



St Joseph's College

Complaints Policy & Procedures

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*To inspire the minds of all generations through education, with fearless faith.
As a united community we demonstrate our Lasallian values of faith, service, and respect.*

Mission Statement

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1. Policy

St Joseph’s College (SJC) aims to ensure that any complaint by a parent/carer is managed fairly, impartially, sympathetically, efficiently and at the appropriate level and that it is resolved as quickly as possible. SJC would never wish for a parent/carer to feel, or be made to feel, that a complaint would not be taken seriously, or that in making a complaint, that this might have a negative effect on their child, or his/her opportunities at the College.

SJC will aim to resolve every complaint in a positive way and always in a transparent manner.

SJC expects that most complaints can be resolved informally but guarantees to treat all complaints seriously and confidentially, whether raised informally or formally.

SJC will make parents aware of the existence of this Complaints procedure, through publication on the College website. A hard copy of this policy can be requested from the College office. Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

2. Legislation

2.1 This Policy is compliant with Schedule 1, Part 7 of the Education (Independent School Standards (England) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents/carers of pupils at the school.

3. Scope

This Policy applies to all complaints other than the following, where separate procedures apply:

- Admissions
- Safeguarding matters
- Suspension and Permanent Exclusions.
- Appeals concerning Special Needs Assessments.
- Staff disciplinary matters.
- Staff grievances
- Whistleblowing
- Concerns relating to the curriculum of the College or to its religious education.

4. Roles and responsibilities

4.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Do not approach individual governors about the complaint
- Do not publish details about the complaint on social media

4.2 The investigator

An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee, which includes the facts and potential solutions

4.3 The complaints co-ordinator

The complaints co-ordinator can be:

- A Co Headteacher
- A member of the Senior Leadership Team
- A governor
- Any other staff member providing administrative support

The complaints co-ordinator will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with staff members, the co-headteacher, chair of governors, and clerk
- Be aware of issues relating to:
 - Sharing third-party information
 - Additional support needed by complainants; for example, interpretation support or where the complainant is a child or young person
- Keep records

4.4 Clerk to the governing board

The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

4.5 Committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case

5. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

5.1 Timescales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved. When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

6. Stages

Stage 1: Informal Complaints

6.1 Most complaints where a parent/carer seeks intervention, reconsideration, or some other action to be taken, can be resolved informally. Our school will take informal complaints seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue. Examples might include dissatisfaction about some aspect of teaching, disciplinary matters (but not exclusions) and issues manifested outside the classroom. Parents/carers should raise the complaint initially with the subject teacher, Form Tutor, Head of Department, Head of Year or a member of the Senior Leadership Team as appropriate, either in person or by letter, telephone or email.

6.2 **Unresolved complaints:** A complaint that has not been resolved by informal means should be notified as a formal complaint in accordance with Stage 2.

6.3 **Record of Complaints:** In the case of complaints raised under Stage 1, the only record of the complaint and its resolution will be file notes by the person dealing with the complaint and/or file correspondence between the person raising the concern and the respondent.

6.4 **Timescales:** Complaints should be raised within 10 working days of the matter that arose which gave rise to the complaint. The school will acknowledge informal complaints within three school days. The school will aim for this Informal Stage to be completed within 10 working days. Any complaint received during a school holiday or within 10 working days of the end of term or half term may take longer to resolve.

Stage 2 - Formal Complaints – Referral to the Co-Headteacher/s

6.5 **Stage 2 Notification:** An unresolved complaint under Stage 1, a complaint that needs investigation or a more serious dissatisfaction with some aspect of SJC's policies, procedures, management or administration, should be set out in writing using the Complaints Form (Appendix 1) and be submitted via letter or email. This should include full details and be sent with all relevant documents and full contact details to the Clerk of the Governing Board for the attention of the Co Headteachers. The complainant

should also state what they feel would resolve the complaint. If a formal written complaint is received by another member of SJC's staff, this should be immediately passed on to the Co-Headteachers.

- 6.6 **Acknowledgement:** The complaint will be acknowledged in writing normally within **3 working days** of receipt during term time and as soon as practicable during the holidays. The acknowledgement will indicate the action that is being taken and the likely timescale for resolution, in accordance with this Policy as set out below.
- 6.7 **Investigation and resolution:** The Co Headteacher will determine who has responsibility for responding to a formal complaint, including the decision about his/her own involvement. Subject to that proviso, the Co Headteacher may deal with the matter personally or delegate a senior member of staff to act as Investigating Officer. The Investigating Officer may request additional information from the complainant and will fully investigate the issue. In most cases, the Co Headteacher or Investigating Officer will meet or speak with the parent/carer to discuss the matter. Unless unavoidable, members of the Governing Board should not become involved at this stage to avoid prejudicing their possible future involvement. The Investigating Officer (if not the Co Headteacher) should write a written recommendation of outcome to the Co Headteachers, who will in turn inform the complainant.
- 6.4 **Record of Complaints:** Written records will be kept of any meetings and interviews held in relation to the complaint.
- 6.5 **Unresolved Complaints:** These will be referred to Stage 3 (see below).
- 6.6 **Timescales:** Complaints should be raised within 10 working days of the matter that arose which gave rise to the complaint. The school aims to inform any complainant of the outcome of an investigation and the resolution to the complaint within 20 working days from receipt of the complaint. Any complaint received during a school holiday or within 20 working days of the end of term or half term may take longer to resolve.

