

ST BARTHOLOMEW'S SCHOOL
CONCERNS AND COMPLAINTS POLICY & PROCEDURE

Reviewed by the Finance & Risk Committee, Spring 2020
Approved by Full Governing Body, Summer 2020
To be reviewed by the Finance & Risk Committee Spring 2021

1 PURPOSE

St Bartholomew's School prides itself in meeting the needs of the school community, i.e. students, parents, staff and members of the public, but recognises that on occasions it may not meet, or is not perceived to meet, the high standards expected. This procedure identifies how stakeholders can voice concerns and complaints in the knowledge that they will be taken seriously.

The School aims to resolve concerns and complaints as soon as possible without further recourse. In most cases the class teacher, tutor or the individual delivering the service in the case of extended school provision, will receive the first approach. Staff will endeavour to resolve concerns straightaway and make amends where necessary. This procedure shall not undermine efforts to resolve concerns informally.

Complaints against third party providers using the School's facilities should be directed to the third party and not to the School.

2 DEFINITIONS

For the purpose of this procedure, the terms below have the following meaning:

Concern: An expression of worry or doubt over an issue considered to be important for which reassurances are sought.

Complaint: An expression of dissatisfaction about actions taken, or a lack of action.

Complainant: The person with a concern or complaint, ie parent, carer, student, member of staff or member of the public.

Timescales: Days are Monday to Friday inclusive, term time only.

3 PRINCIPLES

- To resolve concerns and complaints as quickly and efficiently as possible.
- To ensure a full and fair investigation, by an independent person if required, undertaken in an objective, impartial and non-adversarial manner regardless of gender, race, colour, marital status, nationality or ethnic origin, disability, sexual orientation, age or religion.
- To address all the points at issue and provide an effective response and appropriate redress where necessary considering matters in a proportionate and reasonable manner.
- To treat information relating to complaints as confidential except when the Secretary of State or Inspecting Body requires access to such information.
- To provide feedback to the School's Leadership Team and Governors as a means of self-evaluation and raising standards.

4 PROCEDURE

4.1 Overview

St Bartholomew's has a three stage process for concerns and complaints:

- Stage One: Informal concern or complaint heard by class teacher or relevant staff member (when not the subject of the complaint)
- Stage Two: Formal concern or complaint heard by Headteacher (when not the subject of the complaint)
- Stage Three: Formal Complaint heard by the Governing Body's Complaints Panel.

Complainants shall seek explanation or redress at the earliest stage for quick resolution, pursuing later stages if the complaint has not been resolved satisfactorily. Governors will hear complaints only after earlier stages have been exhausted, except when the complaint relates to the Headteacher or a Governor. Further redress may be possible through external agencies.

Complaints will be dealt with confidentially by the School. At no point should complaints be discussed publically via social media.

4.2 Submitting a Complaint

All complaints should be put in writing (assistance will be provided if requested), using the forms in the appendices, if possible, briefly describing:

- The nature of the complaint
- Details as relevant of location, dates and times of events, names of potential witnesses
- Copies of relevant documents
- Any actions that might resolve the complaint.

Complaints shall not normally be referred to individual governors. Should this occur, the complainant should be referred to the appropriate person, via the Clerk to the Governors. Governors should not act on an individual complaint outside of this procedure or be involved at the early stages as they may be needed to sit on a panel at a later stage.

Complaints are recorded in a central log that may be inspected by the Headteacher and the Chair of Governors and contains the following information:

- Unique number
- Date raised
- Name of complainant
- Relationship to school, eg student, parent, staff, public
- Brief statement of the complaint
- Staff member handling the issue
- Brief statement of the outcome
- Stage reached
- Action taken by the School as a result of a complaint, regardless of whether it was upheld
- Date closed.

4.3 Timescales

To allow for a proper investigation, complaints should be brought to the attention of the School as soon as possible.

- Any matter raised more than three months after the event being complained of, will not be considered, except in exceptional circumstances.
- Written complaints will be acknowledged within five days of receipt setting out a timetable for the investigation where appropriate.
- The aim is, where possible, to manage:
 - Stage 1 complaints within 10 days
 - Stage 2 complaints within 15 days
 - Stage 3 complaints made to the Governing Body's Complaints Panel will normally be heard within 20 working days of a written request (using the form in Appendix 3) being made directly to the Clerk to the Governors by the complainant.
- Realistic time limits will be set for each stage but may be extended should further investigations be necessary; the complainant will be sent details and explanation of the new deadline.

4.4 Stage One: Informal Concern/Complaint heard by the class teacher or relevant staff member (when not the subject of the complaint)

Concerns or complaints should be raised with the relevant member of staff in the first instance. It may be referred to another staff member or the Headteacher where this poses a difficulty or relates to the staff member.

A complaint should be submitted using the form in Appendix 1.

The person dealing with the concern or complaint will:

- Establish what has happened, who has been involved and what remains unresolved.
- Meet the complainant or contact them if unsure or further information is necessary and clarify what would put things right.
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish, taking notes if necessary.
- Communicate with the complainant about discussions and agreements reached.
- As appropriate offer an apology, explanation, admission that the situation could have been handled differently or better, assurance that it should not happen again or an undertaking to review relevant school policies.

4.5 Stage Two: Formal Complaint heard by the Headteacher

If dissatisfied with the outcome at Stage One, the complainant should send full details of the complaint in writing, using the form in Appendix 2, along with any other relevant documentation, to the Headteacher.

The complaint will be acknowledged within five days during term time and as soon as practicable during the holidays.

