



# **St. Joseph's Catholic Primary School**

## **Complaints Procedure Policy**

<b>Approved by:</b>	Governing Body	<b>Date:</b> Sept 2007
<b>Last reviewed on:</b>	Nov 2018	
<b>Next review due by:</b>	December 2023	

## 1. THE SCOPE OF THIS PROCEDURE

This procedure has been agreed by the Governing Body of St. Joseph's Catholic Primary school. It is based on the Westminster Diocese Education Service guidance document on Managing Complaints, dated Sept.1996. It does not cover complaints about school admission, exclusion, the grades awarded in a public examination, the delivery of the national curriculum or the school named in a statement of special educational needs or complaints arising from the 'employer employee' relationship for which there are separate procedures (see Section 3.3). It also cannot cover complaints about the provision of goods or services by a contractor (for example, school meals) but the Headteacher may take up complaints on behalf of parents or give advice as to how this might be done. Details of this procedure are available separately from the school office.

## 2 WHY WE HAVE A PROCEDURE

- 2.1 Children learn best if there is an effective partnership between school staff and parents.
- 2.2 All members of the school community are entitled to have their point of view heard.
- 2.3 Unresolved complaints might result in unhealthy conflict.
- 2.4 To ensure that all complaints are considered fully, fairly, carefully and confidentially.
- 2.5 To resolve complaints to the satisfaction of the complainant or to issue a clear decision which will enable the complainant, the Headteacher or the Governing Body to consider how, if at all, the matter should be taken further.

## 3. DEFINITION OF A COMPLAINT

- 3.1 A complaint is a clear statement by someone with a legitimate interest in the school that he/she is dissatisfied or aggrieved by the conduct, actions or omissions of:
  - 3.1.1 The governing body or someone employed by the governing body (including the teaching and non-teaching staff of the school).
  - 3.1.2 Any other person within the school community.
- 3.2 Worries or minor concerns which are resolved by the initial contact between the complainant and the school will not come within this formal procedure.
- 3.3 When an anonymous complaint is made it will be left to the Headteacher's discretion to decide whether the gravity of the complaint warrants any further action.
- 3.4 The following are not complaints since they are handled under separate legal procedures:
  - 3.4.1 **Choice of school** (Further guidance on this is available in full from the School Office, Diocese of Westminster Education Service and the Local Authority).

- 3.4.2 **Exclusion from the School** (Further advice on this is available in full from the School Office, and the Local Authority).
- 3.4.3 **Special Educational Needs and Disability**
- 3.4.4 **Temporary Disapplication of the National Curriculum**
- 3.4.5 **Complaints about the Curriculum**
- 3.4.6 **Complaints about Collective Worship or Religious Education**
- 3.4.7 **Public Examination Results**
- 3.4.8 **Allegations of child abuse**  
Allegations of safeguarding breaches are dealt with according to procedures agreed by the local area safeguarding board. Details of this procedure are available separately from the school office.

## **4. DUTIES AND RESPONSIBILITIES**

### **The Head Teacher**

- 4.1 The Head Teacher is responsible for the internal organisation and management of the school and for exercising supervision over staff. Any complaint about a teacher or another member of the school staff **must** be addressed to the Headteacher before it is taken up in any other forum. It must be understood that any complaint of this kind which is addressed elsewhere will always be referred back to the Headteacher before any other action is taken.
- 4.2 The internal organisation and management of the school includes deciding which class a pupil will join and which teacher will teach that class.

### **The Governing Body**

- 4.3 The Governing Body is responsible for the overall conduct of the school. The Headteacher is responsible to the Governing Body.
- 4.4 As a Catholic School, St. Joseph's Governing Body is responsible for making the arrangements for hearing and determining complaints. The Secretary of State for Education and Employment has the power to intervene only where he / she believes that the Governing Body has acted or is likely to act unreasonably.
- 4.5 The whole governing body does not become involved in the detail of a complaint since it may be necessary to form a committee of those who have no prior knowledge of the matter.
- 4.6 The Governing Body will monitor all complaints received.

## **5. THE STAGES IN HANDLING A COMPLAINT**

### **Informal**

- 5.1 Every effort will be made to resolve the difficulties informally and without reference to procedures. Usually, this will be by speaking to the class teacher in the first instance and before approaching the Headteacher. Only when it is clear that this has failed will the procedures be invoked.

### **Complaint to the Head Teacher**

- 5.2 This stage is reached when the various informal (i.e. outside the procedure) stages have been exhausted. Various people may have been involved, without any acknowledgement that the issue was a complaint.
- 5.3 Where it is acknowledged that the question has become a complaint requiring attention under the procedure, the Headteacher will formally hear the complaint and formally respond, following an investigation, if necessary. The complainant will be asked to complete a School Complaint Form, appendix 3. The Headteacher will offer the complainant an interview within 10 days of the formal complaint being made (Complaint Form received). The complainant may bring someone to this meeting if they so wish. The hearing will begin by documenting a summary of action to date and reasons why the complaint has not been settled informally. An agreed note will be taken of the meeting. Where the Headteacher responds orally, this will be followed up in writing.
- 5.4 Where the Headteacher is the subject of the complaint, the role of the Headteacher will be taken by the Chair of the Governing Body.

