

ST. CHRISTOPHER'S THE HALL SCHOOL

COMPLAINTS POLICY

INTRODUCTION

The school in general, and the Head in particular, has an "open door" policy. The majority of complaints are dealt with via phone calls, letter, arranged and ad-hoc interviews.

A complaint can be received by any member of staff and can be oral or written. The Head must be made aware of any complaint which cannot be immediately resolved. Any oral complaint should be summarised in writing by the staff member who receives it. In these cases the Head decides whether to deal with the complaint him/herself and proceed to Stage 1 or to leave the recipient of the complaint to reach a resolution within an agreed time and report back to the Head.

Stage 1 – Complaints dealt with by the Head or the Head's representative.

The written complaint or written summary of the complaint, should be promptly referred to the Head.

The Head will decide whether to delegate the investigation of the complaint to another member of staff or whether to undertake the investigation him/herself.

In exceptional circumstances, such as an incident which could or has resulted in personal injury, the Head must be informed immediately and may consider referring the matter for investigation.

The person investigating the complaint should ensure that a written or oral acknowledgement is provided to the complainant within **5 working days** of receiving the complaint. The acknowledgement will give a brief explanation of the school's complaints procedure and will give a target date for providing a response to the complaint which should normally be within **10 working days**. If this target cannot be met, a letter should be written within 10 working days explaining the reason for the delay and providing a revised target date.

The person investigating the complaint should seek to meet or speak with all appropriate people in order to establish all facts relating to the complaint. This includes the complainant, staff and any other person.

Once all the relevant facts have been established, the person investigating the complaint should then produce a written response to the complaint, or may wish to meet the complainant, staff and any other person.

A written response should contain an outline of the complaint and a summary of the response to the complaint, including the decision reached and the reasons for it. Where appropriate, this should also include what action the school will take to resolve the complaint. This letter or report **must** be endorsed by the Head. It should also inform the complainant that, should he/she wish the complaint to progress to stage 2 of this procedure, then he/she should send a written request stating this to the Head within **25 working days** of receiving the response.

If no further communication is received from the complainant within 25 working days, it should be assumed that the complaint has been resolved and should subsequently be laid to rest.

Stage 2 – Complaints referred to the Governors

This stage is to be used only in cases of **the most serious complaints** concerning e.g. abuse or endangerment of a child, negligence on the part of a staff member, damage to person or property. Upon receipt of a written request by the complainant for the complaint to proceed to stage 2, the procedures outlined should be followed:-

The Chair of Governors should write to the complainant to acknowledge receipt of the written requests for the complaint to be heard by them. **The acknowledgement must be sent within 5 working days** and should also inform the complainant that the complaint is to be heard by 2 of the Governors **within 20 working days of receiving the complaint**. The letter should also explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received within **5 working days** of the date of the hearing to allow adequate time for the documents to be circulated to the Chair of Governors.

The Chair of Governors will ensure that the complaint is heard within **20 working days** of receiving the letter requesting the complaint to proceed to stage 2. All relevant correspondence regarding the complaint should be distributed to all Governors.

The Chair of Governors will write and inform the complainant, Head and any relevant witnesses at least **5 working days** in advance, of the date, time and place of the meeting. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/advocate/interpreter. The letter will also explain how the meeting will be conducted and the complainant's right to submit further written evidence to the governors.

The Chair of the meeting should invite the Head to speak to the Governors and / or prepare a written report for them in response to the complaint. If the Head prepares a written report, a copy of this report should be sent to the complainant at least **5 working days** before the date of the meeting. The Head may also invite members of staff directly involved in matters raised by the complainant to respond in writing or in person to the complaint. Any relevant documents relating to the complaint should be received **at least 5 working days** prior to the hearing.

The involvement of staff other than the Head is subject to the discretion of the Chair of Governors.

It is the responsibility of the Chair of the meeting to ensure that the meeting is properly minuted.

Hearing the Complaint at the Meeting

The aim of the meeting should be to resolve the complaint and achieve a reconciliation between the school and the complainant.

In the interests of natural justice, the introduction of previously undisclosed evidence or witnesses would be a reason to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

The recommended conduct of the meeting is as follows:-

1. The Chair will welcome the complainant and explain the procedure.
2. The Chair of the panel will invite the complainant or advocate to explain the complaint.
3. The Governors may question the complainant about the complaint and the reasons why it has been made.

4. The Head will be invited by the Chair to question the complainant about the complaint and why it has been made.
5. The Chair will invite the Head to make a statement in response to the complaint. At the discretion of the Chair, the Head may invite members of staff directly involved in the complaint to supplement his/her response.
6. The Chair of Governors may question the Head and/or members of staff about the response to the complaint.
7. The Chair will invite the complainant to question the Head and/or members of staff about the response to the complaint.
8. Any party has the right to call witnesses, subject to the approval of the Chair of Governors.
9. The Chair of Governors, the Head and the complainant have the right to question any such witnesses.
10. The Head will be invited by the Chair to make a final statement.
11. The complainant will be invited by the Chair to make a final statement.
12. The Chair will explain to the complainant and the Head that the decision will now be considered and a written decision will be sent to both parties within **15 working days**. The Chair will then ask all parties to leave except for the Chair of Governors.
13. The Chair of Governors will then consider the complaint and all the evidence presented, and:

Reach a decision on the complaint and the reasons for it.

Decide upon the appropriate action to be taken to resolve the complaint.

Where appropriate, suggest recommended changes to the school systems or procedures to ensure complaints of a similar nature are not made in the future.

The minutes of the meeting will be recorded and kept on file.

A written statement outlining the decision of the Chair of Governors must be sent to the complainant and Head. The statement sent to the complainant must explain that the decision of the Chair of Governors is final.

The school must ensure a copy of all correspondence and notes are kept on file in the school's records.

Written – Summer Term 2010

To be reviewed – Summer Term 2012