The Headteacher will collect such evidence as deemed necessary. Where this involves interviewing a member of staff who is the subject of the complaint, that member of staff may be accompanied by a workplace colleague or union representative.

The outcome will be put in writing and may be:

- The complaint is dismissed in whole or in part.
- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The complaint is not substantiated by the evidence.
- The complaint was substantiated in part or full. Some details may then be given of action the school may be taking to review procedures etc...but the details of the investigation or of any disciplinary procedures will not be released.
- The matter has been fully investigated and appropriate procedures are being followed, which are strictly confidential (e.g. staff disciplinary procedures).
- Decide an appropriate course of action, including escalation to Governors.
- The outcome will be noted within 15 working days. Exceptional circumstances may mean that this is not possible; in this case the complainant will be notified and sent an explanation for the delay.
- Delivered by email, by hand or by post.

4.6 Stage Three: Formal Complaint heard by the Governing Board's Complaints Panel

If dissatisfied with the outcome at Stage Two and no longer than five days after receiving the outcome from the Headteacher, the complainant may request that the complaint is heard by the Governing Body's Complaints Panel. In this case, the complainant should write to the Clerk to the Governors, giving details of the complaint, using the form in Appendix 3, along with any other relevant documentation. Complaints about the Headteacher or a Governor should be handled similarly.

It should be noted that the Governing Body's Complaints Panel can only usually consider a complaint or issues that the Headteacher has had the opportunity to investigate, unless the complaint is about the Headteacher.

The Clerk will acknowledge receipt within five working days and convene a Governing Body's Complaints Panel within 20 working days. All parties will be given at least 10 working days' notice of the date of a hearing.

The Panel will consist of at least three people who have not been involved in any aspect of the complaint so far. At least one person will be completely independent of the running and management of the school (this includes staff and governors). Individual complaints may not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The Complaints Panel will investigate the complaint thoroughly, not merely confirm previous decisions.

The complainant, the person being complained about and other relevant persons, eg witnesses, will be invited to present oral and written evidence as appropriate. Each may be accompanied at this meeting by a friend, relative, workplace colleague or union representative, however, only those relevant to the complaint (School representatives, the complainant and witnesses) are allowed to present evidence to the panel. Anyone who is accompanying the complainant, the person being complained about or other relevant persons is not allowed to speak. No party is able to bring legal representation to the hearing.

The Clerk will distribute written evidence to all parties five days in advance of the Panel to allow sufficient time to read the documents. This means that all parties should submit any papers for consideration as soon as possible but no later than six days before the Hearing or a date set by the Clerk.

Written evidence that has not been previously distributed by the Clerk will not be taken at the Complaints Panel.

The outcome will be communicated in writing from the Clerk within five working days and may be that the Panel:

- Dismiss the complaint in whole or in part.
- Uphold the complaint in whole or in part.
- Decide on appropriate actions to be taken to resolve the complaint.
- Recommend changes to the School's systems or procedures to ensure that problems of a similar nature do not recur.

This may be delivered by email, by hand or by post.

The decision of the Governing Body Complaints Panel is final. If a complainant remains dissatisfied, concerns about the school may be put to:

- the EFA in writing via their online complaints form or sent to: Academies Schools Complaints Unit, Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD.
- Ofsted if it is felt that the School isn't providing a good enough education or is not run properly. They won't look into problems with individual students, such as exclusions or not getting a place at the school. Further information can be found on the Ofsted website.

5 MONITORING AND EVALUATION

A summary of complaints is reported termly to Governors through the Finance & Risk Committee who monitor the level and nature of complaints and review outcomes. It ensures the effectiveness of the procedure and contributes to the evaluation of School performance, the identification of underlying issues and their subsequent improvement.

Complaints information shared with the whole Governing Body will not name individuals.

The number of complaints registered under the Formal Complaints Procedure during the previous school year will be made available to parents and pupils.

6 RECORDS

Records of complaints, investigations, meeting notes and correspondence are confidential and will be kept for five years.

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Signed by Chair of Governors

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Date

ST BARTHOLOMEW'S SCHOOL

**Concerns and Complaints Policy & Procedure
Appendix 1**

Formal Complaint Form – Stage 1

Name:

Address:

Telephone No.

Day

Evening

Email address

Parent of

Tutor Group

Please provide brief details of your complaint here:

Have you already raised this/these issues with a member of St Bart's staff?

If yes, who did you deal with?

When did you do this? Date:

What would you like us to do to put things right?

Signed

Date

Please return this form marked for the attention of the relevant member of staff as per Section 4.4.

For School use only: on receipt of this form, please provide a copy to Head of Department, Head of Faculty or Head of House as appropriate and the relevant LT link.

ST BARTHOLOMEW'S SCHOOL

**Concerns and Complaints Policy & Procedure
Appendix 2**

Formal Complaint Form – Stage 2

Name:

Address:

Telephone No.

Day

Evening

Email address

Parent of

Tutor Group

Please provide brief details of your complaint here:

Have you already raised this/these issues with a member of St Bart's staff?

If yes, who did you deal with?

When did you do this? Date:

What would you like us to do to put things right?

Signed

Date

Please return this form marked for the attention of the Headteacher.

ST BARTHOLOMEW'S SCHOOL

**Concerns and Complaints Policy & Procedure
Appendix 3**

Formal Complaint Form – Stage 3

Name:

Address:

Telephone No:

Day

Evening

Email address

Parent of

Tutor Group

Please provide brief details of your complaint here:

Have you already raised these issues with the Headteacher?

If yes, when did you do this? Date:

What would you like us to do to put things right?

Signed

Date

Please return this form marked for the attention of the Clerk to the Governors.