

St JOHN'S COLLEGE CARDIFF - dealing with COMPLAINTS in school - Guidance and policy

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This policy makes use of the procedures set out in the Independent Schools Council (ISC) guidance 'ISC Model Complaints Procedure', and the DfES guidance on Complaints Procedures for maintained schools, but adds further elements to transform them into a model policy for independent schools.

General

The school is required under the Education (Independent School Standards) Regulations 2003 to adopt, make available, and apply a complaints procedure to comply with the Standards against which ESTYN/OFSTED/ISI inspections will be carried out.

'Complaints' are not defined in the Independent School Standards Regulations, but the guidance for maintained schools suggests that there is a difference between 'concerns' which should be dealt with informally and serious 'complaints', which should be subject to a formal procedure.

The Independent School Standards Regulations only refer to complaints from parents, whereas the maintained school regulations and guidance specifically include complaints from pupils and members of the public. This policy therefore concerns complaints from parents, pupils and others.

Government advice to maintained schools recommends that schools should consider appointing a 'Complaints Co-ordinator'. (This school has decided to appoint an Assistant Head Mr. S. Moody as Complaints Co-ordinator)

The policy does not cover complaints from members of staff as these are covered by the school's grievance and disputes procedures.

Types of Concerns and Complaints

The majority of concerns/complaints received by a school can be expected to fall into the following categories:

- financial and administrative (and breach of contract in independent schools)
- academic (course programme, unsatisfactory teaching, too much/too little / unmarked homework, progress in a particular subject etc)
- pastoral care (discipline/indiscipline, inappropriate sanctions, bullying, overall progress of the child, unhappiness of child, accommodation etc)
- child protection (eg allegations against staff, handling of sensitive issues)

Responsibilities

Trustees: for

- adopting the policy, procedures, and guidelines
- appointing where necessary an independent panel to hear complaints when complainants are not satisfied with the school's response
- receiving reports and findings from the panel
- receiving reports from the Head; advising the Head.

The Trustees will monitor the level and nature of complaints and review the outcomes regularly. The Trustees will also monitor the school's response to complaints and any panel recommendations.

(The Trustees could delegate some or all of these responsibilities to a committee or one of their number eg the Chair)

Chair of the Trustees: for appointing a panel of at least three people independent of the management of the school to hear complaints from complainants not satisfied with the school's response.

Chair of the independent Panel:

To ensure that:

- the parties understand the procedure
- the issues are addressed
- key findings of fact are established
- complainants are put at ease
- the hearing is conducted as informally as possible
- the panel is open-minded and acts independently
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously
- all parties have the chance to be heard
- any written material is seen by all parties
- findings are communicated to the parent and school within three days of the hearing

Clerk to the Trustees:

The Clerk must act as the reference point for the complainant when the complainant has not been satisfied with the school's response.

The Clerk must:

- set convenient dates and times and venues for hearings
- collate any written material and forward it to the parties
- meet and welcome the parties
- record the proceedings
- notify the parties of the decision

Head:

- the overall internal management of the procedures
- for ensuring that there is both an informal and formal procedure
- for ensuring that the written policy and procedures are available to parents,

pupils and members of the public on request

- for hearing complaints at the second stage (or appointing a Complaints Co-ordinator to hear them) (see below)
- for ensuring that the procedures are monitored and reviewed and regular reports made to the Trustees.

Assistant Head - Complaints Co-ordinator: for

- the efficient operation and management of the policy and procedures
- training staff on how to deal appropriately with complaints
- keeping parents, pupils and others informed of the procedure
- compiling reports for the Head as required.

Bursar: for administrative, environmental and financial queries and complaints
Heads of Department/Subject: for dealing with and where possible resolving concerns/complaints about academic matters/programmes of study/teaching methods at stage 1 of the procedures.

Heads of School section / Year Groups & Head of Pastoral Care: for dealing with and where possible resolving complaints concerning overall pupil progress, discipline issues, pastoral care.

Nominated Person: for receiving any child protection issues.(Head of Pastoral Care)

All staff: for hearing any concerns brought to them by parents and pupils and reassuring them that they will be dealt with as soon as possible by the appropriate member of staff, and for informing the relevant staff of the concerns. And for passing any complaints received from other people who are not parents or pupils to the Assistant Head (Complaints Co-ordinator).

Procedures:

There are three possible stages:

Stage 1 Informal Resolution

Concerns expressed by parents or pupils to any member of staff should be dealt with by that member of staff if he/she is able to do so. If the member of staff considers the issue to be beyond his/her competence the concern should be passed to the - (Complaints Co-ordinator /Form Teacher/ Assistant Head). Concerns/complaints which come to a member of staff from other sources should be passed immediately to the Assistant Head (Complaints Co-ordinator), who will inform the complainant of the action he/she proposes to take.

