

OUR LADY UMBRELLA TRUST

(St Ann's, St Catherine's, St Mary's, Sacred Heart, St Thomas More & Notre Dame)

COMPLAINTS' POLICY & PROCEDURE

CODE OF PRACTICE

As in any organisation or community, misunderstandings can from time to time arise which may lead to someone wishing to express a concern. A concern is **not a complaint** and should not be treated as such by the party expressing the concern or school. Our priority is to resolve concerns rather than enter a formal procedure. Only a very small number of concerns raised need to be investigated using the complaints procedure. When concerns are addressed and resolved there should be no need for a complaint. Concerns are regarded with the same degree of seriousness as a complaint and are dealt with using the same rigour. The essential difference is the degree of formality used which, by its mode of operation, may delay the resolution. An initial request for action or an enquiry is not a complaint. However, failure to respond could give rise to a complaint.

A number of procedures already exist. There are special arrangements for dealing with the following matters which must not be dealt with under the complaints' procedure.

The existing special arrangements are for dealing with:

- (A) Admissions' Procedures
- (B) Child Protection Procedures
- (C) Disciplinary Procedures
- (D) Exclusion Procedures
- (E) Special Educational Needs' Procedures

1. INTRODUCTION

1.1. The main purposes of a general complaints' procedure are to:

- 1.1.1. Resolve problems
- 1.1.2. Give complainants a means of complaint if issues of concern have not been addressed.

1.2. **These guidelines for dealing with complaints consists of two elements:**

- 1.2.1. A statement of principle and
- 1.2.2. A Code of Practice relating to the management of, and response to, complaints in Notre Dame High School.

2. PRINCIPLES

It is important that staff and parents have a clear understanding of the context within which the procedure operates and of how the process of investigating a complaint is conducted. The following statement of principles provides that understanding:

- 2.1. Complainants will be treated respectfully during and after the course of any complaints' investigation.
- 2.2. Action through a complaints' procedure may lead to action being initiated under other (e.g. statutory) procedures, in which case the complaints' procedure will be suspended until action under the other procedure (including appeals) has been concluded. The complainant will be advised if this is the case. They will also be told the likely delay in the final resolution of their complaint which will result.
- 2.3. In most cases, it will be necessary for the details of the complaint to be shared with a range of people who might contribute to its resolution. However, within this constraint, the confidentiality will be respected.
- 2.4. All complaints will be immediately acknowledged. Complainants will be advised of what is happening, time-scales, and the name of the person from whom they will next hear about the progress of the investigation.
- 2.5. Employees will be informed of any complaints against them, will be shown the complaint (if in writing) and will be shown all subsequent correspondence. Employees shall be advised to seek advice on their rights in this situation.
- 2.6. No person will investigate a complaint against her/himself.

3. CODE OF PRACTICE FOR RESOLVING COMPLAINTS

Accepting a Complaint

- 3.1. General complaints will be dealt with by the person/s deemed most appropriate by the school, generally the Pastoral Staff, in which instance the Deputy Head will manage the complaints' procedure, with the support of Heads of Year and the Pastoral Administrator. In the Sixth Form, complaints will be managed by the Head of Sixth Form. The objective of the complaints' procedure should be the resolution of problems. The objective may be achieved without using the formal procedure.
- 3.2. Complaints will be accepted in writing or verbally.
- 3.3. The school will ensure that all complaints are recorded. The information to be recorded (where possible) for complaints requiring a formal investigation is:
 - 3.3.1. Name of complainant
 - 3.3.2. Address of complainant
 - 3.3.3. Telephone number
 - 3.3.4. Nature of Complaint

- 3.3.5. Preferred solution (what the complainant would like to happen)
- 3.3.6. Name of the person recording the complaint
- 3.3.7. Date complaint recorded.
- 3.4. All members of staff should be aware of the complaints' procedure including:
 - 3.4.1. Understanding procedures for dealing with complaints
 - 3.4.2. The importance of treating complaints respectfully
 - 3.4.3. The importance of good listening skills
 - 3.4.4. The importance of finding out and recording the complainant's preferred solution
 - 3.4.5. The importance of resolving concerns before they become complaints.
- 3.5. When a complaint has been recorded it will be acknowledged in writing. The acknowledgement will include an explanation of what will happen next.
- 3.6. Where complaints cannot be resolved within this procedure, complainants will be informed of alternative procedures they can use.

4. FORMAL COMPLAINTS' PROCEDURE

As part of the resolution of a Complaint raised under the formal procedure at Paragraph 5 below, a Resolution Manager will carry out an investigation into the complaint made.

The Complaint must be in writing for the formal procedure to take effect.

