



GUNNERSBURY CATHOLIC SCHOOL

Complaints Procedure

Introduction

No-one likes criticism but an open organisation will always be willing to listen to concerns and anxieties and be ready to learn from them if appropriate. In a school, most concerns are likely to be expressed by the parents or carers of its pupils, though some may come from pupils themselves, parishioners, or from other interested parties such as neighbours or users of the premises.

In a Catholic school, parental/carers' concerns are of particular importance. As the first educators of their children, parents/carers have a duty to take an active interest in their school. "Since parents have given children their life, they are bound by the most serious obligation to educate their offspring." (*Gravissimum Educationis*). To this end, "there must be the closest co-operation between parents and the teachers to whom they entrust their children to be educated. In fulfilling their task, teachers are to collaborate closely with the parents and willingly listen to them." (Can.796) In a Catholic School, therefore, dealing with parental/carers' concerns will be an intrinsic part of the school's ethos and mission

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 defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'. Nearly all concerns or questions can be resolved very quickly and informally if parents/carers feel able to voice them as soon as they arise. Obviously, the more information the school gives to them the less scope there is for misunderstanding. As part of this information we highlight to parents/carers that feedback is always welcome and that, therefore, they are warmly encouraged to voice any concerns straightaway, preferably to the person concerned. In most cases, discussion, explanation, further information – or an apology, if appropriate – will resolve the issue. **Every effort should be made to allay concerns at this level and with the least possible formality. The ideal is that no concern should ever become a formal complaint.**

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Gunnersbury Catholic School takes concerns seriously and will make every effort to resolve the matter as quickly as possible. If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, Mr Parker (Deputy Headteacher), will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Mr Parker will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

Occasionally, however, a concern will be too serious to be handled in this way, perhaps needing greater investigation; or the person concerned may not feel that the answers given so far have been acceptable or adequate. In such circumstances, the concern will become a complaint and the formal procedure should be rigorously followed. Even in these cases, every effort should be made to resolve the issue at the lowest possible level of the procedure. It should be very rare indeed that a complaint needs to be decided at the Appeal Stage by a Complaints Appeals Panel.

Making a complaint

Our complaints coordinator is Mr Parker, Deputy Headteacher. Our policy sets out that most complaints should be initially notified to Mr Parker. This may be done in person, by telephone or in writing. Appendix A contains a proforma to assist in the setting out of a complaint.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Gunnersbury Catholic School will consider complaints made outside of this time frame if we consider exceptional circumstances to apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Gunnersbury Catholic School other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none">• Admissions to schools• Statutory assessments of Special Educational Needs• School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Hounslow Education Authority
<ul style="list-style-type: none">• Matters likely to require a Child Protection Investigation	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding.</p> <p>The safeguarding adviser covering LADO duties is Grace Murphy and her email is : is grace.murphy@hounslow.gov.uk</p> <p>For advice call the SAAM duty on : 020 8 583-5730 and email our LADO mailbox which is lado@hounslow.gov.uk</p>
<ul style="list-style-type: none">• Exclusion of children from school*	<p>Further information about raising concerns about exclusion can be found within the Behaviour Policy at:</p> <p>http://www.gunnersbury.com/page/?title=Policies&pid=16 and at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>

<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>

<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> • National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Gunnersbury Catholic School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

THE FORMAL PROCEDURE

Principles

At every stage of the formal procedure, the handling of the complaint will be:

- Non-adversarial
- Swift (using agreed time limits)
- Fair (using independent investigation where necessary)
- Confidential

Throughout the process, the school will be willing:

- to listen
- to learn
- to admit mistakes
- to apologise if appropriate
- to address any issues raised
- to change school practice if appropriate

In using this procedure:

- staff are asked to be aware that complainants may feel intimidated by the school as an institution and unsure whether they will be treated fairly

- complainants are asked to be aware that those complained about, especially individual members of staff, may feel very vulnerable during this process

Throughout the procedure, therefore, the aim of all parties should be not only to resolve the complaint but also to develop and sustain good relationships between all members of the school community. However formal or serious the complaint, or however dissatisfied the complainant, the aim will always be reconciliation between all parties and a renewed commitment to work together amicably. The gospel values of justice and forgiveness should always underpin the entire process.

