

# *St. Joseph's R.C. Primary School*

## Complaints Procedure Policy



# **ST. JOSEPH'S SCHOOL COMPLAINTS PROCEDURE**

## **INTRODUCTION**

The School Standards and Framework Act 1998 requires the governing body to establish procedures of dealing with complaints. The following document details the complaints procedure of St. Joseph's School.

The procedures do not cover complaints relating to –

- Admission of pupils
- Exclusion of pupils
- Assessment of Special Education Needs

These are dealt with under the appropriate statutory arrangements.

In investigating a complaint under the following procedures it may become necessary to invoke further procedures which may include child protection, staff discipline or staff grievance.

## **PRINCIPLES**

- A complaint may be received by any member of the school staff and may be oral or written.
- The Headteacher or their representative will investigate all complaints received by the school. (introductory stage and stage 1)
- Complaints, however received will be dealt with as quickly and as fairly as possible, and will be recorded in writing at stage one and stage two.
- Complainants will be kept informed at every stage of the procedure.
- Governors will provide information about the procedure in the school's prospectus.
- All staff will be made aware of the procedures and will be given guidance in distinguishing between a worry, a problem or concern and an actual complaint.
- It will be at the Headteacher's discretion whether or not anonymous complaints are investigated.

## **COMPLAINTS PROCEDURE**

Complaints will be dealt with according to this procedure in three distinct stages –

- The Introductory Stage
- Stage One – Formal Stage
- Stage Two – Formal Stage

### **The Introductory Stage**

- Every effort will be made to resolve concerns and complaints as they arise by informal means.
- Wherever possible, this will be done by discussion with the member of staff felt to be most directly involved.
- Only where the complainant remains dissatisfied with the outcome of such discussions will it be necessary to move to the first formal stage of the procedures.

### **Stage One – Formal Stage**

- At the formal stage each complaint will be recorded, along with the nature and details of the complaint and the name of the person who will be dealing with it.
- The complainant will be advised who is to deal with the complaint and how that person can be contacted and the date of the initial investigation, which should be within 10 school days of the receipt of the complaint.
- The person investigating the complaint should seek to meet with all appropriate people in order to establish all facts relating to the complaint. This includes the complainant, staff and any other persons.
- Once all the relevant facts have been established, the person investigating the complaint shall then produce a written response to the complainant or may meet the complainant in person as appropriate.

The response will include the following

- the complaint is upheld and appropriate action will be taken
- the complaint is not upheld and no action will be taken
- the complaint is a matter of staff discipline and will be pursued under the school's disciplinary and grievance procedures.
- the complaint is a matter which is subject to child protection procedures and will be dealt with under the appropriate code of practice.
- The complainant will also be informed of the right to request a hearing of the complaint by a panel of the Governing Body if he/she is dissatisfied with the outcome of stage one.
- If the complaint is directed against the headteacher, the person designated to deal with the complaint shall be the Chair of Governors (or his/her nominee).

### **Stage Two – Formal Stage**

If the complainant is not satisfied with the outcome of stage one, he/she may request a hearing of the complaint by a panel of the Governing Body.

Upon receipt of a written request for the complainant to proceed to Stage Two, the following procedures should be followed.

- The clerk to the complaints committee should write to the complainant to acknowledge receipt of the written request for the complaint to be heard by representatives of the Governing Body.
- The acknowledgement must be set within 5 working days.
- The complainant will be informed that the complaint is to be heard by the Governor's Complaints Committee.
- The Governing Body Complaints Committee will meet within 20 working days of receiving the complaint. The Governor's Panel will adhere to the procedures for investigating the complaint as set out in Stage One of the procedure.
- The complainant has the right to submit documents relevant to the complaint.
- These must be received within 5 working days of the date of the hearing to allow adequate time for the documents to be circulated to the committee.

### **Conduct of the Governor's Panel Hearing – Stage Two**

- The aim of each meeting is to resolve the complaint and achieve reconciliation between the school and the complainant. The Chairperson of the panel will open the meeting by introducing to each other those present and explaining the reason for the meeting.
- The clerk to the panel will take minutes of the meeting, and these will be made available to all parties.
- The complainant or his/her representative will be invited to present his/her case and to explain why they are dissatisfied with the outcome of the previous stage.
- The headteacher and members of the panel will be given the opportunity to ask questions of the complainant.
- The headteacher or his/her representative will be invited to present his/her case, explaining the action taken so far and the reasons for the outcome.
- The complainant and members of the panel will be given the opportunity to ask question of the headteacher.
- The headteacher or his/her representative will have the opportunity to sum up their case. This summing up may not introduce new evidence.
- The complainant or his/her representative will have the opportunity to sum up their case. This summing up may not introduce new evidence.
- When the Governors are satisfied that the complaint and where possible any solutions, have been fully discussed, they should ask all parties (except the clerk) to withdraw so that they can consider their decision. The Governors may ask the complainant and the headteacher to wait while they consider their decision so that they may call them back to seek further clarification. If this occurs, all parties should be present.