

ST. IGNATIUS COLLEGE
'Men and women for others'



Complaints Procedure Policy

(Statutory)

July 2015

Personnel Committee

Next Review July 2018

St Ignatius College values the generally good relations that it enjoys between its staff, parents/carers and the community. These good relations are based upon mutual respect and a willingness to listen to others' points of view. The purpose of the policy is to provide a structured opportunity to express and resolve concerns and thus improve provision for students.

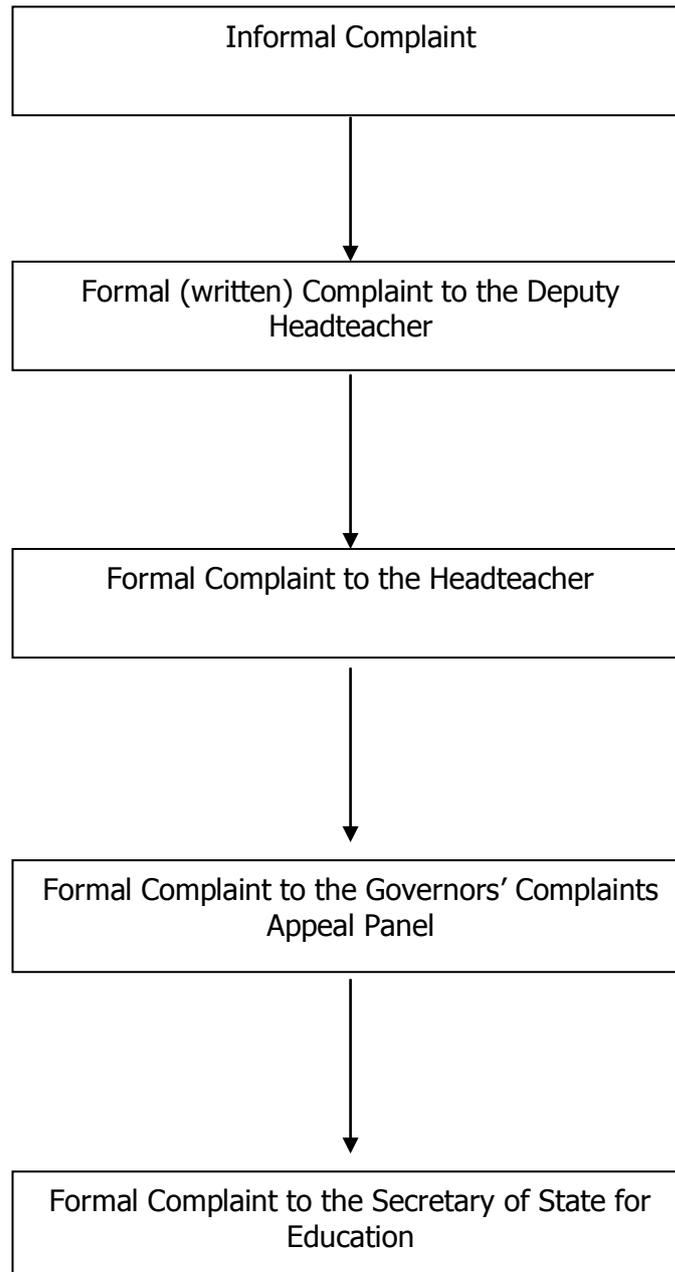
2
0
1
5
-
2
0
1
8

1. Introduction

This procedure builds on Section 154 of the Education and Skills Act 2008 and local procedures for the consideration of complaints. It is in the best interests of all parties that any concern is expressed and resolved quickly and at the earliest possible stage

Depending on the nature of the complaint, a Complainant may also wish to see the Child Protection and Safeguarding Policy, Grievance Policy and/or Raising Concerns Policy.

2. Stages of the procedure



2.1 Stage 1. Informal complaint

St Ignatius College is a College that is happy to receive suggestions and complaints and talk about concerns to help identify areas of success and areas for improvement. Where a concern is brought to the College's attention, it can almost always be resolved with a single conversation or exchange of letters / e-mails.

Sometimes an issue will take more than one discussion to resolve, in which case it should be acknowledged in the first instance and then investigated, most likely by the line manager or person responsible for the area under complaint. If it cannot be resolved at this level then it may be appropriate for a formal complaint to be made and Stage 2 invoked.

Time limit: acknowledgement should be made within 24 hours of the first report of the complaint; resolution should normally where possible be made within one week from the first report of the complaint.

2.2 Stage 2. Formal complaint made to the College's Deputy Headteacher.

Occasionally the discussions over a concern are not resolved; in that instance the complaint should be made in writing to the College's Deputy Headteacher. The Deputy Headteacher may consider the complaint themselves or if more appropriate may ask a more senior member of staff to do this. The ability to consider the complaint objectively and impartially is crucial. The Deputy Headteacher should ensure that any discussion and outcomes are recorded. Where the complaint is made against the Headteacher, the Deputy Headteacher should refer the complainant to the Chair of Governors.

Where the first approach is made to a Governor, s/he should refer the complainant to the Deputy Headteacher and advise the parent/carer/pupil about the procedure. Individual Governors should not act unilaterally on an individual complaint outside the formal procedure, nor be involved at the earlier stages, in case they are required to sit on a panel at a later stage of the procedure.

Most complaints will be resolved at this stage.

Time limit: two weeks from the first report of the complaint.

2.3 Stage 3. Formal Complaint made to the Headteacher

The Headteacher's influence will already have shaped the way complaints are handled in the College. At this point however, as well as pursuing their initial complaint, the complainant may be dissatisfied with the way the complaint was handled at Stage 2. The complaint must be made in writing on the College Complaint Form (Appendix 1). The Headteacher may delegate the task of collating the information to another staff member, but not the decision on the action to be taken. The Headteacher should investigate the complaint, review all the information and discuss the findings, together with any recommendations or apology, with the complainant. Reconciliation should be achieved at this stage. As most complaints concern the day-to-day management of the College, few matters need to go further. All discussion and outcomes must be recorded and compiled by the Deputy Headteacher or his/her representative.

Time limit: three weeks from receipt of the College Complaint Form by the Headteacher.

2.4 Stage 4: Formal complaint made to the Governing Body's complaints appeal panel

If the complainant remains dissatisfied, he should write to the Chair of Governors giving details of the complaint. Enclosed with the letter should be a copy of the 'College Complaints Form' (Appendix 1) submitted to the Headteacher. No new complaints may be included.

The Chair, or nominated Governor, will convene a Governing Body (GB) Complaints Appeal Panel. The Panel can be drawn from the nominated members of the Complaints Committee and may consist of three to five Governors. The Panel may choose its own chair. Individual complaints should never be heard by the whole GB at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The Governors' appeal hearing is the last College -based stage of the complaints process, and is not convened merely to rubber stamp previous decisions.

Time limit: three weeks from receipt of the letter by the Chair of Governors.

3. The remit of the Complaints Appeal Panel

The Panel can:

- 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 and
- recommend changes to the College's systems or procedures to ensure that problems of a similar nature do not recur.

3.1 Procedure of the Complaints Appeal Panel

The following partly repeats the content of 2.4:

- The complainant should write to the Chair of Governors at the College requesting a meeting of the Complaints Committee. Enclosed with the letter should be a copy of the 'College Complaint Form' (Appendix 1) submitted to the Headteacher. No new complaints may be included;
- when the Chair of Governors has convened a Complaints Appeal Panel a Clerk will be appointed for the Panel meeting;

- the College will have up to 10 school days from receipt of the complainant's letter to the Chair of Governors to submit its response to the Complaints Committee Clerk;
- any documents from either the complainant or the Headteacher to be considered by the committee, and the names of any witnesses who might be called must be received by the Complaints Committee Clerk at least seven school days before the hearing. Copies of all papers submitted plus the agenda will be sent to the Complaints Appeal Panel members, the Complainant, Headteacher and Chair of Governors, at least five days before the meeting. The Headteacher will copy any relevant papers to the member(s) of staff named on the complaint;
- the Complainant may bring a friend, supporter or interpreter to the meeting;
- where the complaint is against the Headteacher, he may bring a friend, supporter, interpreter or professional representative to the meeting;
- if teachers or other members of staff are asked by the Headteacher to be present, they may bring a friend or a professional representative;
- it is not appropriate for a pupil to attend unless the Complainant is a pupil (see 3.2 below);
- the Committee will be made up of Governors who have not previously had significant involvement with the complaint;
- they will consider the complaint on the basis of the papers they receive and what is said at the meeting;
- In the event of any relevant person not attending the meeting, the Panel Chair has discretion to adjourn or proceed at any stage and
- the meeting schedule should be based on the Model Agenda (Appendix 2).

