

St Mary Magdalen's Catholic Primary School



Non-Statutory Complaints Procedure

Governors' Committee Responsible:	Full Governing Board
Status:	Statutory
Review Cycle:	Every two years
Date Written/Last Review:	21 June 2018
Date of Next Review:	June 2020

MISSION STATEMENT

We are a Roman Catholic community, placing God at the centre of our lives. Christian values permeate every aspect of the school day. As a small friendly school, we aim to produce the warmth and intimacy of the family. We recognise each individual as special and loved by God, caring for one another and fostering love, trust and respect. When mistakes are made we recognise them as opportunities for learning and consequent reconciliation.

We aim to help all children fulfil their potential. We have high expectations of the children; we want them to do their best socially, personally, academically and spiritually.

We recognise each child's full entitlement to education. We value children's uniqueness and endeavour to nurture their potential. We strive to promote in them a sense of personal worth and self-confidence, as well as an awareness of their responsibilities to self and others.

The School Standards and Framework Act 1998 (Part II, Ch. III, Clause 38) requires the governing body of all maintained schools to establish procedures for dealing with all complaints, excepting those relating to implementation of the National Curriculum and the provision of RE and worship for which other legislation exists.

A) INTRODUCTION

1. Whilst outlining a structured approach to handling complaints, these guidelines do not aim to inhibit or to be over prescriptive.
2. Complaints are not easy to define and it is therefore important to bear in mind that what may be initially presented as a complaint is in fact a problem or a concern.
3. Complaints need to be investigated speedily, efficiently, fully and fairly. All aspects of each complaint must be given due consideration.
4. The aim of this Complaints Procedure is to ensure that a complaint is fully considered and wherever possible resolved to the satisfaction of the complainant.
5. It may be that a complaint can be resolved without formally invoking these procedures, particularly where the complaint can be redefined as a problem or concern. These procedures should not be seen as replacing the good practice of resolving concerns or problems as they arise.

B) SCOPE

1. The procedures do not cover complaints relating to the following matters, which are dealt with under other (statutory) arrangements:
 - admissions of pupils
 - exclusions of pupils
 - assessments of special educational needs
2. During the investigation of a complaint under these procedures it may become clear that other procedures will need to be invoked, for example relating to Section 409 complaints, child protection, staff discipline or staff grievance procedures.

C) PRINCIPLES

1. Complaints, however received, will be dealt with as quickly and as fairly as possible, and will be recorded in writing.
2. Complainants will be kept fully informed at every stage of the procedure. Governors will provide information about the procedure on the school's website.
3. All staff will be made aware of the procedures and will be given guidance in distinguishing between a worry, a problem or concern and an actual complaint.
4. It will be at the Head Teacher's discretion whether or not anonymous complaints are investigated.

D) PROCEDURES

Informal Stage

1. Every effort will be made to resolve concerns and complaints as they arise by informal means.
2. Wherever possible this will be done by discussion with the member of staff felt to be most directly involved.
3. Only where the complainant remains dissatisfied with the outcome of such discussions will it be necessary to move to the next formal stage of the procedures.

Formal Stage One

1. Once a complaint has been received, either in writing, by telephone or verbally by the complainant in person, it will be recorded in the Complaints Register along with the nature and details of the complaint and the name of the person who will be dealing with it.
2. The complainant will be advised who is to deal with the complaint and how that person can be contacted and the date of the initial investigation, which should be within ten school days of the receipt of the complaint.
3. The complainant will be informed that a friend or relative may accompany them, and that all conversations and correspondence will be treated as confidential.
4. The person dealing with the complaint will, as appropriate, interview the complainant and any witnesses. Pupil witnesses will normally be interviewed only in the presence of their parents. Where circumstances might prevent this, for example a serious delay to an urgent complaint, another member of staff with whom the pupil feels comfortable should be asked to attend.
5. Following this investigation, the complainant will be informed in writing and within twenty-four hours of the outcome:
 - the complaint is upheld and appropriate action will be taken, or
 - the complaint is not upheld and no action will be taken, or
 - the complaint is a matter of staff discipline and will be pursued under the school's disciplinary and grievance procedures, or
 - the complaint is a matter which is subject to child protection procedures and will be dealt with under the appropriate code of practice.
6. The complainant will also be informed of the right to request a hearing of the complaint by a panel of the governing body if they are dissatisfied with the outcome of Formal Stage One.
7. If the complaint is directed against the Head Teacher, the person designated to deal with the complaint shall be the Chair of Governors, or their nominee.

Formal Stage Two

1. If the complainant is not satisfied with the outcome of Formal Stage One, they may request a hearing of the complaint by a panel of the governing body.
2. The governors' panel will meet within three school weeks of receiving the complaint. The governors' panel will adhere to the procedures for investigating the complaint and reporting to the complainant as set out in steps (4) and (5) of Formal Stage One.

E) CONDUCT OF THE GOVERNORS' PANEL HEARING

1. The aim of each meeting is to resolve the complaint and achieve reconciliation between the school and the complainant. The chair of the panel will open the meeting by introducing those present and explaining the reason for the meeting.
2. The clerk to the panel will take minutes of the meeting, and these will be made available to all parties.
3. The complainant or their representative will be invited to present their case and to explain why they are dissatisfied with the outcome of the previous stage.
4. The Head Teacher and members of the panel will be given the opportunity to ask questions of the complainant.
5. The Head Teacher or their representative will be invited to present their case, explaining the action taken so far and the reasons for the outcome.
6. The complainant and members of the panel will be given the opportunity to ask questions of the Head Teacher.
7. The Head Teacher or their representative will have the opportunity to sum up their case. This summing up may not introduce new evidence.
8. The complainant or their representative will have the opportunity to sum up their case. This summing up may not introduce new evidence.
9. When the governors are satisfied that the complaint and, where possible, any solutions have been fully discussed, they should ask all parties (except the Clerk) to withdraw so that they can consider their decision. The governors may ask the complainant and the Head Teacher to wait while they consider their decision so that they may call them back to seek further clarification. If this occurs, all parties should be present.