As part of the resolution of a complaint raised under the formal procedure at Paragraph 5 below, a Resolution Manager may, where he/she reasonably believes that such action will result in a partial or full resolution of the complaint:

Request an independent investigation be carried out into the complaint made or as a result of anything discussed at a Stage 1 Resolution Meeting or a Stage 2 Resolution Meeting. The Clerk will appoint the independent investigator within 5 working days of a request by the Resolution Manager;

- 4.1 Make a recommendation that the person who has raised the complaint attend independent mediation with any other party who is the subject of the complaint;
- 4.2 Recommend any other reasonable course of action.
- 4.3 NOTHING IN THIS PARAGRAPH 4 SHALL PREJUDICE THE SCHOOL'S GENERAL RIGHT TO DEAL WITH COMPLAINTS WITH THE ASSISTANCE SPECIFIED IN PARAGRAPH 9.

5. FORMAL COMPLAINT

Stage 1

- 5.1 If you have not been able to resolve a problem through informal discussions, you must put your complaint in writing which can be via completion of Form GCP1 and submit it to the Clerk to Governors.
- 5.2 The Clerk will formally appoint a Stage 1 Resolution Manager following the guidance in Paragraph 3.1 above.
- 5.3 The Stage 1 Resolution Manager will arrange to meet with you as soon as possible to discuss your complaint. This meeting is a Stage 1 Resolution Meeting and will normally be held within 10 working days of the Stage 1 Resolution Manager receiving your written complaint / completed GCP1 form in writing from the Clerk to Governors.
- 5.4 The Stage 1 Resolution Manager will confirm the outcome of the Stage 1 Resolution Meeting in writing to you within 5 working days of the date of the Stage 1 Resolution Meeting (“the Stage 1 Resolution Letter”).

Stage 2

- 5.5 In the event that you are not satisfied with the outcome of the Stage 1 Resolution Meeting as set out in the Stage 1 Resolution Letter, you can appeal by sending a completed Form GCP2 (available on the School Intranet or other relevant place as notified to you by the School) to the Clerk to Governors within 5 working days of the Stage 1 Resolution Letter being sent to you.
- 5.6 The Clerk will formally appoint a Stage 2 Resolution Manager (who will not be the Stage 1 Resolution Manager) following the guidance in Paragraph 3.1 above.
- 5.7 The Stage 2 Resolution Manager will arrange to meet with you as soon as possible to discuss your appeal. This meeting is a Stage 2 Resolution Meeting and it will normally be held within 10 working days of receiving your completed Form GCP2 from the Clerk to Governors.
- 5.8 The Stage 2 Resolution Manager will confirm the outcome of the Stage 2 Resolution Meeting in writing to you within 5 working days of the date of the Stage 2 Resolution Meeting (“the Stage 2 Resolution Letter”).

6. GOVERNORS’ APPEAL PANEL

- 6.1 In the event that you are not satisfied with the outcome of the Stage 2 Resolution Meeting, you can appeal to the Governing Body. The Governors’ Appeal Panel shall comprise at least three non-staff governors not previously involved in the matter and shall not comprise the Chair or Vice-Chair, unless there are insufficient numbers of non-staff governors not previously involved in the matter, in which case the Chair and/or Vice-Chair may be appointed to a Governors’ Appeal Panel. The Governor’s Appeal Panel will also include one panel member who is independent of the management and running of the school.
- 6.2 In the event that there are insufficient numbers of Governors available to participate in the Governors’ Appeal Panel, the Governing Body may request Governors from other Umbrella Trust Schools and appoint them as associate members to solely

participate in the Governors' Appeal Panel, on the recommendation of the Diocesan Schools Commission.

7. CONFIDENTIALITY AND TRANSPARENCY

- 7.1 Proceedings and records of any complaint will be kept as confidential as possible but you must appreciate that circumstances can mean that complaints cannot always be dealt with on an entirely confidential basis.
- 7.2 A complaint you raise could result in the instigation of disciplinary action in respect of an employee at the school and, to protect the confidentiality of that process, the School may not be able to inform you of the fact of the disciplinary process or of the disciplinary action which has been taken as a result of your complaint.
- 7.3 At the conclusion of your complaint, and after any related disciplinary or other processes have been completed, a report will be presented to the non-staff Governors at a full meeting of Governors as a confidential item.

8. VENUE FOR RESOLUTION MEETINGS

- 8.1 If your complaint raises sensitive issues, the relevant Resolution Manager may hold the meeting off the School site.

9. ASSISTANCE

- 9.1 Where a formal complaint relates to a matter concerning the religious character of the School, your written complaint and any other relevant information will be sent by the School to the Diocesan Schools Commission who may appoint an adviser to assist the School in responding to your complaint.
- 9.2 In all cases the School may seek assistance from the Diocesan Schools' Commission.

