

St. Joseph's In The Park



Policy Title Complaints Procedure Policy	Date September 2019
Owner Head Karen Tidiman	Date for Review September 2021 (Resources Committee)

This policy applies to the whole school including EYFS.

Please also read the Notes of Guidance at the end of this policy which includes further details concerning complaints with respect to the Early Years Foundation Stage (EYFS).

Statement of intent

At St Joseph's In The Park we take a pride in the quality of the teaching and pastoral care provided for our pupils. However, if parents do have a complaint, they can expect it to be treated by the School in accordance with the following procedure.

Copies of this policy are made available to current and prospective parents through the school's website

Written complaints about EYFS, Infants or Juniors will be investigated, and the complainant notified of the outcome of the investigation (Stage 2) within 28 days. **All 'days' referred to are WORKING DAYS.**

A complaint is defined as an expression of dissatisfaction with a real or perceived problem. It may be made about:

- The school as a whole
- A department
- A specific member of staff

We recognise that it is right for a parent to make a complaint if they believe the school has:

- Done something wrong,
- Failed to do something it should have done
- Acted unreasonably or unfairly

The aim of this policy is to ensure all complaints are managed:

- Seriously
- Sympathetically
- Efficiently
- At the appropriate level
- As swiftly as possible
- Confidentially
- Positively and without resentment

Stage 1: Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint, they should contact their son/daughter's form teacher. In many cases, the matter will be resolved straight away by this means to the parent's satisfaction. If the class teacher cannot resolve the matter alone, it may be necessary for him/her to consult the Head of Department or Deputy Head or Head as appropriate.
- Complaints made directly to the Head of Department, Deputy Head or Head will usually be referred to the relevant teacher unless the 'line manager' concerned deems it appropriate to deal with the matter personally. In this event the 'line manager' will attempt to resolve the matter in seven days or as soon as is practicable.
- The relevant teacher will make a written record of all complaints and concerns and the date on which they were received. All complaints will be handled seriously and sensitively. In the events that the relevant teacher and parent fail to reach a satisfactory resolution within five working days, if received during term time or as soon as practicable during holiday periods, then parents will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.

Stage 2: Formal Resolution

If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take. The Head will also inform the Chair of Governors that a formal complaint has been received.

- In most cases, the Head will wish to speak to the parents concerned, normally within 2 days (48 hours) of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- It may be necessary for the Head to carry out further investigations.
- The Head will keep brief written records of all meetings and interviews held in relation to the complaint.
- Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The written decision will normally be issued within 7 days of the formal complaint having been received. The Head will give reasons for this decision. If for any reason, this is not possible, the Head will write to the parents, stating the reason or reasons why the decision is unable to be issued and informing the parents when such a decision will be made, which, in any event, will be within 28 days of receipt of the complaint.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure (see Appendix 1).

Stage 3: Panel Hearing:

If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Chair of Governors.

- The Chair of Governors will convene a meeting of a Complaints Panel for consideration of the complaint. The Panel will consist of at least three persons not directly involved in the matters detailed in the complaint, two of whom shall be St Joseph's In The Park governors (but not the Chair) and one of whom shall be independent of the management and running of the school. The Chair, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 15 working days but no later than 28 days from the date of the written complaint.
- If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than 5 working days prior to the hearing.
- The parents may be accompanied at the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.
- The findings and recommendations of the panel are provided to the complainant and, where relevant, the person complained about and are available for inspection on the school premises by the governing body and headteacher.

Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within 10 working days of the Hearing. The Panel will write to, or email, the parents informing them of its decision and the reasons for it. The decision of the Panel will be final. The Panel's findings and, if any, recommendations will be sent in writing, or emailed, to the parents, the Head, the Governors and, where relevant, the person who is the subject of the complaint.

Provision of Information

- Provision will be made for a written record to be kept of all complaints, and of whether they were resolved at the preliminary stage or proceeded to a panel hearing. Information about the number of complaints in the preceding school year can be found on the school website: <http://www.stjosephsinthepark.com/about-the-school/policies>
- Parents can be assured that all complaints and concerns will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as is required of the school by paragraph 6 (2) j of the Education (Independent Schools Standards) (England) Regulations 2003; by the Secretary of State for Children, Schools and Families; or where disclosure is required in the course of the school's inspection or where any other legal obligation prevails.

A record of any formal complaints will be kept by the bursar.

The record kept will include:

A summary record sheet noting:

- Date of complaint
- Names of parent, pupils and adults involved
- Brief description of issue
- Details of whether the complaint was resolved at the preliminary stage or proceeded to a panel hearing
- Details of the final resolution/outcome of the complaint
- Details of what actions were taken afterwards (regardless of whether the claim was upheld)
- All records, correspondence and witness statements

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

St Joseph's In The Park is required to provide Ofsted and/or ISI inspectors, on request, with a written record of all complaints made within a specified period dating back up to three years previously, and of the action that was taken as a result of each complaint

Number of Formal Complaints

Year

2016/17	Two
2017/18	One
2018/2019	None

Review Procedure

This policy will be reviewed every two years or earlier if necessary

Appendix 1

Time Line for 'normal' action	Actions (These refer to 'normal' procedures and retain flexibility where complaints need to be handed across holiday periods)
0 days	If the complaint cannot be resolved on an informal basis, then the parents will be asked to put their complaint in writing to the Head, who will decide, after considering the complaint, the appropriate action to take. At this point the Headmaster will inform the Chair of Governors that a formal complaint has been received
	The Head will keep written records of all meetings and interviews held in relation to the complaint.
2 days (48 hours)	In most cases, the Head will speak to the parents concerned within forty-eight hours of receiving the complaint, to discuss the matter. If possible a resolution will be reached at this stage.
7 days	It may be necessary for the Head to carry out further investigations. Once the Head is satisfied, so far as is practicable, that all of the relevant facts have been established, a decision will be made and the parents will be informed of this decision in writing. The Head will give reasons for the decision. The written decision will be issued within seven days or as soon as is practicable.
Formal resolution within 28 days	If for any reason this is not possible, the Head will write to the parents, stating the reason or reasons why he is unable to issue his decision and informing the parents when this will be done, which will be within twenty-eight days of receipt of the complaint in any event.
	If parents are not satisfied with the decision or the reasons why a decision has not been issued before the 28 day period for resolution, they may take the opportunity to proceed to Stage 3 of this procedure.

Notes of Guidance

Composition of the complaints panel

The following guidance on the independent panel member comes from a letter sent by the DfES to the ISC General Secretary in 2002 and, although dated, is still extant:

Whilst we do not intend to be prescriptive our general view is that suitable people would be those who have held positions of responsibility and who are used to analysing evidence and putting forward balanced arguments/points. It would add credibility if independent panel members had some standing in the local community. In this connection serving or retired business people, civil servants, Headmasters or senior members of staff at other schools, people with a legal background – perhaps retired members of the police force – might be considered suitable by schools. Schools will have their own views and may well have other suitable suggestions to make.

The regulations do not preclude the appointment of former governors or staff of the school as the independent panel member this since the stipulation is that the person must be independent of the management and running of the school. Clearly former governors or staff would not have any such involvement. However, schools should bear in mind that they may be subject to criticism that such people would remain too close to the school and would not be truly independent.

Complaint against School Governors

Where a complaint is made against the management of the school, governors may be considered to be directly involved in the matters detailed in the complaint. Under these circumstances, it would not be appropriate for governors to sit on the panel and all appointed members should be independent of the management and running of the school.

Procedures for dealing with a complaint against a Governor

The following approach is recommended to governing bodies for complaints against a School Governor.

1. Informal stage

The Chair of Governors to discuss the difficulty or dispute with the governor concerned and, if possible, resolve the issue with whatever guidance, warning or rebuke is necessary. If the issue has not been resolved informally, or is thought to be sufficiently serious that the informal stage is inappropriate the Chair should move immediately to the Formal stage

2. Formal stage

a) The Chair of Governors should seek information in writing from the governor about the difficulty or dispute and the reasons for it. The governor should be given an opportunity to respond in writing to any allegation. The issue may be able to be closed at this point, with guidance, a warning or rebuke, either orally or in writing depending on the seriousness of the issue.

b) If the Chair of Governors is not satisfied with the response, then an investigation should be held. The Chair of Governors should appoint an Investigating Officer. This should be someone impartial and not involved in the difficulty or dispute in any way; it could be a member of staff or another governor, but need not be anyone associated with the school.

c) The Investigating Officer to investigate the issue, taking evidence from ALL interested parties. As interviews are likely to be a part of this process another person should accompany the Investigating Officer. The investigation should be documented in full, including notes of interviews that should be checked back for accuracy with the interviewee. If a child is involved, the child should not be interviewed without a parent/carer also being present.

d) The Investigating Officer should report back in writing to the Chair of Governors.

e) The Chair of Governors to decide on the appropriate course of action. This could be:

(i) guidance, warning or rebuke, either orally or in writing depending on the seriousness of the issue.

(ii) Recommend to the governing body suspension for a period of up to six months.

Any motion to suspend must be specified as an agenda item of a governing body meeting for which at least seven days' notice has been given. Before the governing body votes to suspend the governor, the governor proposing the suspension must give their reasons for the suspension. The governor who is proposed for suspension must be given the opportunity to make a statement in response before s/he withdraws from the meeting and a vote is taken.

Complaints involving the Head

Where a complaint is made involving the Head, the Chair of Governors will be informed immediately at Stage 1. The Chair will then seek to follow the steps in the procedure set out above. Alternatively, the Chair may nominate a governor to carry out the steps in the Complaints Procedure.

At all stages the Head will be informed of the progress of the complaint.

Complaints involving a teacher

In the event that a complaint involves or relates to a teacher, then the teacher will be kept fully informed in writing of the procedure being adopted in relation to the management of the complaint and supplied with copies of all documentation.

In the event of a panel hearing, the teacher will have the right to make representations to the panel.

Complaints involving EYFS: Contacting OfSTED & The Independent Schools Inspectorate (ISI)

Following introduction of the EYFS Statutory Framework complaints concerning the school's provision for the Early Years Foundation Stage can be made directly to OfSTED and ISI. The relevant contact details can be found below. Any complaint in respect of the EYFS at St. Joseph's In The Park will be kept for at least three years.

OfSTED

Address:

Piccadilly Gate, Store Street, Manchester M1 2WD;

General helpline 0300 123 1231;

Textphone number 0161 618 8524.

if you want to make a complaint or have a concern about any service Ofsted inspects or regulates (08.00 to 18.00)

Email:
enquiries@ofsted.gov.uk

Via the website:
<http://www.ofsted.gov.uk/Ofsted-home/Footer/How-to-complain>

ISI

Independent Schools Inspectorate
CAP House
9 - 12 Long Lane
London
EC1A 9HA

02076000100
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