Stage 3: Complaint Heard by Governing Board Complaints Panel (GBCP)

- 6.7 **Stage 3 Request:** A request for a complaint to be heard by the Governing Board Complaints Panel, hereafter referred to as the GBCP (an appeal) must be made in writing within 10 working days of the date of the school's decision made at Stage 2. This request should be made to the Clerk (by letter or e-mail) including a copy of the original written complaint and indicating which matters remain unresolved. No new complaint may be included. Upon receipt of the written complaint, it will be forwarded to the relevant members of the Governing Board.
- 6.8 **Acknowledgement:** Where an appeal is received, the Clerk to the GBCP will acknowledge, in writing, receipt of the appeal and inform the complainant of the steps involved in the process. The Clerk will be the contact point for the complainant throughout the duration of this stage.

- 6.9 **Panel Hearing:** The Clerk will aim to convene a GBCP Hearing as soon as possible, normally no later than 20 working days after receipt of the Stage 3 complaint. The final decision should be communicated no later than 10 working days after the Hearing has taken place so that the total time between the submission of a Stage 3 complaint Hearing and communication of the GBCP's findings is no more than 30 working days.
- 6.10 **Panel Membership:** The GBCP will consist of two Governors of the Governing Board who have not previously been involved in the complaint and one panel member who is independent of the management and running of the school. In deciding the make-up of the GBCP, Governors will try and ensure that it is a cross-section of the categories of Governor and be sensitive to the issues of race, gender and religious orientation. The GBCP will select its own Chair.
- 6.11 **The GBCP 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/or
 - Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.
- 6.12 **Attendance:** In addition to the Panel itself, the following are entitled to attend the Hearing, submit written evidence and address the Panel:
- The parents/carers and/or one named representative;
 - The Co Headteachers and/or one named representative and
 - Any other person who the GBCP considers to have a reasonable and just interest in the appeal and whose contribution would assist the GBCP in their decision making.
- 6.13 **Evidence:** All parties will be given the opportunity to submit written evidence to the GBCP in support of their position including: documents; chronology and key dates and written statements setting out further detail of the issues.
- 6.14 All written evidence must be received by the Clerk no later than 5 working days in advance of the GBCP Hearing. The Clerk will distribute the evidence to all parties no later than 3 working days in advance of the GBCP Hearing.
- 6.15 The evidence will be considered by the GBCP along with the initial complaint.
- 6.16 The aim of the Hearing, which will be held in private and on the school's premises, will always be to resolve the complaint and achieve reconciliation between SJC and the complainant.
- 6.17 The GBCP will reach a decision and make any recommendations within 10 working days of the Hearing, as noted in 6.3 above. The decision reached by the GBCP is final.
- 6.18 The findings of the GBCP will be sent in writing by the Clerk to the parents/carers, the Governing Board (Chair), the Co Headteachers and, where relevant, to the person or persons about who the

complaint was made. The letter will state the reasons for the decision reached and include any recommendations made by the GBCP.

6.19 **The Role of the Clerk:** All GBCP considering complaints must be clerked. The Clerk is the contact point for the complainant 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;
- To collate any written material and send it to the parties in advance of the Hearing
- To meet and welcome the parties as they arrive at the Hearing;
- To record the proceedings; and
- To notify all parties of the GBCP's decisions.

6.20 **The Role of the Chair of the Governing Body or Nominated Governor:**

This is to check that the correct procedure has been followed and if a Hearing is appropriate, to notify the Clerk to arrange the GBCP.

6.21 **The Role of the Chair of the GBCP:** The Chair has a key role, ensuring that:

- The remit of the GBCP is explained to the parties and each party has the opportunity of putting their case without undue interruption or prejudice;
- The offer of an interpreter is made if appropriate;
- The issues are addressed;
- Conjecture is challenged;
- Key findings of fact are made;
- Parents/carers or others who may not be used to speaking at such a Hearing are put at ease;
- The Hearing is conducted with each party treating others with respect and courtesy;
- The GBCP is open minded and acts independently;
- No member of the GBCP has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions; and
- Written material is seen by all parties. (If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.)

6.22 **Record Keeping:** The School will keep a record of all Hearings, decisions and recommendations of the GBCP.

7. Stage 4: Referral to the Department for Education (DfE)

7.1 If the parent/carer remains dissatisfied following Stage 3, and all attempts to resolve the complaint have been unsuccessful, for most schools you may refer your complaint to the Secretary of State for Education at the Department for Education (DfE) if the complaint is regarding the school not meeting standards set by the DfE in any of the following areas.

➤ Education

- Pupil welfare and health and safety
- School premises
- Staff suitability
- Making information available to parents
- The spiritual, moral, social or cultural development of pupils

The Education Skills and Funding Agency should only be contacted after dissatisfaction with Stage 3.

8. Complaints against the Co-Headteacher/s

- 8.1 In the first instance, the parent/carer should write to the Chair of the Governing Board. This is Stage two of this formal complaints' procedure.
- 8.2 The Chair or a suitable governor will meet with the parent/carer within 5 working days, unless there are exceptional reasons which require a more urgent meeting, or unless the Chair and the parent/carer agree that there are sensible reasons for a longer delay.
- 8.3 If, following that meeting, the parent/carer wishes to pursue the complaint, the Chair will write to the parent/carer setting out their conclusions and the proposed course of action within 5 working days of the meeting.
- 8.4 If still dissatisfied, the parent/carer should then write to the Vice-Chair of the Governing Body indicating their desire to complain further, within 10 working days. This is Stage 3, and the Final Stage of the School's formal complaints procedure.
- 8.5 The Vice-Chair of the Governing Board will then convene a GBCP, which must include no fewer than three Governors excluding both the Chair of the Governing Body and any Governors who have been involved in the process. The Vice-Chair will chair the GBCP. The GBCP will also include one independent person normally from the LA for example the school improvement reviewer, who has no involvement in the management or running of the college. The GBCP may meet, individually or jointly, with the Headteacher and the parent/carer as part of their discussions, at their discretion. The GBCP will meet within 10 working days of the Vice-Chair receiving the written complaint.
- 8.6 The GBCP will report back formally within 10 working days of hearing the complaint and the Vice Chair will write to the parent/carer concerned directly.
- 8.7 If the parent/carer remains dissatisfied following Stage 3, then they have the right to raise the matter with the Secretary of State or his representatives through the routes described by the Education and Skills Funding Agency.

9. Unreasonable and persistent complaints

9.1 Unreasonable complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Refuses to co-operate with the complaints investigation process
- Refuses to accept that certain issues are not within the scope of the complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- Introduces trivial or irrelevant information which they expect to be taken into account and commented on
- Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- Changes the basis of the complaint as the investigation proceeds
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed, including referral to the ESFA
- Seeks an unrealistic outcome
- Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- Uses threats to intimidate
- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums

Please note: the above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the school what is deemed to be unreasonable.

Complainants should try to limit their communication with the school while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Steps we will take

We will take every reasonable step to address the complainant's comments and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

Whenever possible, the headteacher or chair of governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable, refer them to this policy and remind them to act in accordance with it. For complainants who excessively contact the school causing a significant level of disruption, we may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from school premises and ensuring appropriate measures of support are provided to staff where they are the subject of aggression and/or violence.

9.2 Serial/persistent complaints

If the complainant contacts the school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the complainant when the following conditions are met:

- We have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts the school repeatedly, making substantially the same points each time

The case to stop responding is stronger if:

- The complainant's communications are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience

Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern

9.3 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the ESFA if they are dissatisfied with our original handling of the complaint

If a duplicate complaint is raised which in the view of the school warrants further consideration, the procedure outlined in section 6 or 8 (as appropriate) will be repeated.

9.4 Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

Appendix 1

Complaints Form

Please complete and return to the Clerk of the Governing Board who will acknowledge receipt and explain the complaints process.

Name	
Address	
Telephone Number (Day)	
Telephone Number (Evening)	
E-mail Address	
Name of Student	
Relationship to the Student (if relevant)	
Brief details of complaint	
Action taken, if any, to seek to resolve the complaint? (e.g. who has been spoken to and what was the response?)	

Please note any possible actions that might in your opinion resolve the problem at this stage.

Please list the title of any relevant further information that is attached. Note: Any evidence or information will be formally acknowledged

Signature (Complainant)

Date

Appendix 2

Model Procedure for conducting a Stage 3 Governing Body Complaints Panel (GBCP) Hearing

- 1 The Chair of the GBCP should invite all parties (except any witnesses) into the room, introduce them and explain the role of each person.
 - 2 The Chair should explain to all present that the purpose of the Hearing is to review the complaint and try to resolve it and achieve reconciliation between the school and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action.
 - 3 The Chair should then ascertain whether the proposed procedure is acceptable. If so, the meeting will proceed along the following lines:
 - The complainant will describe her/his complaint and may call witnesses;
 - The Headteacher may seek clarification from the complainant and any witnesses;
 - The GBCP or its advisers may seek clarification from the complainant and any witnesses;
 - The Headteacher will respond to the complaint and may call witnesses;
 - The complainant may seek clarification from the Headteacher and any witnesses;
 - The GBCP (including any advisers) may seek clarification from the Headteacher and any witnesses;
 - The Headteacher will be given the opportunity to sum up;
 - The complainant will be given the opportunity to sum up and
 - Both parties will leave the room to allow the GBCP to deliberate but any advisers may remain to offer technical and procedural advice.
 - 4 The GBCP should make a decision or judgement on:
 - The validity of the complaint;
 - The propriety of action taken by the school and/or parent/carer; and where appropriate, the GBCP should also make recommendations on changes to the School's systems or procedures to ensure similar problems do not arise in the future.
 - 5 The decision or judgement will be confirmed in writing within **10 working days**.
- NB: If there is more than one complainant this procedure should be followed for each one in turn, unless the complainants agree to the complaints being held consecutively.