Stage 2 Formal Procedure

complaint heard by Head/ Assistant Head (Complaints Co-ordinator)

Stage 3 Independent Panel Hearing

- complaint heard by the independent panel appointed by the Trustees

(Some procedures may allow an additional stage if e.g. the foundation or other external agency provides an independent appeal or review. If so, this could be added here.)

Detailed Guidance

All staff and Trustees should be conversant with the procedures.

Stage 1

All staff should listen carefully and patiently to parents' and pupils' complaints, recognising that however ill-founded the complaint might be it is a matter of great concern to the parent or pupil.

24 hour service

If the matter is within the competence of the member of staff to resolve quickly this should be done. Otherwise the complainant should be reassured that the complaint will be passed to the relevant member of staff, and the relevant person should be informed by the member of staff as soon as possible. The complainant should be told that it is the school's policy to respond to the verbal complaint within 24 hours, even if the issue cannot be entirely resolved in 24 hours. A written record should be emailed to the Bursar.

If a trivial/simple verbal concern/complaint is made it might be possible to resolve it immediately. In more serious cases, or where a member of staff is uncertain, parents should always be asked to put their complaint in writing (and moving to Stage 2 Formal Procedure).

This is to ensure that there is no conflict in determining what the complaint consists of and the action taken by the members of the school staff.

Serious complaint by a pupil:

If a serious complaint is made by a pupil, the member of staff should immediately inform the Head / Co-ordinator, who will discuss the issue with the relevant members of staff, in order to determine what the course of action should be. Members of staff receiving a concern/complaint must use the school's 'Complaints Form' () to inform the relevant senior member of staff/ Head / Complaints Co-ordinator. But this does not prevent the member of staff also speaking to the relevant senior colleague about the matter at the earliest opportunity.

If the senior member of staff considers the issue to be serious, he/she should inform the (Head/Co-ordinator) via the school's 'Complaints Form', and inform the complainant of the action taken.

If the complainant is not satisfied with the informal response, he/she should be informed that they must make a formal complaint in writing to the (Head / Co-ordinator)

In any cases of doubt members of staff should seek the advice of the (Co-ordinator) who has the responsibility for mentoring colleagues.

Informal resolution should normally take no more than three working days. If a longer period is necessary to complete investigations the complainant should be informed, within three days, of the reasons, and the new date for resolution.

Stage 2 Formal Procedure

When a written formal complaint is received, the (Head /Co-ordinator) must consult the relevant staff, make appropriate investigations, and attempt to resolve the issue within three working days. If a resolution cannot be found the (Head/Co-ordinator) should inform the complainant of their right of appeal to an independent panel.

If the complaint concerns a child protection issue, or involves an allegation of abuse by a member of the school staff, the 'named person responsible for child protection should be informed by the Co-ordinator.

No complaint should normally be left unresolved at this stage after THREE days of receipt of the complaint. Where more time is necessary to complete the investigations the complainant will be informed and another date set.

Stage 3 Hearings by an Independent Panel

Complainants who are not satisfied by the school's decision re the complaint can request a hearing by a panel of three members independent of the school management.

The complainant must be advised by the (Head / Co-ordinator) to write to the chair of the Trustees via the Clerk giving details of the complaint. The Chair will nominate the panel. The hearing must be within 10 days of the Chair receiving notice of the complaint.

The complainant must be told of their right to be accompanied by a friend, and where relevant translations/interpreters must be arranged by the Clerk after consultation with the parties.

The nominated Trustee/panel will make its own procedures, and will agree these with the Chair, who will report them to the next Trustees meeting.

The Trustee/panel will ensure that the complainant is heard in private, is welcomed, and as far as possible is put at ease.

Careful consideration must be taken when the complainant is a pupil.

The panel will hear the appeal(s), consider all the views expressed and decide the outcome.

The panel can make such findings and recommendations to the Trustees as it wishes. It must send its report to the Trustees, the Head and (where relevant) the complainant, within three working days of the hearing.

Trustees Action

The Trustees, after consultation with the Head, will consider the panel's findings and recommendations and make such decisions as it feels are necessary in the circumstances.

In general the Trustees will take one of the following courses of action:

- dismiss the complaint in whole or part
- uphold the complaint in whole or part
- decide on appropriate action to resolve the complaint
- recommend changes to the school's systems or procedures

The Trustees's decision is binding.

The Trustees's decision will normally communicated to the parties within THREE days of receiving the panel's report.

Reporting and Recording:

In all cases it is important for staff to use the school's 'Complaints Form' so that records of the complaint and the action taken can be recorded and traced. Supporting documents should be attached to the form.

The Clerk will ensure that all correspondence, statements and records pertaining to the complaint are kept confidential and secure, except where the Secretary of State or inspecting body requests access to them.

The Head and Complaints Co-ordinator will consider the handling of complaints from time to time, and will discuss issues with staff as necessary.

The Head will report to staff from time to time, and to the Trustees each term on the number and type of complaints received and their outcomes.

Signed & dated for Chair of the Trustees Body

Head and Board of Trustees