Outline of the Procedure

There are three stages to the formal procedure:

Stage 1

Complaint heard by the Complaints Coordinator (if not the subject of the complaint).

Stage 2

Complaint heard by the headteacher.

Stage 3

Complaint heard by Governing Body's Complaints Appeal Panel.

If unsatisfied at Stage 1 or 2, the complainant can take the complaint to the next stage.

THE FORMAL COMPLAINTS PROCEDURE IN DETAIL

Stage 1 – Complaint Heard by Complaints Coordinator

NB The aim is to resolve the complaint at this level.

- 1.1 The complaint should be addressed in the first instance to Mr Parker (the complaints co-ordinator). The complaints co-ordinator will log the complaint and either investigate the complaint personally or refer it to an appropriate member of staff. In making this decision, the co-ordinator will be sensitive to any indication that the complainant would have difficulty discussing the complaint with a particular member of staff.
- 1.2 If the complaint concerns Mr Parker the initial complaint should be made to the Headteacher who will deter the appropriate member of staff to initiate Stage 1. If the complaint concerns the Headteacher, the coordinator will refer it to the Chair of Governors and, as a matter of courtesy, inform the headteacher that this has been done.
- 1.3 If the complaint concerns an individual governor, the coordinator should refer it to the Clerk to the Governing Body who will subsequently arrange for the matter to be addressed by (Stage 1) a suitably skilled and impartial member of the Governing Body or (Stage 2) an appropriately chosen committee of the Governing Body.

1.4 If the complaint concerns the entire Governing Body or both the Chair and Vice-Chair the co-ordinator should refer the matter to the Clerk to the Governing Body who should determine the most appropriate course of action which will depend on the nature of the complaint

1.5 Whoever investigates the complaint will:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right, clearing up any areas of misunderstanding, identifying areas of agreement and discussing what might be possible;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish (this should include adults and pupils as appropriate, whether main players or witnesses);
- conduct each interview with an open mind and be prepared to persist in the questioning;
- keep notes of each interview.

1.6 **Timescales.** Within fifteen school days of receiving the complaint, the investigator will complete the investigation and contact the complainant to arrange a meeting. (See 1.6). At any point in the process, the complaints co-ordinator may decide or agree to commission a further investigation, whether by a member of staff or an independent person. If this occurs, the timescale may be extended and the complainant must be informed of the extension and the reason for it.

1.7 When the investigation is complete, the member of staff investigating will meet the complainant to try to resolve the complaint. **Every effort should be made to try to resolve the complaint at this meeting.** Any of the following may be appropriate at this point:

- an acknowledgement that the complaint is valid in whole or in part;
- an apology;
- an explanation;
- a clarification of misunderstandings;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

Some of the above may require that the investigator seek authority from the head teacher. Naturally, nothing should be offered or promised that cannot be justified or fulfilled.

1.8 If the complaint cannot be resolved, the complainant may refer it to Stage 2.

Stage 2 – Complaint Heard by Headteacher

2.1 Where a complaint has not been resolved at Stage 1, it will be referred to the Headteacher **unless** the original complaint concerned either the headteacher or the Chair of governors in which case the complainant may refer it straight to Stage 3.

2.2 The headteacher will either investigate the complaint personally or refer it to another senior member of staff (who has not so far been involved) or arrange for an independent investigation if appropriate. At this point it is possible that the complaint will have escalated to include a complaint concerning the manner in which the original complaint has been handled. Both parts of the complaint would in this case need to be investigated.

2.3 In conducting the investigation, the investigator will operate in accordance with section **1.4**.

2.4 Timescales: Within fifteen school days of receiving the complaint, the investigator will report back to the headteacher. Within a further five school days, the headteacher will contact the complainant and arrange a meeting. (See **2.5**) At any point in the process, the headteacher may decide or agree to commission a further investigation, whether by another senior member of staff or a governor or an independent person (eg from the diocese or the Local Authority or another appropriate agency depending on the nature of the complaint). If this occurs, the timescale may be extended and the complainant must be informed of the extension and the reason for it.

