

# COMPLAINTS POLICY

Date Implemented: September 2003



1888

S. Anselm's

<b>Monitoring:</b>	<b>Head</b>
<b>Named Persons Responsible:</b>	<b>Mrs L. Donnelly and Mrs A. J. Whawell</b>
<b>Reviewed:</b>	<b>Oct. 2016, June 2017, July 2018</b>
<b>Policy Review Date:</b>	<b>May 2020</b>

## INTRODUCTION

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

The complaints policy has three important aspects:

- The Parents' Complaint Procedure
- The Children's Complaint Procedure
- Staff Concerns: The Whistle Blowing Procedure

A written record of all complaints will be kept and of whether they are resolved at the preliminary stage or proceed to a panel hearing

## PARENTS' COMPLAINTS 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/House Parent. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Form Tutor/ House Parent cannot resolve this matter alone, it may be necessary for him/her to consult a senior member of staff (such as a Deputy Head or Head of Department)/the Head.
- Complaints made directly to a senior member of staff /the Head will usually be referred to the relevant Form Tutor/House Parent unless the senior member of staff/the Head deem it appropriate for him/her to deal with the matter personally.
- The Form Tutor/Houseparent will make a **record of all serious 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.
- In the EYFS any parental concerns about any aspect of the setting's provision talks over, first of all, his/her concerns with their Early Years class teacher.

## **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 Head. The Head will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Head will meet the parents concerned, normally **within five 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 Head to carry out further investigations.
- The Head will **keep written records** of all meetings and interviews held in relation to the complaint.
- Once the Head 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 Head will also give reasons for his decision.
- The same applies within the EYFS. In addition, written complaints must be investigated relating to their fulfilment of the EYFS requirements and complainants notified of the outcome of the investigation within 28 days of having received the complaint. The record of complaints must be made available to Ofsted.
- EYFS providers must make available to parents/carers details of how to contact Ofsted if they believe the provider is not meeting EYFS requirements. The following details are displayed on our EYFS notice board.
- 0300 123 4666 or e mail: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). Postal address: Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD.
- ISI (Independent Schools Inspectorate) can be contacted at [concerns@isi.net](mailto:concerns@isi.net) or on 020 7600 0100.
- Derbyshire Safeguarding Children Board can also be contacted on 01629 535716 or [Derbyshire.scb@derbyshire.gcsx.gov.uk](mailto:Derbyshire.scb@derbyshire.gcsx.gov.uk)
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- **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 Head, the Governors and, where relevant, the person complained of.**

**Parents can be assured that all concerns and complaints will be treated seriously and confidentially.**

### **Record keeping**

Correspondence, statements and records will be kept confidential except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requires access to them.

### **Complaints received**

Number of formal complaints reaching panel hearing under this process for the academic period 2017-2018 is one. The school records complaints in a 'Complaints Book' kept locked in the school office. This states whether complaints are resolved following a formal procedure or a panel hearing as well as outlining actions taken by the school as a result of these complaints (regardless whether they are upheld).

## **CHILDREN'S COMPLAINTS PROCEDURE**

Sometimes a child may feel that they would like to complain about something that is worrying them. This might be about how they are being treated. The first thing they should do is speak to any member of staff

they trust (like a House Parent, a Matron, Form Teacher, Teacher, Deputy Head or the Head); they can take a friend or person they trust with them if they wish – another child, an older child or another member of staff.

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

Go and see any teacher or matron or other adult and tell him or her the problem. The adult they have chosen will listen to them sympathetically and help them talk things through. They will be helped to write down the details, which will then need to be given to the Head.

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

#### PEOPLE OUTSIDE SCHOOL THE CHILD MAY WISH TO CONTACT:

- **A parent or another relative or respected friend.**
- **Canon Tony Kaunhoven, Bakewell church** (01629 814462)
- **Childline:** Tel: 0800 1111; Freepost, London 1111, N1 0BR
- **Independent Schools Inspectorate** (020 7600 0100)
- **Anne Longfield, The Children's Commissioner** (020 7783 8330)

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

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

**THE CHILD SHOULD NOT BE AFRAID TO COMPLAIN**

**IF EVER A CHILD WANTS TO MAKE A COMPLAINT AND DOES NOT KNOW WHAT TO DO, THEY SHOULD ASK AN ADULT.**

## **STAFF CONCERNS: WHISTLEBLOWING PROCEDURE**

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. Should the concern be considered a Safeguarding and Child Protection issue the procedure to follow is in the Safeguarding and Child Protection Policy.

### **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 Parent 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 Head. If it is believed the Head is involved, the Chair of governors should be approached. 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.
- d. 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 defense 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. 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 – Richard Bowker

Useful website for Staff: <http://www.pcaw.org.uk> public concern at work (0207 404 6609)

### **Cautionary notes**

Complaints Policy  
S. Anselm’s School  
July 2018

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 Head, S. Anselm's School, Bakewell (01629 812734).