



**De La Salle School**

# Complaints Policy

Approved by: .....

Signed: .....

Date: .....

Review Date: .....

## **. Introduction**

De La Salle School is dedicated to providing the best possible education and support for all its students. This means having a clear, fair, and efficient procedure for dealing with any complaints to or against the school, from parents, carers and others so that any issues that arise can be dealt with as swiftly, impartially and effectively as possible.

All school staff will be made aware of complaints procedures and are expected to review this policy regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

This policy explains that procedure, and the steps that it outlines should be referred to and followed by all students and their parents and carers whenever an issue arises that causes them concern.

Any person, including members of the general public, may make a complaint about any provision of facilities or services that the school provides, unless separate statutory procedures apply (such as exclusions or admissions).

### **This policy does not apply to complaints about:**

- Admissions to schools
- Statutory assessments of Special Educational Needs (SEN)
- School re-organisation proposals
- Matters likely to require a Child Protection Investigation
- Exclusion of children from school
- Whistleblowing
- Staff grievances and disciplinary procedures
- Complaints about services provided by other providers who may use school premises or facilities

For these there are separate (statutory) procedures.

## **2. When an issue or concern first arises**

If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone or in writing. You will then be contacted by the member of staff most appropriate for dealing with your concern.

You may wish to approach your child's form tutor or subject leader first as they will be best placed to help you either directly or by directing you to another member of staff that you should be speaking to.

We encourage parents, carers and others to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding.

**If your complaint is about a member of staff**, you should first raise this with the headteacher in writing.

**If your complaint is about the Headteacher**, you should raise your concern in writing with the Chair of Governors.

**If your complaint is about a governor or the governing body**, you should raise your concern in writing with the Clerk to the Governing Body who can be contacted via the school.

The Chair of Governors may refer complaints that are taken straight to them back to the appropriate member of staff if they do not warrant the Governing Body's involvement at that point.

### **3. Procedures**

Complaints should to be considered, and resolved, as swiftly, impartially and efficiently as possible. Complaints should therefore be raised within 3 months of the event taking place, except in exceptional and mitigating circumstances. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadlines and an explanation for any delay

The school's policy is to follow the DfE guidelines when handling concerns and complaints. It would be unusual to deviate from these procedures, but the school always retains discretion in these matters. Full details of the procedures can be found at **Appendix A** of this policy.

In summary, the nationally accepted procedure is divided into three stages:

**Stage 1** aims to resolve the concern through informal contact at the appropriate level in school.

**Stage 2** is the first formal stage where complaints are considered by the headteacher. For a stage 2 complaint, please contact the Headteacher, by letter or by completing the attached form (Appendix B) and returning it to the PA to the Headteacher. The Headteacher considers any such complaint very seriously and investigates each case thoroughly. Most complaints are normally resolved at this stage.

If the complaint relates to the Headteacher, the Chair of Governors should be contacted through the Clerk to Governors, who can be contacted via the school.

If the complaint relates to the Chair of Governors, or any governor, please contact the Clerk to Governors in the first instance.

**Stage 3** is the next step if the matter is unresolved following a formal investigation or if the complainant wishes to take the matter further. This complaint must be made in writing.

Should you have a disability or special needs which will affect your ability to communicate in writing, please contact the Clerk to Governors. The complaint must state the nature of the complaint and how the school has handled it so far. The parent, carer or other should address this complaint to the Chair of Governors via the Clerk to Governors. The Chair of Governors will consider all written complaints within three weeks of receipt and will do all he/she can to resolve the complaint to the parent's/ carer's satisfaction. This stage *may* involve a complaints review panel of governors. However, it is at the discretion of the Chair of Governors for such a panel to be offered.

If, once the procedure has been followed you are still dissatisfied, you have the right to refer your complaint to the Secretary of State. The School Complaints Unit (SCU) considers complaints relating to LA maintained schools in England on behalf of the Secretary of State. Further information can be obtained from the SCU by calling the National Helpline on 0370 000 2288, by going online at: [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus) or by writing to:

Department for Education  
Ministerial and Public Communications Division  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

#### **4. Monitoring and Review**

The school will record the progress of the complaint and the final outcome. All complainants have a right to copies of these records under the Freedom of Information and Data Protection Acts. The Governing Body will monitor a log of written complaints. De La Salle School will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively.

Please note: complaints made during a school holiday or half-term holiday that necessitate action by the Headteacher or the Chair of Governors will be dealt with as soon as practical and will not follow the normal timescale.

Parents, carers and others can be assured that all concerns and complaints will be treated seriously and confidentially.

The Governing Body will review the complaints policy every three years.

#### **4. Serial and Persistent Complaints**

There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Governing Body may inform them in writing that the procedure has been exhausted and that the matter is now closed.

The school will not take the decision to stop responding lightly. This decision will only be made if:

- De La Salle School has taken every reasonable step to address the complainants needs;
- The complainant has been given a clear statement of the school's position and their options (if any); and
- The complainant is contacting the school repeatedly but making substantially the same points each time.

## APPENDIX A

### School Complaints Procedures

These procedures have been developed in line with DfE guidance. [Best Practice Advice for School Complaints Procedures 2016](#)

The majority of concerns from parents, carers and others are handled under the following general procedures.

The procedure is divided into three stages:

**Stage 1** aims to resolve the concern through informal contact at the appropriate level in school.

**Stage 2** is the first formal stage at which written complaints are considered by the headteacher.

**Stage 3** is the next stage if the complaint is unresolved. It may involve a complaints review panel of governors.

How each of these stages operates is explained below:

#### **Stage 1** - Your initial contact with the school

1. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's form tutor or subject leader.
2. You will be contacted, as soon as possible after your concern is made known to us. All members of staff know how to refer, if necessary, to the appropriate person with responsibility for particular issues raised by you. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.
3. We will ensure that you are clear what action or monitoring of the situation, if any, has been agreed.
4. We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into your concern.
5. We will discuss with you (normally within ten working days) the progress of our enquiries. You will have the opportunity of asking for the matter to be considered further, once we have responded to your concern.
6. If you are still dissatisfied following this informal approach, your concern can become a formal complaint and will then be dealt with at the next stage.

#### **Stage 2** - Formal consideration of your complaint

If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint in writing to the headteacher.

1. For a stage 2 complaint, please contact the Headteacher, by letter or by completing the attached form (Appendix B) and returning it to the PA to the Headteacher . If, however, your complaint concerns the headteacher personally, the complaint should be addressed to the Chair of Governors. The Chair of Governors can be contacted through the Clerk to Governors.
2. We will acknowledge your complaint in writing as soon as possible after receiving it.
3. Normally we would expect to respond in full within ten working days, but if this is not possible we will write or telephone to explain the reason for the delay and let you know when we hope to be able to provide a full response.
4. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
5. The headteacher, or Chair of Governors may also be accompanied by a suitable person if they wish.
6. Following the meeting, the headteacher, or Chair of Governors will where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a student, we will talk to the student concerned and, where appropriate, others present at the time of the incident in question.
7. We will normally talk to students with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a student has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the student feels comfortable, is present.
8. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
9. The school will keep notes of meetings and telephone calls and copies of any written responses. If there are any communication difficulties, a recording device may be used during the process to enable all parties to access and review discussions.
10. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give a full explanation of the headteacher's decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do.

**Stage 3 (including Consideration by a Complaints Review Panel)**

The Complaints Review Panel operates according to the following formal procedures: If your concern has already been through Stages 1 and 2 and you are not happy with the outcome, we ask that you make a written complaint addressed to the Chair of Governors. Should you have a disability or special needs which will affect your ability to communicate in writing, please contact the Clerk to Governors via the school. The Chair of Governors will consider all written complaints, usually within three weeks of receipt and will do all he/she can to resolve the complaint to the parent or carer's satisfaction. The Chair of Governors *may* agree to set up a complaints review panel to consider it. This is a formal process, and your

ultimate recourse at school level. The Chair of Governors has discretion to agree to this form of meeting where he or she feels it would be helpful in resolving the complaint.

The purpose of this arrangement is to give your complaint a hearing in front of a panel of governors who have no prior knowledge of the details of the complaint. You have the right to request an independent panel and a decision about that will be made at the discretion of the governors.

The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent, carer or other. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously.

The complaints review panel operates according to the following formal procedures:

1. The clerk to the governing body will aim to arrange for the panel meeting to take place within twenty working days of the Chair of Governors' decision to a review panel.
2. The clerk will ask you whether you wish to provide any further written documentation in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.
3. The headteacher will be asked to prepare a written report for the Panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
4. The clerk will inform you, the headteacher, any relevant witnesses and members of the panel by letter, at least five working days in advance, of the date, time and place of the meeting, which will usually be at the School.
5. With the letter, the clerk will ask whether you wish to submit further written evidence to the panel.
6. The letter will explain what will happen at the panel meeting and the clerk will also inform you that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
7. With the agreement of the chair of the panel, the headteacher may invite members of staff directly involved in matters raised by you to attend the meeting.
8. The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
9. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.

10. The chair of the panel will ensure that the meeting is properly minuted. Such minutes are often of a sensitive nature and, therefore, should remain confidential.
11. The written outcome of the panel meeting will be sent to you and should give you all the information you require.
12. During the meeting, you can expect there to be opportunities for:
  - you to explain your complaint;
  - you to be questioned by the headteacher about the complaint;
  - you to hear the school's explanation of actions from the headteacher;
  - you to question the headteacher about the complaint;
  - the panel members to be able to question you and the headteacher;
  - any party to have the right to call witnesses (subject to the chair's approval) and all parties to have the right to question all witnesses;
  - you and the headteacher to make a final statement.
13. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the headteacher and yourself within ten working days. All participants other than the panel and the clerk will then leave.
14. The panel will then consider the complaint and 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;
  - recommend, where appropriate, to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.
15. The clerk will send you and the headteacher a written statement outlining the decision of the panel usually within two weeks. The letter will explain what further recourse, beyond the governing body, is available to you.
16. The panel's decision is final. If you are unhappy with the outcome, you may wish to put your complaint to the Secretary of State. Complaints should be sent to the School Complaints Unit, DfE, 2<sup>nd</sup> Floor, Piccadilly Gate, Manchester M1 2WD.
17. We will keep a copy of all correspondence and notes on file in the school's records but separate from students personal records.

### **Closure of Complaints**

The person investigating your complaint may decide that we have done all we can to resolve the complaint, in which case we may use our discretion to close the complaint at this point. Please see below for further information about this process.

- Very occasionally, the school will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.

- We will do all we can to help to resolve a complaint against the school, but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".
- If a complainant persists in making representations to the school - to the headteacher, chair of governors or anyone else - this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the pupils in our care. For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint.
- This does not, of course, prevent you from referring your complaint to the Secretary of State for Education.

**APPENDIX B**

**COMPLAINTS FORM**

Please complete and return to PA to the Headteacher, for the attention of the **Headteacher**.

Name:

Student's Name (if relevant):

Your relationship to the student (If relevant):

Address:

Postcode:

Daytime telephone number:

Evening telephone number:

Please give details of your complaint:

What action, if any, have you already taken to try to resolve your complaint? Who have you spoken to and what was the response?

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

Continued/....

Are you attaching any paperwork? If so, please give details:

Signature:

Date:

**Official use**

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Final Action agreed/taken:

Signature: