



**OAKLANDS CATHOLIC SCHOOL**

**AND**

**SIXTH FORM COLLEGE**

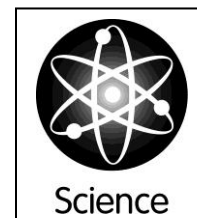
**COMPLAINTS POLICY**

<b>APPROVED BY GOVERNORS</b>	<b>JANUARY 2010</b>
<b>REVISION DUE</b>	<b>JANUARY 2013</b>
<b>MEMBER OF STAFF RESPONSIBLE</b>	<b>HEAD TEACHER</b>
<b>STATUTORY / NON-STATUTORY</b>	<b>STATUTORY</b>



Community

Unity



Opportunity

## **OAKLANDS GOVERNORS' COMPLAINTS POLICY**

### Introduction

In a Catholic school, parental concerns are of particular importance. As the first educators of their children, parents have a duty to take an active interest in their school. To this end, “there must be the closest co-operation between parents and the teachers to whom they entrust their children to be educated. In fulfilling their task, teachers are to collaborate closely with the parents or guardians and willingly listen to them.” (Can.796) In Oaklands Catholic School, therefore, dealing with parental concerns is an intrinsic part of the school ethos and mission. A climate of openness and partnership is essential

The school and the pupils also recognise their responsibilities in respect of the wider community in and beyond the school. In addition to these general responsibilities the school has a commitment to each individual child in line with the principles contained in “Every Child Matters”. On occasions, however, a problem or concern may arise. The great majority of these can be sorted out informally – in person, by telephone etc. If you think that we have not taken action over a significant problem or we have made the wrong decision and you now wish to make a complaint the procedure is as follows

This Policy does not apply to:

- ❑ complaints between members of staff (who should use their own Grievance Procedure)
- ❑ procedures with their own appeal structure e.g. admissions and exclusions
- ❑ concerns about the nature of the Curriculum.

It is also totally separate from any Disciplinary or Capability Procedures. If the investigation of any complaint were to lead to concerns on the part of the Headteacher or Governors about the capability or conduct of a member of staff, it is an internal matter that would not be discussed or dealt with within this procedure.

Complaints are only accepted from parents/guardians not other family members. Complaints should be brought to the attention of the school as soon as possible. Any matter raised 3 months after the event being complained of will not be considered, save in exceptional circumstances.

### 1. **Aim**

- 1.1 Education at Oaklands is a close partnership between parents/guardians and the school particularly, but also other members of the Oaklands Community.
- 1.2 Through consultation and cooperation, parents, teachers, and children can work together in order to ensure that each child achieves his/her potential.

- 1.3 We therefore strongly value the partnership role which parents play in the education of their children at Oaklands and recognise the need to respond to the concerns of parents as they arise with a view to resolving any difficulties or concerns as soon as we can.
- 1.4 Therefore it is important that Oaklands has in place a complaints procedure which can respond to parents' concerns as they arise and encourage a shared approach to the development of each child and to contribute and build parental confidence in the school.
- 1.5 The Oaklands Complaints Procedure outlines below a number of stages which are designed to help inform parents about how to proceed when they have a concern, depending on the nature of that concern.
- 1.6 Parents are reminded that the role of the Governing Body is largely strategic. It is responsible for the school's strategic framework such as:
  - Aims and objectives
  - Priorities and targets
  - Policies to achieve its aims and targets
  - Religious nature of the school
- 1.7 The Headteacher is responsible for the internal organisation management and control of the school and for advising on and implementing the governors' policies. The Headteacher is solely responsible for making day-to-day decisions.
- 1.8 Parents should also note that the role of the LA Children's Department is linked to reminding the school of its legal responsibilities. Therefore for individual general complaints there is no right of appeal to the LA since it has no powers to direct the school to change its decision.

## **2. The Informal Stage**

- 2.1 Whenever a parent has a concern about any aspect of their child's education at Oaklands, the problem may be very quickly resolved by using an informal approach to the school.
- 2.2 Depending on the nature of the concern it may be appropriate to contact any one of the following: **the Form Tutor, the Head of Year, the child's teacher or Head of Department.** If you feel that the matter is a little more serious and the parent or guardian would like to talk to a senior member of staff such as a Deputy Head or the Head, they should contact the school to make an appointment. Most problems are very quickly resolved at this informal stage.

### **3. The Formal Stage**

#### **Stage 1**

- 3.1 If the matter is not resolved through informal discussion then the parent should write to the Headteacher outlining the nature of the complaint. .
- 3.2 The Headteacher will acknowledge receipt of the complaint as soon as possible and normally within 5 days and will take one of two actions:
- (i) The Head will notify the parent concerned of the proposed investigative action that he intends to take and will notify the parent of his best estimate how much time he will require to investigate the matter before responding or
  - (ii) The Head will acknowledge receipt of the complaint and will inform the parent about how he proposes to deal with the complaint indicating the name of the member of staff to whom he has delegated the responsibility for investigating the matter. The Head will also inform the parent whether or not the Head or the delegated member of staff or both will be contacting the parent after the matter has been investigated. If investigation into the complaint became protracted the parent is to be updated on progress no less often than every 30 school days.
- 3.3 If the complaint is about the Headteacher then a parent may elect to contact the Chair of Governors by moving directly to Stage 2. However, depending on the nature of the complaint, the Chair of Governors is to be satisfied that the parent has made every effort to resolve the matter with the Head and has allowed the Head to respond to the matter raised.
- 3.4 If the Chair of Governors decides that the parent concerned should have approached the Head to respond to the matter raised, then the Chair will write accordingly to the parent concerned, initiating Stage 1 of the procedure.

#### **4. Stage 2**

- 4.1 If, having discussed the matter with the Head, the parent feels that the issue has not been resolved, and wishes to take the matter further then the parent should write to the Chair of Governors outlining the nature of the concern, and the resolution sought.
- 4.2 Complaints may be submitted by letter or a formal complaint form. The Governors' preference is that complaints under Stage 2 should be made on the form since it seeks the necessary evidence of initial resolution and clearly asks for a firm indication of the resolution sought. Once completed the letter or form should be sent to the Chair indicating why the Stage 1 resolution was not satisfactory and enclosing any supporting evidence or paperwork.

- 4.3 The Chair of Governors will acknowledge the receipt of the complaint as soon as is possible and will inform the parent of the action to be taken and the timescale involved.
- 4.4 The Chair of Governors is to review the case with the Head in order to try to resolve the complaint as soon as possible and seek a mutually acceptable resolution between the parent and the school.
- 4.5 The Chair of Governors is to decide who is to be responsible for dealing with the issues involved, and therefore what statutory powers are vested in the governing body with respect to the particular complaint. He will consider whether the responsibility
- (i) is delegated to the Headteacher by the governing body; or
  - (ii) falls within the governing body's remit only; or
  - (iii) is within the Headteacher's terms of reference and statutory responsibilities for the internal organisation, management and control of the school.
- 4.6 If the matter relates to the Headteacher's conduct, the Chair of Governors is to seek advice from the LA Childrens Department complaints adviser, education personnel services and the Diocese (Schools Department).
- 4.7 For matters that are the Headteacher's personal responsibility, the Chair of Governors' duty is to review whether the Headteacher's decision or action was reasonable in light of the information available at the time and coherent with Governors' policies.
- 4.8 In normal circumstances, for matters which are the Head's responsibility, the Chair would consider all information provided by the parent and the Head and, in the light of the information available from the parent and the Head would determine whether or not in his opinion, the Headteacher's decision or action was reasonable.
- 4.9 If the Chair of Governors is satisfied that the Headteacher's decision or action is reasonable he will write to the parent concerned to that effect. If the Chair upholds the complain he they may grant redress as he sees fit.
- 4.10 If at any stage new information is introduced by the parent, then the process would be suspended and the information referred back to the Headteacher for reconsideration.

### **Stage 3 The Governing Body's Complaints Panel**

- 4.11 Governing Body's complaints panel may be used to determine whether or not the Head's decision had been reasonable. In the rare circumstance that a parent is unhappy with the outcome, the matter may be referred to the governing body's complaints panel. However, the Complaints Panel, like the Chair of Governors, is only empowered to look at whether the headteacher's decision or action was

reasonable in the light of the information available at the time. The panel is normally to be chaired by a Vice Chair, be a panel of 3 with one parent empanelled. The pool to be drawn from those vetted to the Student Discipline Committee, and who are untainted in relation to the complaint.

#### **Stage 4** (Local Authority Childrens' Department)

(For complaints about the NC, RE and related matters, there is further appeal to the LA Childrens' Department once the school's internal procedures have been exhausted).

4.12 If the Chair's view is that, given the information available, the Head's decision or action was reasonable and the parent is not happy with his decision, the Chair may feel that the nature of the complaint is not a general complaint but is outside the competence of the Governors (such as matters to do with the National Curriculum). In these cases the Chair may refer the matter to the LA or the Diocese and will ask the parent to contact the Complaints Adviser at the LA. Contact details will be provided.

#### **5. Mediation**

In cases of disagreement between parents/carers and the school/Local Education Authority (LA) over a child's Special Educational Needs, mediation may be helpful, and may be offered by the LA. The aims of the regional mediation service is to help schools/LAs and parents/carers reach an agreement that is in the best interests of the child and meets the child's needs.

#### **6. Secretary of State**

If a parent wishes to pursue a complaint because they feel a school has acted unreasonably, they can write to the Secretary of State.

The Secretary of State will contact the governing body and the LA for more detailed information. The Secretary of State has the power to direct the school to revise an action using the same criteria as applied by the governors.

#### **7. Vexatious complaints**

In rare circumstances a complainant might, having exhausted this procedure, persist with the complaint.

Complaints become vexatious when

- Repeatedly or obsessively pursued
- Unreasonable
- Pursued in an unreasonable manner

The Chair may declare a complaint vexatious and decide to end further correspondence. He would explain to a vexatious complainant that the school was

not going to respond to any further complaints about the same matter and further correspondence would simply be filed.

8. The Governors will take legal action against anyone making an abusive complaint to any member of staff. This will include harassment, which may be reported to the police.

If a parent is abusive in manner to a member of staff either in a meeting or on the phone, the member of staff will notify the parent concerned of the fact that their manner is unacceptable and may terminate any meeting or conversation forthwith.

**PLEASE NOTE:**

The term 'parents' includes guardians and those in charge of 'looked-after' children