2.5 When the investigation is complete, the headteacher will consider the evidence and, whether or not he or she investigated the matter personally, will meet the complainant (with or without the person who conducted the investigation if different) to try to resolve the complaint. **Every effort should be made to resolve the complaint at this meeting.** Any of the suggestions in section **1.6** may be appropriate at this point.

2.6 If the complaint cannot be resolved, the complainant may refer it to Stage 3.

Stage 3

Complaint Heard by Governing Body's Complaints Appeal Panel

3.1 A Complaints Appeal Panel, consisting of three governors, should be appointed annually by the governing body. This panel will have delegated power to hear and finally determine complaints. Ideally, the make-up of the panel should reflect the make-up of the governing body and/or the profile of the pupils in

the school. Any governor who has prior involvement in or detailed knowledge of a particular complaint or its investigation may not sit on the panel hearing that complaint. It would be advisable, therefore, for the governing body to agree alternative panel members in case of such a circumstance. In the event that there are insufficient numbers of governors available to participate in a Panel, the Chair of Governors or Vice-Chair of Governors as appropriate may appoint associate members, on the recommendation of the Diocese, to participate solely in the relevant complaints panel.

3.2 To trigger Stage 3, the complainant will have been dissatisfied with the school's approach to the complaint in the first two stages and must now put the complaint in writing to the Chair of governors. The Chair will check what has happened so far and, if the procedure has been properly followed and it is appropriate to move to Stage 3, he or she, or a nominated other governor, will - via the clerk - convene a Governing Body's Complaints Appeal Panel. If the original complaint concerned the Chair of Governors and was referred to the Vice-Chair at Stage 1, the Vice-Chair will tell the complainant the name of the nominated governor for a referral to Stage 3. (see section 3.1)

3.3 This is the final stage of the school procedure. It is, therefore, vital that, in the spirit of the procedure, the Appeal Panel should:

- be prepared to hear complaints without preconceptions;
- examine and discuss the matter fully so that they ensure that they have every piece of information or evidence that they require;
- be prepared to commission, organise or conduct further investigations if necessary;
- give the complainant the opportunity to express their dissatisfaction and worries and to suggest what might put things right;
- be prepared to take whatever action is required.

3.4 Timescales. The date of the Appeal Panel Meeting should be agreed by all parties within ten school days of the receipt of the written referral of the complaint. The meeting itself should be held within twenty school days of the receipt of the referral. If the complainant or the headteacher wishes to submit information in writing to the panel, they should send it to the clerk to the governors at least five school days before the meeting. As far as possible, the meeting should not be delayed if the referral comes at the end of a term, especially at the end of the summer term. Since the aim of the procedure is to resolve the issue and effect reconciliation if necessary, it will be best if the matter can come to the panel as quickly as possible, especially as the complainant will already have been engaged over a protracted period in attempts to put things right.

3.5 Failure to agree a date. If a party to the complaint fails to agree to attend a Complaints Panel meeting having been offered 3 alternative dates, within the

20 school day period, in an effort to accommodate their attendance, then the Complaints Panel may decide the meeting should take place in any event on the date last offered to the parties to the complaint. This particularly so if otherwise the complaint will not be heard within the school term or if the event giving rise to the complaint extends back sometime before the complaint was made. The complainant will be notified in writing of the time and date the Complaints Panel has agreed to meet to consider the complaint.

3.6. Failure to Attend. If a date is agreed or if pursuant to 3.5 above the complainant fails to agree a date and it is decided that the meeting should proceed and on the date and time notified to the parties the complainant fails to attend without reasonable excuse, notified to the Complaints Panel by the time of the meeting then the Complaints Panel will consider whether it is appropriate either to dismiss the complaint summarily for absence of the complainant or to proceed to conduct the meeting in the absence of the complainant using such evidence as was already before it on paper and as is available orally from the other party.

The Meeting of the Governing Body's Complaints Appeal Panel

3.7 Before the meeting: Members of the panel should consider carefully any documentation from the headteacher or the complainant but **should not discuss the matter with anyone, including the other members of the panel, before the meeting.** This is in the interest of fairness and natural justice. The appeal panel must operate scrupulously as an independent arbiter of the complaint. The panel may however, liaise before the meeting in order to decide whether or not it is appropriate to exercise the powers set out in paragraph 3.5 above.

3.8 Conduct of the meeting – to be borne in mind:

- One of the panel must act as Chair and there should be a clerk for the meeting.
- A member of the Diocesan Education Service may be invited to advise and support the panel.
- The meeting room should be private and as informally laid out as possible in order to
- encourage a spirit of partnership. It is very important that there should be nothing adversarial about the proceedings. The tone of the whole meeting will be set by the atmosphere of the room in which it is set and by the way people are greeted. Panel members should be sensitive to the vulnerabilities and sensitivities of all concerned. Parents/Carers may be emotional when talking about their child; the headteacher and others involved in the earlier investigations may fear that their professionalism could be under attack. Everyone needs to remember that the aim and purpose of the meeting is to resolve the complaint and find ways of going forward together. It is possible that the complainant may not be satisfied with the outcome if the panel does not find in their favour, but the conduct of the meeting can go a long way towards smoothing such dissatisfaction. At the very least, every complainant should feel at the end that their complaint has been taken seriously and examined impartially.

- If the complaint is about the Headteacher or Chair of Governors and has been investigated by the Chair of governors or another governor at Stage 2 then that governor may present the case for the school.
- Very special care should be taken if the complainant is a child or if there are child witnesses. Children's views should be given equal consideration to those of adults. If a parent/carer has complained on behalf of a child, the parent/carer should be given the opportunity to say which parts of the meeting the child needs to attend.
- The parent/carer must be told that they are permitted to bring a friend or representative to the meeting.

3.9 Role of the Clerk

The clerk will:

- confirm to all parties in writing the date, time and venue of the hearing;
- receive and distribute any documentation to be read before the hearing;
- meet and welcome all parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision within 5 school days (or as decided by panel).
- The wording of any letters will be agreed with the chair of the panel.

3.10 Role of the Chair of the Panel

The Chair will ensure:

- that the procedure is properly followed (with the support of the Diocesan Education Service if requested);
- that the procedure for the hearing of the complaint is explained to all parties and that all parties have the opportunity to put their case without undue interruption;
- that the issues are addressed;
- that all parties are put at their ease, especially any who may not be accustomed to speaking at such a hearing;
- that the proceedings are kept as informal as possible and that everyone treats each other with respect and courtesy;
- that the panel operates in an open-minded and independent way;
- that time is given for all parties to consider any 'new' evidence.

3.11 Role of the Diocesan and Local Authority Representatives

- To advise the panel on procedure. The Diocesan Officer (if requested to attend by the Chair of Governors) and local authority officers are there in an advisory capacity only. They do not have a vote and do not participate in the panel's decision making process.

3.12 Order of Proceedings for the Hearing of the Complaint

- Welcome, introductions and explanations of the proceedings by the Chair.
- The complainant is invited to explain the complaint.

- The headteacher may question the complainant.
- The panel may ask questions at any time.
- If there are any witnesses for the complainant, each one is invited into the hearing in turn and in each case the witness is invited to speak, then the headteacher may question them. In each case, the witness will leave after their evidence.
- The headteacher is invited to explain the school's actions.
- The complainant may question the Headteacher.
- If there are any witnesses for the school, they are treated in exactly the same way as the witnesses for the complainant.
- When the Chair is sure that all parties have asked all that they need to, the complainant is invited to sum up their complaint.
- The headteacher is then invited to sum up the school's actions and response to the complaint.
- The Chair explains that both parties will hear from the panel within five school days following the day of the hearing.
- Both parties leave together while the panel decides on the issues (advised by the Diocesan Education Service member if there).

3.13 Options Open to the Panel

The panel may:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action 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.

3.14 After the Hearing the following actions need to be taken:

- The Chair of the panel agrees with the clerk the wording of the letter to be sent to both parties. This must include reasons for the decision and the fact that appeals on points of law or procedure may be referred to the Secretary of State for Education at: The School Complaints Unit, Department for Education, Piccadilly Gate, Manchester M1 2WD. The clerk then ensures that the letter is sent out in accordance with the agreed timescale.
- The clerk writes up the notes of the meeting and gives a copy to the chair of the panel.
- The clerk ensures that any recommendation to change school procedures is put on the agenda for the next governing body meeting.

