



Notre Dame  
Catholic College  
*Established 1869*

Draft

# School Complaints Procedures

January 2017

# **School Complaints Policy and Procedures**

## **Legislative Context**

Sections 29 of the Education Act of 2002

## **Guidance**

DFE Best Practice Advice for School Complaints Procedures 2016

## **Our College Values**

### **Introduction**

In accordance with DFE Guidance of 1<sup>st</sup> November 2016 all schools are required to have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

### **Purpose**

The following seeks to define what may be considered as a concern or complaint and to lay out the roles and responsibilities of staff and governors and the procedures for dealing with complaints in a fair and appropriate manner and where possible ensure matters are dealt with speedily and effectively,

### **Definitions**

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*'.

The school will endeavour to resolve concerns and complaints at the earliest possible stage in informal manner. On occasions where complainants wish to raise their concerns formally then the school will invoke its formal procedure and work through the relevant stages to reach a resolution.

### **Who can make a complaint?**

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions).

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Certain complaints are not in the scope of the School's Complaints Procedures and these are outlined in **Appendix A**.

## **General Principles:**

- This procedure is intended to allow you to raise a concern or complaint relating to the school, or the services that it provides.
- An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.
- To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event, being complained of, will not be considered.

## **Informal Stage**

It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment, requested via the school office. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

In the case of serious concerns it may be appropriate to address them directly to the headteacher (or to the chair of the governing body, if the complaint is about the headteacher).

If you are uncertain about who to contact, please seek advice from the school office or the clerk to the governing body.

## **Formal Stage**

If your concern or complaint is not resolved at the informal stage you may choose to put the complaint in writing and pass it to the relevant senior leader or to the headteacher, who will be responsible for ensuring that it is investigated appropriately. If the complaint is about the headteacher, your complaint should be passed to the clerk to the governing body, for the attention of the chair of the governing body.

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**A Complaint Form** is provided to assist you. **Appendix B**

You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.

It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed.

Please pass the completed form, in a sealed envelope to the school office. The envelope should be addressed to the relevant senior leader or to the headteacher, or to the clerk to the governing body, as appropriate.

The senior leader/ headteacher (or chair) may invite you to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns.

It is possible that your complaint will be resolved through a meeting with the senior leader/headteacher (or chair). If not, arrangements will be made for the matter to be fully investigated, using the appropriate procedure. In any case you should learn in writing, usually within 5 school days of the school receiving your formal complaint, of how the school intends to proceed. This notification should include an indication of the anticipated timescale.

Any investigation will begin as soon as possible and when it has been concluded, you will be informed in writing of its conclusion.

If you are not satisfied with the manner in which the process has been followed, you may request that the governing body reviews the process followed by the school, in handling the complaint. Any such request must be made in writing to the clerk to the governing body, within 10 school days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure. The procedure described below will be followed. **A Review Request form** is provided for your convenience at **Appendix C**

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## Review Process

Any review of the process followed by the school will be conducted by a panel of three members of the governing body. This will usually take place within 10 school days of receipt of your request.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations will be considered sympathetically.

## Record Keeping

Notes of meetings held, phone conversations will be attached to the appropriate form.

All records will be kept in a single file by the complaints co-ordinator or headteacher. All such records are subject to the Freedom of Information and Data Protection Acts. Content should therefore be factual and objective

## The appropriate person

Complainants should at all times be referred to the Complaints Policy and Procedure to ensure that the correct person is involved from the outset.

## Where a complainant refuses to accept the outcome of the process.

In such cases the complainant will be directed to the Secretary of State whose powers are delegated to the Schools Complaints Unit. Contact details can be provided on request.

## Vexatious Complaints

A complaint is deemed vexatious where any one or combination of the following:-

- All reasonable steps have been taken to address matters;
- A clear statement has been provided of the school's position;
- The school is being repeatedly contacted with the same points raised;
- The school has reasonable grounds for believing that the intention is to cause inconvenience;
- Communications are aggressive in tone or content. Abusive, derogatory and/or threatening comments are made.

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Where such inappropriate behaviour is encountered the school will seek appropriate legal advice and redress where necessary.

## **Review of policy and procedures**

This policy and its associated procedures will be monitored by the headteacher and will be reviewed on an annual basis or in the event of a change to legislation or associated guidance.

The next formal review will take place in January 2018.

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## Appendix A

### Complaints not in scope of the procedure

A complaints procedure should cover all complaints about any provision of facilities or services that a school provides with the **exceptions** listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special Educational Needs and Disabilities (SEND)</li> <li>• School re-organisation proposals</li> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p>Concerns should be raised direct with local authorities (LA).</p> <p>For school admissions, it will depend on who is the admission authority (either the school or the LA). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.</p>
Exclusion of children from school	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .
Whistleblowing	<p>Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a> or by writing to:</p> <p>WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD.</p> <p>The Department for Education is also a prescribed body for whistleblowing in education.</p>
Staff grievances and disciplinary procedures	These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.
Complaints about services provided by other providers who may use school premises or facilities.	Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.

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## Appendix B

### School Formal Complaint Form

Please complete this form and return it to the school office or to the headteacher who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name: .....

Relationship with school (e.g. parent of a pupil on the school roll):

.....

Pupil's name (if relevant to your complaint):

.....

Your Address:

Telephone numbers

Daytime:

Evening:

E-mail address:

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 separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What action, if any, have you already taken to try to resolve your complaint? (i.e. 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?

**School use:**

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:			
Date:			

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## Appendix C

### School Complaint Review Request Form

Please complete this form and return it to Head Teacher (or Clerk to the governing body), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name: .....

Your Address:

Telephone numbers:

Daytime:

Evening:

E-mail address:

Dear Sir

I submitted a formal complaint to the school on ..... and am dissatisfied by the procedure that has been followed.

My complaint was submitted to ..... and I received a response from ..... on .....

I have attached copies of my formal complaint and of the response(s) from the school.

I am dissatisfied with the way in which the procedure was carried out, because:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

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

**School use**

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Request referred to:			
Date:			

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