



## **STELLA MARIS SCHOOL**

### **POLICY AND PROCEDURES ON DEALING WITH COMPLAINTS AGAINST THE SCHOOL OR ITS STAFF**

#### **INTRODUCTION**

The School seeks at all times to be a community notable for its openness, professionalism and sense of justice. It is important that pupils, parents, staff and members of the general public who have a grievance should have the opportunity to express their views and feelings and that they should obtain a fair hearing and a prompt response to any complaint which they make. It is also important that the School should have due regard for the rights of all who work for them and that any complaints against members of staff should be handled in an entirely professional fashion. When deficiencies are identified following complaints, the School will take appropriate action to rectify such deficiencies.

The School's procedures for internal complaints made by members of staff are contained in the Grievance and Disciplinary Procedures set out in contracts of employment for teaching and non-teaching staff.

#### **COMPLAINTS**

A complaint is a statement of protest or remonstrance, verbal or written. It is more than the 'expression of lower level unease', the grumble which may best be handled through discreet silence or the expression of concern which can be handled within the normal practices for communication within and outside the School. A complaint is, unmistakably, a statement requiring a response.

Complaints may take one of two forms. There may be complaints about school operational matters, including the behaviour of pupils. Such complaints may be specific or general, serious or trivial. Alternatively, the complaints may concern the conduct of school staff. Such complaints may be made by all stakeholders or by the general public.

#### **POLICY**

The basic policy for complaints, verbal or written is to deal promptly, thoroughly and professionally with them. Throughout this policy, reference is made to parents but this reference applies equally to all complainants. A written record will be kept of all complaints which extend beyond Stage 1 and the stage at which they were resolved. This does not breach the confidentiality obligations referred to below.

##### **Stage 1 – Informal Resolution**

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint they should normally contact their son/daughter's Form Teacher. In many cases, the matter will be resolved straightaway by this means

to the parents' satisfaction. If the Form Teacher cannot resolve the matter alone, it may be necessary for him/her to consult a colleague/member of the School Management Team.

- If the complaint relates to a member of staff, the parent should discuss the matter firstly with that member of staff who will keep details of the concern/complaint. If this fails to produce a resolution the parents will be advised to proceed with their complaint in accordance with Stage 2 of this Procedure.
- Complaints made directly to the Head / EYFS Leader / member of the Senior Management Team will usually be referred to the relevant Class Teacher or member of staff unless the recipient deems it appropriate for him/her to deal with the matter personally.
- The Class Teacher/member of staff will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within two working term-time weeks or in the event that the Class Teacher/member of staff and the parent fail to reach a satisfactory resolution then the parents will be advised to proceed with their complaint in accordance with Stage 2 of this Procedure.

#### Stage 2 – Formal Resolution

- If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take. If the complaint is against the Head, the parents should put their complaint in writing (marked Private and Confidential) to the Chair of Trustees, who can be contacted via the School's address. The Chair of Trustees will then follow the procedure laid down in this Stage 2 process.
- In most cases, the Head will speak to or meet the parents concerned, normally during the working school day within 5 working term-time days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage. If the complaint is received during non-term-time, the Head will normally arrange to speak to or meet the parents concerned within 5 working term-time days of the start of the next term/half-term.
- It may be necessary for the Head to carry out further investigations.
- The Head will keep written records of all correspondence, meetings and interviews held in relation to the complaint.
- Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents and member of staff (where appropriate) will be informed of this decision in writing. The Head will also give reasons for his/her decision.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.

#### Stage 3 – Panel Hearing

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Clerk to the Trustees, who has been appointed by the Trustees to call hearings of the Complaints Panel.
- The matter will then be referred to the Complaints Panel for consideration. The

Panel will consist of at least three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the School. Each of the Panel members shall be appointed by the Chairman of the Board of Trustees unless he/she has been involved in Stage 2, in which case the Panel members will be appointed by the Deputy Chair of the Board of Trustees. The Clerk to the Trustees, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 10 working term-time days. If the complaint is received outside of term-time, the hearing will be scheduled to take place normally within 10 working days of the start of the next term/half-term. The hearing will take place at the School during a normal working day.

- If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties no later than two days prior to the hearing.
- The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate. The member of staff (if any) is also entitled to be similarly accompanied.
- If possible, the Panel will resolve the parents' complaint without the need for further investigation.
- Where further investigation is required, the Panel will decide how it should be carried out and what the timescale will be which shall in all cases be reasonable. These details will be communicated in writing to all parties to the complaint. After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within five working term-time days of the Hearing, providing the timescale has not been extended following the need to undertake further investigations. The Panel will write the parents informing them of its decision and the reasons for it. If the parents have provided their email address during the complaints process then the notification to them may be by email. The decision of the Panel will be final. The Panel's findings and recommendations, if any, will be sent in writing to the parents (via email if available), the Head, the Chairman of the Trustees and, where relevant, the person complained of. The School will retain a copy of the findings/recommendations to which the Head shall have access. Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements, notes of conversations, records and findings/recommendations will be kept confidential except in so far as is required of the school by any amended legislation or other legal obligations which prevail.

The record of complaint will be retained for at least three years.

The number of formal complaints will be recorded on the school website.

For Early Years/Foundation Stage parents, they may contact Ofsted on 08456 404045 to make a complaint about the School should they so wish at any stage of the process.

JH

Revised January 2010

Revised August 2010

Revised May 2011

Reviewed September 2015

This policy will be reviewed annually and will address all the appropriate Ofsted regulations.

Record of Formal Complaints 2009-10

There were 2 formal complaints during this period