Serial or Persistent Complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of governors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

GENERAL POINTS

Timescales

Gunnersbury Catholic School will seek to meet the timescales detailed within this policy. If at any point in the actioning of these procedures the school is unable to meet the determined timings the complainant will be informed as such in writing. Gunnersbury Catholic School will seek to minimise any such delay in proceedings.

Using and Publicising the Procedure

The governing body needs to adopt the procedure formally and then to review and re-adopt it annually. They also need to ensure that staff are confident in its use and that it is appropriately publicised to all interested parties, especially parents. It could be included in the school prospectus, sent out with a newsletter or placed on the school's website. It will also be available on the diocesan website.

Recording and Reporting Complaints

In order to turn complaints to positive effect, it is important that records are kept so that at regular intervals both the senior managers of the school and the governing body can reflect on issues that have arisen and on the way in which they have been handled.

Confidentiality

All records of complaints must be kept strictly confidential, except where a legitimate subject access request is made under The Data Protection Act 1998.

Complaints Made Other Than in Accordance with the Procedure

Sometimes a complainant may be unfamiliar with, or unaware of, the complaints procedure; sometimes they may choose to take their complaint straight to governors or to other parties, such as the diocese or the Local Authority. In every such case, the procedure must be strictly adhered to, and the complaint redirected to its proper stage in the procedure. It is, therefore, important that all members of staff and all governors are fully aware of the procedure and that it is publicly available. It is particularly important that governors know that they must not attempt to deal with complaints themselves, but should tell complainants to take their complaint to the school's complaints co-ordinator.

Complaints to Ofsted

The Education and Inspections Act 2006 at s.160 provides a procedure for Ofsted to investigate parents' complaints about a school. A complaint cannot be investigated unless the school's complaints procedure has been exhausted, subject to the Chief Inspector's discretion to waive this requirement.

Complaints to the Secretary of State – The School Complaints Unit

If a complaint has completed the school procedures and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State. The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so.

The School Complaints Unit (SCU) considers complaints relating to LA maintained schools in England on behalf of the Secretary of State. The SCU will look at whether the complaints policy and any other relevant statutory policies were adhered to. The SCU also looks at whether statutory policies adhere to education legislation. However, the SCU will not normally re-investigate the substance of the complaint. This remains the responsibility of schools. The SCU will not overturn a school's decision about a complaint except in exceptional circumstances where it is clear the school has acted unlawfully or unreasonably. If the SCU finds that the school has not handled a complaint in accordance with its procedure, they may request that the complaint is looked at again.

Further information can be obtained from the SCU by calling the National Helpline on 0370 000 2288 or going online at: www.education.gov.uk/help/contactus or by writing to:
Department for Education School Complaints Unit 2nd Floor, Piccadilly Gate Store
Street Manchester M12 WD15

APPENDIX A:

Complaint Form

Please complete and return to Mr Parker, (*complaints co-ordinator*) or other relevant individuals (as determined by the policy) who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

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

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

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Appendix B

Stage 3 ORDER OF PROCEEDINGS

- Welcome, introductions and explanation of proceedings by the Chair;
- The Complainant (or representative) is invited to explain the complaint;
- The Headteacher (or representative) may question the Complainant;
- The Panel may ask questions at anytime;
- If there are any witnesses for the Complainant they are invited individually into the room to make their points, the Headteacher and the Panel may question them and then the witness is invited to leave;
- The Headteacher is invited to explain the school's actions;
- The Complainant and the Panel may ask questions;
- Any witnesses for the school are invited in and treated in the same way as the Complainant's witnesses;
- The Chair checks that all parties have asked all they need to, then the Complainant, followed by the headteacher is invited to sum up;
- The Chair explains that the decision will be issued within 3 school days and all parties leave together;
- The Panel makes its decision (advised on law and procedure by member of Diocesan Education Service, if present.)