3.2 Guidelines for a Governor sitting on a Complaints Appeal Panel are:

- It is important that the appeal hearing is independent and impartial and that it is seen to be so. No Governor may sit on the Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the Panel, Governors need to try and ensure that it comprises a cross-section of the categories of Governor and is sensitive to issues of race, gender, disability and religious affiliation;
- the aim of the hearing, which should be held in private, will always be to resolve the complaint and achieve reconciliation between the College and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome, if the hearing does not find in his favour. It may be possible to establish the facts and make recommendations which will satisfy the complainant that his complaint has been taken seriously;

- an effective Panel will acknowledge that many complainants feel nervous and inhibited in a formal setting, as parents often feel emotional when discussing an issue that affects their child. The Panel Chair will therefore ensure that the proceedings are as welcoming as possible and that the layout of the room will set the tone. Care is needed to ensure the setting appears appropriate and not adversarial;
- extra care needs to be taken when the complainant is a pupil. Careful consideration of the atmosphere and proceedings will ensure that the pupil does not feel intimidated. The Panel needs to be aware of the views of the pupil and give them equal consideration to those of adults. Where the pupil's parent/carer is the Complainant, it would be helpful to give the parent/carer the opportunity to say which parts of the hearing, if any, the pupil needs to attend and
- the Governors sitting on the Panel need to be aware of the entire complaints procedure.

(A checklist for a Panel hearing is attached at Appendix 3.)

4. Roles and responsibilities

4.1 The Role of the Clerk

The Complaints Appeal Panel should be Clerked by an appropriate member of the College's staff. The Clerk is the contact point for the complainant at the third stage and is required to:

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to all of the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings and
- notify all parties of the Panel's decision.

4.2 The Role of the Chair of the Governing Body or a Nominated Governor in the Chair's absence

Check that the Complaints Procedure has been correctly followed to this point and if a hearing is appropriate, notify the Clerk to arrange the Panel.

4.3 The role of the Chair of the Panel

To ensure that:

- No member of the Panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- the remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the issues are addressed;
- key findings of facts are made clear;
- the hearing is conducted in an informal, although structured manner, with each party treating the other with respect and courtesy;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties and if a new issue arises all parties are given the opportunity to consider and comment on it and
- the Panel is seen to be open minded and acting independently.

4. Notification of the Panel's Decision

The Chair of the Panel should ensure that the Complainant and the Headteacher are notified of the Panel's decision in writing, within one week of the appeal meeting. The letter should explain that any further appeal should be addressed to the Secretary of State.

Please give concise details of your complaint, (including dates, names of witnesses etc...), to allow the matter to be fully investigated:

You may continue on separate paper, or attach additional paperwork, if you wish.

Number of additional pages attached:

What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

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

Signature

Date

COLLEGE USE			
Date form received:			
Received by:			
Date acknowledgement sent:			
Acknowledgement sent by:			
Complaint referred to			
Date:			

FORMAL COMPLAINT TO A SCHOOL 'S GOVERNING BODY:
ST IGNATIUS COLLEGE MODEL AGENDA

1. Apologies
2. To consider members' declaration of interests, entitlement to vote and any requirements to withdraw from the meeting
3. To confirm the order of the procedure
4. To agree whether the decision will be conveyed orally to all parties at the end of the meeting (as well as in writing afterwards)
5. Invitation to complainant and Headteacher to join meeting and introduction to Governors
6. Introduction and explanation of the procedure
7. To note the role of the Clerk at the meeting
8. Complainant's presentation/ witness presentation to both the Headteacher and the Panel. (Note that witnesses should only attend for their presentation)
9. Headteacher's response and witness presentation to both the complainants and the Panel. (Note that witnesses should only attend for their presentation)
10. Any further questions or points from any of the parties and questions from the panel
11. Opportunity for summing up by the Headteacher
12. Opportunity for summing up by the complainant
13. Summing up by the chairperson
14. Complainant and Headteacher leave the meeting
15. To decide on the complaint. The Panel can
 - a) dismiss the complaint in whole or in part
 - b) uphold the complaint in whole or in part
 - c) decide on the appropriate action to be taken to resolve the complaint
 - d) recommend changes to the College 's systems or procedures to ensure that problems of a similar nature do not recur
16. To consider whether and how to refer Issues of principle of general practice to another forum, such as the Governing Body, or to an individual such as the Headteacher
17. To inform the complainant and the Headteacher of the Governing Body's decision and further rights of representation (if agreed at 4 above).
18. Confidentiality: to consider whether any items are confidential and should therefore not be available to persons wishing to inspect the Governing Body's papers

Checklist for Governors Complaints Appeal Panel Meeting

Prior to the meeting:

Has the agenda been circulated? (5 days before the meeting)

Have details of the complaint been circulated? (5 days before the meeting)

Have any written responses from the Headteacher and/or other staff been circulated?
(5 days before the meeting)

Have all members of the Panel declared that they have had no significant involvement in the complaint?

Practical Arrangements to set the tone of the meeting:

What time will the participants arrive?

Where will the participants wait?

Will there be refreshments?

Where will the meeting take place?

How will the meeting room be arranged? (Small and informal are usually best)

What route will the complainant and College representatives take?

Does the complainant require an interpreter?

Does the complainant have any specific requirements e.g. access?