities

The Role of the Clerk

Any panel or group of governors considering complaint will be clerked and the clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that 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 Governing Body or the Nominated Governor

The nominated governor role:

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

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 each party has the opportunity of putting their case without undue interruption
- the issues are addressed
- key findings of fact 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.

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; this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

Checklist for Panel Hearing

- The hearing is as informal as possible
- Witnesses are only required to attend for the part of the hearing in which they give their evidence
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses

- The headteacher may question both the complainant and the witnesses after each has spoken
- The headteacher is then invited to explain the school's actions and be followed by the school's witnesses
- The complainant may question both the headteacher and the witnesses after each has spoken
- The panel may ask questions at any point
- The complainant is then invited to sum up the school's actions and response to the complaint
- The headteacher is then invited to sum up the school's actions and response to the complaint
- Both parties leave together while the panel decides on the issues
- The chair explains that both parties will hear from the panel within a set time scale.

Appendix C

COMPLAINT FORM

Please complete and return to (complaints co-ordinator) who will acknowledge receipt and explain what action will be taken.

Your name:

Student's name:

Your relationship to the student:

Address:
.....

Postcode:

Daytime telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your concern. (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: