

(25)

S. ANSELM'S SCHOOL

COMPLAINTS PROCEDURE

Date Implemented : September 2003



Monitoring:	Headmaster
Named Persons Responsible:	S C Northcott
Reviewed:	July 2005, October 2007, April 09.
Policy Review Date:	October 2009

COMPLAINTS PROCEDURE

INTRODUCTION

S. Anselm's has long prided itself on the quality of the teaching and pastoral care provided for its pupils. However, if parents do have a complaint, they can expect it to be treated by the School in accordance with this Procedure.

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 Tutor/Housemaster/Housemistress. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Form Tutor/Housemaster/Housemistress cannot resolve this matter alone, it may be necessary for him/her to consult a Head of Department/the Deputy Head/the Headmaster.
- Complaints made directly to a Head of Department/the Deputy Head/the Headmaster will usually be referred to the relevant Form Tutor/Housemaster/Housemistress unless the Head of Department/the Deputy Head/the Headmaster deem it appropriate for him/her to deal with the matter personally.
- The Form Tutor/Housemaster/Housemistress 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 one week or in the event that the Form Tutor/Housemaster/Housemistress and the parent **fail to reach a satisfactory resolution then 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 Headmaster. The Headmaster will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headmaster will meet the parents concerned, normally **within three days** of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- It may be necessary for the Headmaster to carry out further investigations.
- The Headmaster will **keep written records** of all meetings and interviews held in relation to the complaint.

- Once the Headmaster is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Headmaster will also give reasons for his 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 one of the school Governors, who has been appointed by the Governors 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 Governors.** The Governor 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 days.**
- If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied to all parties not 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.
- If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.
- Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete **within 7 days of the Hearing. The Panel will write to the parents informing them of its decision and the reasons for it.** The decision of the Panel will be final. **The Panel's findings and, if any, recommendations will be sent in writing to the parents, the Headmaster, the Governors and, where relevant, the person complained of.**

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as is required of the school by paragraph 6(2)(j) of the Education (Independent Schools Standards) Regulations 2003; where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.

MAKING A COMPLAINT (Children)

Sometimes you may feel that you would like to complain about something that is worrying you. This might be about how you are being treated. The first thing you should do is speak to any member of staff you trust (like your Housemaster, Housemistress, a Matron, Form Teacher, Teacher, Deputy Head or the Headmaster); you can take a friend or person you trust with you if you wish – another child, an older child or another member of staff.

Sometimes a friendly chat may not be enough and you may wish to make a formal written complaint. This is what you do:

Go and see any teacher or matron or other adult and tell him or her your problem. The adult you have chosen will listen to you sympathetically and help you talk things through. You will be helped to write down the details which will then need to be given to your Headmaster.

You will then be asked to talk the matter through with either the Headmaster (or Deputy Head) – that is, if you have not approached him in the first place – and you can have a friend with you, who may be another child or an adult. If, within two more days, you have not had the matter satisfactorily sorted out, you may contact any of the people whose details are listed below. **YOU DO NOT HAVE TO INFORM STAFF OR ANYONE ELSE THAT YOU ARE COMPLAINING ABOUT THEM.**

PEOPLE OUTSIDE SCHOOL YOU MAY WISH TO CONTACT:

- **Your parents or another relative or respected friend.**
- Richard Carter: the Beeches, Main St. Great Longstone, Derbyshire DE45 1TF
Tel: (M) 0790 098 0967
- Childline: Tel: 0800 1111; Freepost, London 1111, N1 0BR
- Mrs Cathy Colhoun: Tel: 01629 814695
- The Commission for Social Care Inspection, South Point, Cardinal Square, Nottingham Road, Derby DE1 3QT (Tel: 01332 851800)

These numbers are displayed on the notice board by the telephone.

Whoever you contact will speak to you at the school – again you can have a friend with you – and will advise you about what course seems sensible. At that stage it will be up to you to make a decision acting on his (her) advice.

DON'T BE AFRAID TO COMPLAIN

IF EVER YOU WANT TO MAKE A COMPLAINT AND DON'T KNOW WHAT TO DO, ASK AN ADULT.

How to raise a concern (Whistle blowing) Policy

At S. Anselm's we recognise that staff who raise concerns are an asset not a threat. Staff are hereby provided with a procedure by which concerns can be raised without reprisals in any form. Staff may raise a concern giving their name or they may raise a concern anonymously.

Responsibility

All employees have a right and a moral responsibility to report improper actions and omissions. A workplace culture is now developing in which employees who act in good faith and in compliance with the law are protected from interference in or retaliation for reporting improper actions and cooperating with subsequent investigations or proceedings. Note that in some circumstances you may be breaching your contract and/or breaking the law if you DO NOT raise your concern with management or an appropriate body.

Procedures

The UK's Public Interest Disclosure Act 1998 became law in July 1999.

Every manager (Head of Department, House Master etc) in the School has a duty to ensure that staff are easily able to express their concerns. Where possible, concerns about malpractice by others should be reported to the relevant manager and, failing this to the Deputy Head or Headmaster. There will be circumstances where the ordinary processes available to staff to report on matters of concern in the workplace cannot be used. This 'whistleblowing' procedure is intended to be applied to those circumstances. It is not intended as an extra mechanism for staff to challenge decisions, practices and policies with which they disagree, but is reserved for raising concerns about malpractice or improper actions where the normal route for these concerns appears to be blocked.

In the UK the Public Interest Disclosure Act has rules for making a Protected Disclosure:

- a.. You must disclose the information in good faith.
- b.. You must believe it to be substantially true.
- c.. You must not act maliciously or make false allegations.
- a.. You must not seek any personal gain.

When to use Public Interest Disclosure

Public Interest Disclosure (commonly called "whistleblowing") is required when employees, in good faith, believe employers or colleagues are engaged in an improper course of illegal or unethical conduct, and they must be able to disclose such conduct free from fear of intimidation or reprisal. Reporting improper actions outside normal channels will be necessary where attempts to report it in the past have not been successful or where, in good faith, the employee believes that the malpractice will only be dealt with by a Designated Officer who does not have direct managerial responsibility for that employee. Managers should recognise that these Disclosures are the last line of defence in the regulation of bad practice within the Department.

Malpractice may be an action that is:

- a.. illegal,
- b. contrary to policy, regulation, procedure or instructions,
- c.. likely to endanger service users, members of the public and/or colleagues,
- d.. is unprofessional, inappropriate or conflicts with a general understanding of what is right and wrong.

Therefore the Procedure should be used when staff feel:

- a. reported matters have been consistently ignored or belittled;
- b. Where staff are aware of malpractice or have a reasonable suspicion then ordinarily they must report the matter to their immediate manager or supervisor, who is expected to respond to the matter.

If necessary, staff should seek the support of a fellow worker in reporting an issue or the support of their trade union representative

If the ordinary procedure is unsuccessful and a Disclosure is required, those reporting should be clear of the facts of their concerns and should take notes, which may assist future investigation, and identify other witnesses.

The Designated Officer to receive a Disclosure under this Procedure is:

Chairman of the Governors – Mr. John Lockwood (Tel: 01522 730730)

If the employee does not feel able to talk to the above Officer, this Procedure allows you to contact an independent representative – Mrs Diana Kenning (Tel: 01629 640683)

Cautionary notes

Making a Public Interest Disclosure should not be done lightly. False or malicious allegations could lead to action by the Department if, following investigation, it is decided that such an allegation constitutes misconduct warranting disciplinary action. Additionally, an individual who is subject to such a Disclosure may feel s/he has the grounds to take legal action.

S. Anselm's will, however, ensure that Disclosures made in good faith are properly heard and dealt with within this Procedure. The identity of those making a Disclosure shall remain confidential, to the extent allowed by the law, unless the employee waives that right in writing. Retaliation against staff acting in good faith by making an unwarranted adverse change to their employment status terms and conditions is, of course, prohibited

Feedback

Staff are invited to comment on this procedure and suggest ways in which it may be improved by contacting (The Headmaster, S. Anselm's School, Bakewell 01629 81734).