

COMPLAINTS PROCEDURE

MISSION STATEMENT

Christ is our teacher.

At St Bernard's we believe that all persons are created by God, unique and equal. We strive to create a caring Christian community in which we provide education based on Gospel values where all people reach their full potential. We aim to develop positive relationships with every individual and family, the parishes and the wider community.

"I have come that they may have life and have it to the full"

John 10:10

Reviewed by:	S Kent, Principal, September 2019
Reviewed at:	Raising Achievement Committee Meeting, 9 th October 2019
Approved at:	Full Governing Body Meeting, 20 th November 2019
Signed:	Austin Senior, Chair of Governors

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As in any organisation or community, misunderstandings can from time to time arise which may lead to a parent wishing to express some concern. A concern is not a complaint and should not be treated as such by the parent or school. Only a very small number of concerns raised by parents need to be investigated using the formal procedure. **Any concern should always be raised with the Principal in the first instance where every effort should be made to resolve the difficulty.** When concerns are addressed and resolved there should be no need for a formal complaint. An initial request for action or an enquiry is not a complaint. However, failure to respond could give rise to a complaint.

This document explains what parents can do if a query or concern that has been raised with the Principal and has not been responded to in a manner that satisfies the parent.

A number of other procedures already exist. There are special arrangements for dealing with the following matters which must not be dealt with under the complaints procedure.

The existing special arrangements are for dealing with:

- Complaints about what your child is taught at school, the school's charging policy, religious education and collective worship, and the school's provision of information (the school's prospectus will give you details of the arrangements. In each case, however, you should first discuss the problem with the Principal).
- Appeals against decisions about your child's special educational needs. (A Tribunal has been established to deal with complaints of this nature. The school or Local Education Authority will be able to give you details).
- If you are not offered a place in the school of your choice or if your child is suspended or excluded from school (the school will tell you how to appeal if these situations arise).
- If you think your child has been given an incorrect grade in a public examination.

(You can ask the school to question the result with the examinations board).

In all other cases you should follow the procedures outlined in this leaflet.

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FIRST – THE PRINCIPAL

If you are worried about something concerning your child at school you should first ask to discuss the difficulty with your child's teacher. You can do this by phoning the school, writing a letter or making an appointment to meet.

It may be suggested to you by your child's teacher that it would be more appropriate for you to talk with another senior member of staff, in which case you should do this.

If, however, having spoken with a teacher or, for example, the Associate Principal, you are still dissatisfied you should then meet the Principal.

SECOND – THE GOVERNORS

Most complaints will have been resolved by this stage but, if you are still unhappy, the next step is a formal complaint to the Governing Body.

You should now put the complaint in writing. You can use the form at the back of this document or you can write a letter instead if you prefer. If this is difficult ask a friend to help.

Send the completed form, or your letter, to the Chair of Governors at the school. Try to keep a copy of the form or letter, it may help you later. The governors will let you know who will investigate your complaint and how they will deal with it.

Often the complaint will be addressed by the Chair of Governors and resolved. When this is not possible, a Governor panel may be convened. Normally about three governors will be involved. They will hold a meeting to discuss your complaint. The meeting will usually be held within 20 days of the day the Chair receives your form or letter.

You will be invited to go to the meeting so that you can talk about your complaint in more detail. You can take a friend or representative with you if you wish. You will be given at least 3 day's notice of the meeting. Every effort will be made to see that the date and time is convenient for you.

After the meeting, even if you have attended, the governors will write to you and tell you the result. This will tell you of any action taken or to be taken.

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THIRD – THE DIOCESE

If you are still dissatisfied, or if you do not feel you can complain to the Principal or the governors, you can ask the Diocese to carry out an investigation.

You should write to:
The Schools' Adviser
The Hallam Pastoral Centre
St Charles' Street
Sheffield
S9 3WU

It will help if you can enclose your original complaint form or letter and any other papers.

The Schools' Adviser will appoint someone to investigate your complaint. It will not be a person who has a connection with the school as, for example, a governor or teacher.

The complaint will normally be investigated within 20 school days. The person appointed to carry out the investigation will arrange to meet with you. You will be given at least 3 day's notice of the meeting and you can take a friend or representative with you.

The Diocesan representative will eventually write to you to tell you the result of the investigation. The Diocese may then make recommendations to the governors.

The Secretary of State

If you are still not happy you can address your complaint to:

The Secretary of State,
Department for Education
Sanctuary Buildings,
Great Smith Street,
LONDON
SW1P 3BT

You should put your complaint in writing and enclose copies of your original complaint and any other relevant papers.

FORM OF COMPLAINT

When you have filled in this form, take it or send it to the Chair of the Governing Body, St Bernard's Catholic High School, Herringthorpe Valley Road, Rotherham, S65 3BE.

Please continue on a separate sheet of paper if necessary.

1. Name _____

2. Address _____

3. Telephone no. **home:** _____ **work:** _____

(If you do not have a telephone but can be contacted through a friend or neighbour please give their name and telephone number).

4. Brief details of the problem _____

5. To what date or period of time does your complaint relate?

6. To whom have you already complained informally and when?

7. Please give details of any more information you have to back up your complaint, such as letters or reports. If you cannot send photocopies, please send your original paper, which will be photocopied and returned to you.

