

BLESSED EDWARD OLDCORNE CATHOLIC COLLEGE

COMPLAINTS PROCEDURE

1. RATIONALE.

1.1 The main purposes of this complaints procedure are:

- a. to resolve problems;
- b. to give parents a means to raise issues of concern and to have them addressed.

2. GENERAL PRINCIPLES.

2.1 Initial Concerns

2.1.1 The underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures.

2.1.2 In most cases a staff member will receive the first approach, as an expression of concern, and it will be resolved.

2.1.3 A deputy principal for KS 3 or KS 4 is responsible for investigating initial concerns that were not resolved after the first approach to a staff member. They will meet with the parent in an effort to resolve the concern. If this is not successful then the then the Principal will meet with the parent under stage 1 of the Formal Complaints Procedure.

2.2 Formal Procedures

2.2.1 The Governing Body's complaints procedure does not replace the arrangements for dealing with certain types of complaint that fall outside the remit of the Governing Body's complaints procedure. A number of other procedures already exist, including:

- a. Admissions Procedures;
- b. Child Protection Measures;
- c. Curriculum Complaints Procedures;
- d. Staff Grievance and Disciplinary Procedures;
- e. Exclusions Procedures;
- f. Special Educational Needs Procedures;
- g. Procedures for querying public examination results.

2.2.2 Formal procedures only need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising concerns remains dissatisfied and wishes to take the matter further.

2.2.3 The Principal is responsible for the operation and management of the College complaints procedure until Stage 2 is implemented.

2.2.4 Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. Governors must not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

3. **THE FORMAL COMPLAINTS PROCEDURE**

3.1 **Stage 1 – complaint heard by the Principal**

3.1.1 The Principal will seek to resolve the complaint by meeting with the complainant and investigating the complaint. This will be done with reference to the Guidelines for the Implementation of the Complaints Procedure.

3.1.2 Where the complaint concerns the Principal, the complaint should be referred to the chair of governors. The chair (or his nominee) will then conduct stage 1.

3.1.3 Within 5 working days of the complaints meeting, the Principal (or other person who conducted the stage 1 meeting), will send to the complainant a written 'Note of Meeting'. This will summarise the conclusions reached and inform the complainant that they may appeal the conclusions (ie take the complaint to stage 2) if they wish, but if so must do so within 10 working days of the stage 1 meeting.

3.2 **Stage 2 – complaint heard by governing body's complaints appeal panel**

3.2.1 The complainant needs to write to the clerk to the governing body giving details of the complaint. A complaints form is available from the College for this purpose.

3.2.2 The clerk will convene a governing body complaints appeal panel.

3.2.3 The governors' appeal hearing is the last College-based stage of the complaints procedure, and is not convened merely to rubber stamp previous decisions.

3.2.4 Individual complaints will not be heard by the whole governing body at any stage, as this could compromise the impartiality of any panel set up under any other procedure.

3.2.5 The panel may consist of between 3 and 5 members of the governing body, but the principal should not be a member of this panel, which must be independent and be seen to be impartial. The panel should elect their own chair.

3.3 **Remit of the Complaints Appeal Panel**

3.3.1 The panel can:

- a. dismiss the complaint in whole or in part;
- b. uphold the complaint in whole or in part;
- c. decide on the appropriate action to be taken to resolve the complaint;

- d. recommend changes to the College's systems or procedures to ensure that problems of a nature do not recur.

3.3.2 It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.

3.3.3 The aim of the hearing, which will be held in private, will be to resolve the complaint, where appropriate, and to achieve reconciliation between the College and the complainant. However, it is recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour.

3.3.4 The panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. The panel chair will ensure that the proceedings are as welcoming as possible. Care will be taken to ensure that the layout of the room is informal and not adversarial in tone.

3.3.5 Governors sitting on the panel will have been informed about the College's complaints procedure and Diocesan Schools Commission Guidance regarding its implementation.

3.4 **Roles and responsibilities**

3.4.1 The College will ensure that the panel meeting is clerked. The role of the clerk is to:

- a. Ensure all parties have copies of the procedure;
- b. Set the date (within 20 working days), the time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- c. Collect any written evidence or other documentation for use at the hearing, and the names of any witnesses from all parties 10 working days in advance of the hearing;
- d. Collate all written material and send it to the parties 5 working days in advance of the hearing;
- e. Meet and welcome the parties as they arrive at the hearing;
- f. Record the proceedings;
- g. Notify all parties of the panel's decision within 5 working days of the hearing.

3.4.2 The role of the chair will be to ensure that:

- a. The remit of the panel is explained to the parties, and each party has the opportunity to put their case without undue interruption;
- b. The issues are addressed;

- c. Parents and others who may not be used to speaking at such a hearing are put at their ease;
- d. The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- e. The panel is open minded and acts independently;
- f. No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- g. Each side is given the opportunity to state their case and ask questions;
- h. Written material has been supplied by all parties;
- i. If a related issue arises at the hearing it would be useful to give all parties the opportunity to adjourn to consider the related issue and then comment on it;
- j. New issues raised in the hearing should be dealt with separately from the panel meeting.

3.5 Checklist for panel hearing

3.5.1 The panel will take account of the following points:

- a. The hearing is as informal as possible;
- b. Witnesses are only required to attend for the part of the hearing in which they give their evidence;
- c. After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses;
- d. The principal may question both the complainant and the witnesses after each has spoken;
- e. The Principal is then invited to explain the College's actions, and is followed by the College's witnesses;
- f. The complainant may question both the Principal and the witnesses after each has spoken;
- g. The panel may ask questions at any point;
- h. The complainant is then invited to sum up their complaint;
- i. The principal is then invited to sum up the College's actions and response to the complaint;
- j. Both parties leave together while the panel decides on the issues;

k. The chair explains that both parties will hear from the panel within a set time scale, ie 5 working days.

3.6 Notification of the panel's decision

3.6.1 The chair of the panel will ensure that the complainant is notified of the panel's decision in writing, with reasons clearly defined in plain English, within 5 working days of the meeting.

3.6.2 If any clarification concerning the letter is required, the complainant may seek further advice from the chair of the panel.

3.6.3 In case the complainant is not satisfied that the complaints procedures were conducted properly and fairly, the letter will explain that there is a further right to request an investigation by applying to the Director of Schools at the Diocesan Schools Commission, and provide the address. The letter must explain that such a request must be made within 10 working days of the hearing.

This policy was approved at the meeting of the Governing Body on 11 October 2012.

Signed:

PETER MCHUGH

Chair of Governing Body

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Complaint Form: to be supplied with a copy of the adopted procedure.

Please complete and return to the Principal who will acknowledge receipt.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint.
(To whom did you speak, when, and what was the response)?

The form continues overleaf.

What actions do you feel might resolve the problem?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use:

Date acknowledgement sent:

By whom?

Complaint referred to:

Date: