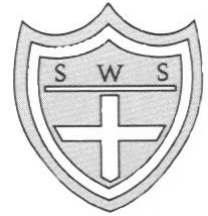




**As St. Walburga's school family we walk in the footsteps of Jesus by ...**

- welcoming all
- learning to be the best we can
- joining together in prayer
- serving God and one another.



**PROCEDURE  
FOR HANDLING COMPLAINTS IN  
ST. WALBURGA'S CATHOLIC  
PRIMARY SCHOOL**

## **INITIAL CONSIDERATIONS**

### **The difference between a concern and a complaint**

A 'concern' may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'. A complaint may be generally defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

## **STATUTORY CONSIDERATIONS**

There are occasions when complainants would like to raise their concerns formally. In those cases they should follow the procedure that follows.

It should be noted that any person, including members of the general public, may make a complaint about any provision of facilities or services that St. Walburga's school provides, unless separate statutory procedures apply (such as exclusions or admissions). The school does not limit complaints to parents or carers of children that are registered at the school.

The St. Walburga's School Governors has required that all third party providers offering community facilities or services through the school premises, or using school facilities, have their own complaints procedure in place.

Though complainants have the right to request an independent panel if they believe there is likely to be bias in the proceedings, the St. Walburga's School Governors will consider the request but ultimately, the decision will be made by the governors.

St. Walburga's school is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is aggressive, abusive, offensive or threatening.

# GUIDELINES ON COMPLAINTS POLICY

The aim of this policy is to resolve concerns at the earliest opportunity and effect reconciliation if there has been friction.

## Principles

These guidelines and model procedure are based on the following principles:

- Complaints, however received, should be dealt with fairly in accordance with natural justice, as quickly as possible and, where appropriate, recorded in writing.
- Complainants should be kept fully informed at every stage of the procedure including at the 'informal' stage.
- Schools should provide information on their website about their procedures and details of how anyone with a legitimate interest can access them.
- It is not appropriate for a complaint to be directed through a Governor. Any Governor receiving a complaint will give advice that there is an established procedure, and refer the complainant to the appropriate person.
- If a complaint is directed against an action/decision by the head teacher the complainant should be advised that the Chair of Governors is responsible for following the procedures in Stage 2 and in the following text, 'Head teacher' should be read as 'Chair of Governors'.

All staff need to be aware of the procedures for dealing with complaints, and to be able to distinguish between a day-to-day concern or worry and a complaint. Staff need to know how to receive complaints and when to refer them to those who have been designated to receive complaints.

At each stage the person responding to the complaint should:

- formally acknowledge receipt of the complaint and make a written record of it,
- give written confirmation, when each stage is complete, of the outcome for the particular stage,
- inform the complainant of the next step they can take if they are not satisfied with the outcome,
- make a written record of the complaint and its outcome at each stage until the matter is finally resolved.

## Anonymous Complaints

It should be left to the head teacher's discretion to decide whether the gravity of an anonymous complaint warrants its investigation.

## Initial Concern (Stage 1)

Your child's teacher is the person in school who is closest to your child's learning needs and their day-to-day life in the school. Accordingly, any concern you may have should be directed to your child's teacher in the first instance.

Many concerns may be resolved by explanations. Other complaints may result from a school procedure that could have been handled differently. Such an acknowledgement would be an appropriate resolution, as would assurances that events complained about, (if justified) will not recur. Others may be resolved by an undertaking to review school policies in the light of a complaint.

***You can make an appointment to speak with your child's teacher by contacting the school office on 01202 528811.***

## Initial Concern (Stage 2)

If you have raised a concern or complaint with your child's teacher but you do not think the issue has been resolved, or if you have a concern or complaint which you feel uncomfortable raising with your child's teacher, you should contact **Mrs. Woodward** or, in her absence, **the Deputy Headteacher** via the school office.

## Procedure for the Handling of Fomal Complaints (Stage 3)

### Principles

Where any member of staff becomes aware of a voiced concern, they should deal with it themselves if it is appropriate, and they feel comfortable in doing so. Many concerns can be resolved by simple clarification or the provision of information. It is anticipated that most concerns can be readily resolved at this informal stage.

The informal stage of the *complaints procedure* is the initial stage when the issue being raised is first identified as a *concern*. It is only when these day-to-day discussions break down that a *complaint* is identified.

It may not be appropriate in all situations to advise complainants to put their concerns in writing. In some cases this could over-formalise the situation and possibly have the effect of pushing people into a more defensive stance from which it could be difficult to achieve a satisfactory resolution. However, once it is clear that a concern has become a complaint and has the potential to travel through every stage of the procedure it is important, and in everyone's interests, for the process to be properly recorded. The Responsible Person (See appendix 3) should ensure this occurs.

From the outset, all parties to a complaint need to be aware that information will of necessity be shared with others involved in the complaints procedure. However it is of paramount importance that conversations and correspondence are treated with discretion and complainants should be assured that this will be the case.