8. Do you have a solution that you wish to suggest?

Signed _____

Date _____

Annex B - Guidelines to accompany the Model Complaints Procedure
(in association with the Diocese of Hallam Schools' Commission)

This paper describes an internal code of practice for schools to consider adopting to help them operate the complaints procedure effectively. They are guidelines for their operation; they do not form part of the complaints procedure.

As in any organisation or community, misunderstandings can from time to time arise which may lead to a parent wishing to express some concern. A concern is not a complaint and should not be treated as such by the parent or school. Only a very small number of concerns raised by parents need to be investigated using the formal procedure. When concerns are addressed and resolved there should be no need for a formal complaint. An initial request for action or an enquiry is not a complaint. However, failure to respond could give rise to a complaint.

A number of procedures already exist. There are special arrangements for dealing with the following matters which must not be dealt with under the complaints procedure.

The existing special arrangements are for dealing with:

- Admissions Procedures
- Child Protection Procedures
- Curriculum Complaints Procedures
- Disciplinary Procedures
- Exclusions Procedures
- Special Educational Needs Procedures

1. INTRODUCTION

1.1 The main purposes of a complaints procedure are:

- To solve problems
- To give parents a mean to raise issues of concerns and have them addressed

1.2 These guidelines for dealing with complaints consist of two elements:

- A statement of principle and
- a Code of Practice relating to the management of and response to complaints

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2. PRINCIPLES

It is important that everyone has a clear understanding of the context within which the procedure operates and of how the process of investigating a complaint is conducted. The following statement of principles provides that understanding:

- 2.1** Complaints will be treated respectfully during and after the course of any complaints investigation.
- 2.2** Action through a complaints procedure may lead to action being initiated under other (e.g. statutory) procedures. In these cases the investigations under the complaints procedure will be suspended until action under the procedure (including appeals) has been concluded. The complainant will be advised if this is the case. They will also be told the likely delay in the final resolution of their complaint which will result.
- 2.3** In most cases, it will be necessary for details of the complaint to be shared with a range of people who might contribute to its resolution. However, within this constraint, the confidentiality of the complaint will be respected.
- 2.4** All complaints will be immediately acknowledged. Complainants will be advised of what is happening, time-scales, and the name of the person from whom they will next hear about the progress of the investigation.
- 2.5** Employees will be informed of any complaints against them, will be shown the complaint (if in writing) and will be shown all subsequent correspondence. Employees should be advised to seek advice on their rights in this situation.
- 2.6** No person will investigate a complaint against her/himself.

3. CODE OF PRACTICE FOR RESOLVING COMPLAINTS

Accepting a Complaint

- 3.1** Each school will have a procedure for accepting complaints. The objective of the complaints procedure should be the resolution of problems. This objective may be achieved without using the formal procedure.
- 3.2** Complaints will be accepted in writing or verbally.
- 3.3** The school will ensure that all complaints are recorded. The information to be recorded (where possible) for complaints requiring a formal investigation is:
 - Name of complainant
 - Address of complainant
 - Telephone number
 - Nature of complaint
 - Preferred solution (what the complainant would like to happen)
 - Name of the person recording the complaint
 - Date complaint recorded

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3.4 All members of staff should be aware of the complaints procedure including:

- Understanding procedures for dealing with complaints
- The importance of treating complaints respectfully
- The importance of good listening skills
- The importance of finding out and recording the complainant's preferred solution
- The importance of resolving problems before they become formal complaints
- Obtaining complainant's acknowledgement that their problem has been dealt with satisfactorily.

3.5 When a complaint has been recorded it will be acknowledged in writing. The acknowledgement will include an explanation of what will happen next.

3.6 Where complaints cannot be resolved within the procedure, complainants will be informed of alternative procedures they can use.

4. PROCESSING A COMPLAINT

4.1 Each school will identify a person to whom all complaints should be referred for processing.

4.2 It is recommended that a complaint can be dealt with at a number of levels. Where appropriate, these stages are:

- Informal discussion with Principal and/or member of staff concerned
- Complaint to Principal
- Complaint to Governing Body
- Formal complaint to the Diocese.

4.3 This will ensure that:

- There is a formal mechanism for nominating someone to investigate complaints which cannot be resolved speedily and easily.
- Anyone investigating complaints is aware of good investigative practice.

5. OUTCOMES

5.1 In all cases where a complaint has been investigated, the complainant will be given a written report covering:

- The complaint investigated
- The scope of the investigation
- The conclusion of the investigation
- Any action which has resulted (e.g. changes in procedures or practice, an intention to invoke other proceedings)

5.2 The complainant will be offered the opportunity to discuss the written report and its recommendations. If the complainant is acting on behalf of another person, that person should also receive a copy of the report.

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5.3 Redress should be **appropriate to the complaint**. Redress may include:

- An appropriate expression of regret
- Providing the solution desired by the complaint
- Changing procedures to prevent future problems
- Financial compensation

5.4 Each school will have responsibility for:

- Deciding who can take remedial action and to what extent action can be taken under delegated powers.
- Arrangements to ensure that the remedy is carried out
- Ensuring that any remedy is within the school's legal powers
- Ensuring that the approach to remedies is reasonable and consistent

5.5 Where a complaint is not upheld, the complainant will be given a report (5.1) and informed of any further action which may be appropriate in their situation.

6. RECORDS AND MONITORING

6.1 Each school will record complaints entering their complaints procedure.

(Adapted with permission from documents provided by the Archdiocese of Birmingham)