### **Complaint to the Governing Body**

- 5.5 Where the informal stages and the formal complaint to the Headteacher have failed to resolve the issue, the complaint may be referred to the Governing Body within 21 consecutive days.
- 5.6 The Governing Body shall appoint a committee of three of its number to hear and determine complaints.
- 5.7 Before hearing a complaint, the chair of the committee should be satisfied that it is not a matter which should be dealt with under another procedure.
- 5.8 At conclusion of the hearing, the matter should be determined by the committee and their conclusion reported to the complainant, the Headteacher and the Chair of Governors within 2 school days of the hearing.
- 5.9 A complaint may be upheld by the Governing Body or be dismissed by the Governing Body, neither outcome infers future courses of action.

**6. APPEALS**

If the complainant is not satisfied by the outcome of the Governing Body Complaints Committee investigation, then they have the right of appeal to the Governing Body Appeals Committee. The appeal should be made, in writing, to the Governing Body Appeals Committee within 10 days of receiving the decision of the Governing Body Complaints Committee.

# St. Joseph's Catholic Primary School Complaints Procedure

## APPENDIX 1

### Summary of Procedures and Time-scales

#### 1. Complaint to the Head Teacher

- 1.1 Where it is agreed that the matter is a complaint which cannot be resolved informally, the Headteacher will acknowledge this, in writing, within three school days, and ask for the school Complaint Form to be completed.
- 1.2 The Headteacher will offer the complainant an interview within 10 days of the formal complaint being made (Complaint Form received). The meeting should be minuted and should include:
  - the nature of the complaint
  - a summary of the steps taken informally to resolve it
  - the outcome of any investigation and
  - the response of the Headteacher

Where further investigation is required, or advice sought, this should be noted and a timescale agreed. A second meeting may be required and, wherever possible, the date fixed at the first meeting.

- 1.3 Where the complaint is against the Headteacher, the role of the Headteacher should be taken by the Chair of the Governing Body.

#### 2. Complaint to the Governing Body

- 2.1 Where it is agreed that the complaint cannot be resolved at the Headteacher stage, it may be referred to a committee of the Governing Body to be heard within 21 consecutive days.
- 2.2 The outcome of the governor's hearing should be notified to the complainant, Headteacher and Chair within two days of the hearing.
- 2.3 **Right of Appeal.**  
Appeals should be heard by the Governing Body Appeals Committee within 10 days.

## **St. Joseph's Catholic Primary School Complaints Procedure**

### **APPENDIX 2**

#### **A. Procedure for appointing Complaints Committee and Complaints Appeals Committee**

1. At the September meeting a panel of 9 Governors shall be elected. The Chair and Head shall not be eligible.
2. The Chair, in conjunction with the Clerk, shall rank the panel in order of 1 to 9. In doing so they shall ensure an adequate mix of groups of governors.
3. In the event of a Committee being required, the Clerk shall notify the panel, commencing at number 1. If the Clerk is of the opinion that a conflict of interest exists with a particular governor, or if the governor is unavailable, then the selection shall pass to the next in line.
4. The Appeal Committee (if required) shall be selected from those remaining using the above guidance. A new Committee shall be selected from the point on the list where the previous Committees stopped.

#### **B. Procedure for Hearings by the Governing Body's Complaints Committee and Complaints Appeals Committee.**

1. All business connected with the hearing should be discussed in the presence of all concerned, except when the governors consider their decision.
2. The Chair introduces those present and outlines the procedure to be followed, including a summary of the steps taken prior to this stage.
3. The Chair invites the complainant to state the complaint and call any witnesses.
4. The committee may ask questions of the complainant and the witnesses. The Headteacher may also ask questions if appropriate.
5. The Chair invites the Headteacher to make a statement in response.
6. The complainant and the committee may ask questions of the Headteacher.
7. All parties should withdraw with the exception of the clerk to the governors and any advisors. The Chair should advise those present that the outcome would be given in writing within two days.
8. Where the complaint is against the Headteacher, he or she shall have the right to be accompanied or represented. It should be clearly understood that a complaints committee has neither the powers nor the duties of a discipline committee and has no authority to apply any sanction to any employee of the governing body.

### Appendix 3

#### St. Joseph's Catholic Primary School Complaint Form

Please complete this form and return in to the Headteacher, who will acknowledge receipt and inform you of the next sage in the procedure.

Your name: \_\_\_\_\_

Relationship with school (i.e. parent of pupil on school roll)

\_\_\_\_\_

Pupil's Name: (if relevant to complaint)

\_\_\_\_\_

Your address:

Daytime Telephone: \_\_\_\_\_

Evening Telephone: \_\_\_\_\_

Please give concise details of your complaint, (including dates, names of witnesses etc.) to allow the matter to be fully investigated:-

*(You may continue on a separate sheet if necessary and attach any relevant documentation.)*

Number of additional pages attached \_\_\_



What action, if any, have you already taken to try to resolve your complaint?  
(ie who have you spoken with or written to and what was the outcome?)

What actions do you feel might resolve the problem at this stage?

Signature:

Date:

**School Use**

Date Form Received:

Received By:

Date acknowledgement Sent:

Acknowledgement Sent By:

Complaint Referred to:				
Date				