## Procedure

- Once a complaint has been received either in writing or by telephone or made verbally by the complainant in person, the Responsible Person should record this in a complaints log. The Responsible Person should acknowledge the complaint in writing, enclosing a copy of the school's guidance on their Complaints Procedure.
- The Responsible Person should clarify with the complainant the nature of the complaint, where it is not made clear. Both parties need to be quite sure that they have the same understanding of exactly what the complaint is about.
- The Responsible Person should decide whether the complaint should be dealt with by the Complaints Procedure, or should come under Personnel or Child Protection Procedures. In these latter cases the Responsible Person will need to advise the complainant that the matter is being pursued as a staff discipline matter. Under these procedures, although the complainant will be advised as to whether this results in a decision to take disciplinary action, the findings and outcome of the disciplinary process itself must be confidential. After the disciplinary process has been completed, it may be clear that additional responses to the complainant are required.
- The complainant will be notified of the outcome of the preliminary enquiries into the complaint within 10 school working days, or within 4 weeks if any part of the 10 day period falls within a school holiday. Written records should be made at this early stage detailing the complaint, the complainant and the person dealing with the complaint.
- An opportunity should be provided for the complainant to meet the Responsible Person investigating their complaint to supplement any information provided previously. It should be made quite clear to the complainant that, if they wish, a friend or relative may accompany them in the meeting. It is at the discretion of the Responsible Person to invite a governor or member of staff to accompany them to any meeting.
- The Responsible Person needs to bear in mind at all times in his/her investigations that, should matters indicate it, the Personnel or Child Protection procedures may need to be initiated. Should this occur the complaints procedure should cease and investigations begun again under the appropriate procedures.
- The Responsible Person should meet with the complainant and any witnesses and take statements. When deciding to interview a pupil, the Responsible Persons should consider the possibility of any police investigations and avoid any action likely to prejudice these.
- Records of all meetings, telephone conversations, etc., should be kept and all documentation relating to the complaint kept secure.
- The outcome of considerations associated with the complaint should be communicated to complainant, either at a meeting (followed up in writing) or as a written response. This response should explain the outcome and should be supported by reasons for reaching this decision and what action, if any, will be taken. This response should be provided within 10 school days of acknowledging the complaint.
- The complainant should be advised of their right to take their complaint further and that, should they wish to do so, they must notify the Responsible Person within 1 month of receiving the letter advising them of the outcome of their complaint.

## Complaints Panel (Stage 4)

### Principles

If, having been through the previous stages of the procedure the complainant is not satisfied with the outcome, there must be an opportunity to progress to the next stage of the procedure. This will consist of a hearing of the complaint by a panel of the governing body. The complaints panel will be made up of selected members of the Governing body who have not been party to the complaint previously.

The complainant has the right to request an independent panel to review the complaint, should they feel that they will not get an impartial hearing. It remains at the discretion of the governing body as to whether this request is upheld.

### Procedure

- The complainant should be asked to confirm that their original written complaint still stands or asked to set out a new statement of their complaint, in writing to the Responsible Person. The Responsible Person should acknowledge receipt of the complaint.
- A meeting of the governors' panel will be arranged by the Responsible Person or the Clerk to the Governing Body. This should be within **4 school weeks** of the Responsible Person informing the complainant that their complaint has progressed to the full formal stage. (There may be some occasions when it will be very difficult to meet this 4-week deadline due to school holidays, governors' prior commitments etc. In such cases a meeting of the governors' panel should be arranged as **soon as possible** after receipt of the formal complaint and the complainant notified of the reason for any delay.)
- The Responsible Person or Clerk to the Governing Body will call together copies of all documentation relating to the complaint at the informal stage and request a report from the Responsible Person.
- Copies of this information will be supplied, in advance, to the governors on the panel to hear the complaint. The chair of the panel, in consultation with the other governors of the panel, should consider whether witnesses in addition to the complainant and the Responsible Person need to be called or further investigations need to be undertaken. Only the chair can call witnesses.
- The clerk to the governing body or other suitable person should attend the panel to record the proceedings and the panel's decision.
- Once the formal hearing has concluded and the panel has reached a decision the complainant will be told of the decision, in writing, by the Chair of the Panel within **five school days** of the meeting taking place. The response will include action (if any) that needs to be taken. This letter should also draw attention to how to appeal against the findings of the panel should they not be satisfied with the outcome. This should include the minutes of the panel hearing.
- A copy of the letter detailing the panel's decision should be sent to the head teacher, the Responsible Person and the chair of governors and such others as the panel think appropriate.
- All the information regarding the complaint at both the informal and formal stage of the procedure must be kept secure.

## **An Appeal Beyond the School**

An appeal against the decision of the governors' panel can be made to the Secretary of State at the Department of Education, or, in the case of a complaint regarding Religious Education or Collective Worship, to the Diocesan Department for Schools.

Reviewed: April 2023

Next Review: April 2026

*This policy is reviewed every three years*

## Appendix

1. This procedure cannot be used by staff at the school for whom separate grievance policies exist.
  
2. The formal stage of complaints must be dealt with by other statutory procedures in the following areas:
  - a. Admission to schools.
  - b. Exclusion of pupils from school.
  - c. Statutory assessments of special educational needs.
  - d. School reorganisation proposals subject to statutory procedures.
  - e. Complaints against individual members of staff in relation to their behaviour or competence, which are dealt with by the staff disciplinary/competence procedures.
  - f. Matters likely to require a Child Protection Investigation.
  - g. Complaints about services provided by other providers, such as contractors and Council departments, as these are subject to the provider's own procedures such as the Council complaints procedure.
  
3. For the purposes of this document, the Responsible Person will be:
  - a. in the first instance, the Headteacher or in his/her absence, the Deputy Headteacher
  - b. where the complaint is about the Head teacher or a Governor; the Chair of Governors or in his/her absence, the Vice Chair of Governors.