10. OUTCOMES

- 10.1. In all cases where a complaint has been investigated, the complainant will be given a written report covering:
 - 10.1.1. The report investigated
 - 10.1.2. The scope of the investigation
 - 10.1.3. The conclusion of the investigation
 - 10.1.4. Any action which has resulted (e.g. changes in procedures or practice, an intention to invoke other proceedings).
- 10.2. The complainant will be offered the opportunity to discuss the written report and its recommendations. If the complainant is acting on behalf of another person, that person should also receive a copy of the report.
- 10.3. Redress should be **appropriate to the complaint**. Where upheld redress may include:

- 10.3.1. An appropriate expression of regret
- 10.3.2. Providing the solution desired by the complainant
- 10.3.3. Changing procedures to prevent future problems
- 10.4. The school will:
 - 10.4.1. Decide who can take remedial action and to what extent action can be taken under delegated powers
 - 10.4.2. Make arrangements to ensure that the remedy is carried out.
 - 10.4.3. Ensure that any remedy is within the school's legal powers
 - 10.4.4. Ensure that the approach to remedies is reasonable and consistent.
- 10.5. Where a complaint is not upheld, the complainant will be given a report (5.1) and informed of any further action which may be appropriate in their situation

11. RECORDS AND MONITORING

- 11.1. General complaints will be recorded in a file for that purpose.

Review Date: March 2015

Next review: March 2018

Review Mechanism: Our Lady Umbrella Trust

Update:

OUR LADY UMBRELLA TRUST

(St Ann's, St Catherine's, St Mary's, Sacred Heart, St Thomas More & Notre Dame)

GENERAL COMPLAINTS POLICY AND PROCEDURE

FORM GCP1

NOTIFICATION OF FORMAL COMPLAINT

| | | |
|---------------------|--------------|--|
| Submitted by | Name: | |
|---------------------|--------------|--|

1. I wish to formally complain about the behaviour, conduct or decisions of:

- Parents
- Pupils
- Staff (other than the Headteacher)
- Headteacher
- A Governor
- The Chair of Governors
- The Governors as a whole

2. The details of my complaint are *(where possible please identify dates, times and names)*:

3. **EITHER** I have attempted to resolve my complaint informally by (please detail your attempts at informal resolution) **OR** I have not attempted to resolve this matter informally because *(delete where appropriate)*:

4. In considering my complaint, I ask you to consider speaking to the following:

5. In considering my complaint, I ask you to look at the following attached documents:

6. In considering my complaint, I ask you to look for the following documents:

7. The outcome I am seeking to resolve this complaint is:

8. During the period in which you investigate my complaint, I would like you to consider taking the following steps (if any):

9. My complaint does/does not* include a complaint that I am subject to discrimination, bullying or harassment.

10. My complaint does/does not* include a complaint that raises a child protection issue.

11. I will/will not* need special help at my Resolution Meeting.

12. My companion at the Stage 1 Resolution Meeting will be:

13. My companion cannot attend a Resolution Meeting on the following dates/times:

-
-
-

I have read the School's General Complaints' Policy and Procedure and am aware that the GCP1 may be forwarded to the Diocesan Schools Commission and to the Designated Person for Child Protection. I am aware that a report on the outcome of this complaint may be submitted to the Governors.

Signed:

**Print
name:**

Date:

OFFICE USE ONLY

Received by Clerk to Governors on:

Stage 1 Resolution Manager:

Received by Stage 1 Resolution Manager:

Resolution Meeting held:

Refer to DSC: YES/NO

Refer to Designated Person CP: YES/NO

** delete as appropriate*

NOTRE DAME HIGH SCHOOL
GENERAL COMPLAINTS POLICY AND PROCEDURE
FORM GCP2

NOTIFICATION OF APPEAL AGAINST GRIEVANCE RESOLUTION

| | | |
|------------------------------------|--------------|--|
| Submitted by | Name: | |
| Stage 1 Resolution Manager: | | |

1. I wish to formally appeal against the Stage 1 Resolution Manager's decision.

I attach:

A copy of my Form GCP1

The Stage 1 Resolution Letter

14. I disagree with the Stage 1 Resolution Letter because:

15. I want the Stage 2 Resolution Manager to:

16. I will/will not* need special help at the Stage 2 Resolution Meeting.

17. My companion at the Stage 2 Resolution Meeting will be:

18. My companion cannot attend a Resolution Meeting on the following dates/times:

-
-
-

Signed:

**Print
name:**

Date:

OFFICE USE ONLY

Received by Clerk to Governors on:

Stage 2 Resolution Manager:

Received by Stage 2 Resolution Manager:

Resolution Meeting held:

** delete as appropriate*