

# De La Salle College



## Complaints Procedure Policy for Parents

Compiled by: Mr J Turner	Date: October 2014
Policy Holder: Mr J Turner	Revision date: July 2017

## Legal Status:

This policy incorporates the manner in which complaints are to be handled according to the Regulatory Requirements, part 7 paragraph 25 of the Education (Independent school Standards) (England) Regulations 2010 with the provision of information being made available in Part 6 Paragraph 24 of the Regulatory Requirements.

## Applies to:

De La Salle College where the record of complaints is kept for a minimum of three years.

## Timescale:

The process of dealing with a complaint in writing from the moment it is received by the College to resolution will take no more than twenty eight (28) working days, except in circumstances in which the normal timescales are affected by issues that delay resolution; namely College holidays and other factors.

## Availability

- This Procedure is also made available to parents, staff and students in writing and on the College website.
- It is made available on request to the Reception at De La Salle College during the College day, or by E- mail: [admin@dls-mail.co.uk](mailto:admin@dls-mail.co.uk).

## Monitoring and Review:

- The Headmaster logs all written complaints received by the College and records at which stage and how they were resolved. The record includes, at least: the person making the complaint, the date of the complaint, the nature of the complaint, any action taken and the outcome of the complaint.
- The Board of Governors undertake a formal annual review of this policy for the purpose of monitoring and of the efficiency with which the related duties have been discharged, by no later than one year from the date shown below, or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require.

De La Salle College will ensure that the quality of teaching and pastoral care offered to students will be of the highest order. However, if parents have a complaint they can expect it to be treated by the school in accordance with this procedure. We are always willing to listen to concerns and anxieties, parental and student concerns being of particular importance. We aim for the closest co-operation between parents and the teachers to whom our students are entrusted. Dealing with parental concerns is a vital part of the ethos and mission of De La Salle College. We aim to be open about the decisions we make and the actions we take and will always explain our rationale.

A complaint is likely to arise when there are issues of physical or emotional wellbeing and security at stake, or when the College's stated aims or values are being ignored. A breach of

the law will always constitute a complaint. If parents of students at the College do have a complaint, they can expect it to be treated by the College in accordance with this procedure. We use the term “complainant” to refer to the individual or individuals making the complaint. These may be or a combination of any of the following: a parent or guardian of a student at the College or several parents or guardians of students at the College. Complaints will be resolved either to the complainant’s satisfaction, or with an otherwise appropriate outcome, which balances the rights and duties of students. At every stage of the procedure, the handling of the complaint will be swift (using the agreed time frame), fair and necessarily confidential. Throughout the process, De La Salle College will be willing to: listen, learn, admit mistakes, apologise if appropriate, address any issues raised and change practices and procedures if appropriate.

The College also has a “Whistle Blowing Policy” that is detailed in the Staff Handbook.

The procedure to be followed is as shown below:

### **Stage 1 – Informal Resolution**

- It is hoped that most complaints and concerns will be resolved quickly and **informally** if parents feel able to voice them as soon as they arise. Obviously, the more information the school gives to parents the less scope there is for misunderstanding. Parents will be encouraged to give feedback, preferably to the person concerned. In most cases, discussion, explanation, further information or an apology, if appropriate, will resolve any issues. Every effort will be made to allay concerns at this stage and with the least possible formality. Our ideal is that no concern should ever become a formal complaint as through open dialogue, a resolution should always be accomplished.
- If parents have a complaint they should normally contact their child’s Class teacher (subject related) or the House Tutor (Pastoral related). In most cases the matter will be resolved straight away by this means to the parent’s satisfaction. If the matter cannot be resolved, it may be necessary to consult the head of Department or the Head of House.
- Complaints made directly to the Headmaster will usually be referred to the relevant Head of Department or Head of House unless the Headmaster deems it appropriate for him to deal with the matter personally or delegate it to the Deputy Headmaster.
- The Head of Department or Head of House will make a **written record of all concerns and complaints and the date they were received**. Should the matter not be resolved within 5 school days, or in the event that the House staff and the parents **fail to reach a satisfactory resolution, parents will be advised to proceed with their complaint in accordance with Stage 2** of this procedure.
- If a complaint reaches Stage 2, it will be deemed to be too serious to be handled informally, perhaps needing a greater degree of investigation, or the person concerned

may not feel that the answers given have been acceptable or adequate. In such circumstances, the concern will become a **complaint** and the formal procedure below should be followed. Even at this stage, every effort should be made to resolve the issue at the lowest possible level of the procedure. It should be very rare that a complaint needs to escalate to the stage that it needs to be decided at the Appeal Stage by a formal committee.

## **Stage 2 – Formal Resolution**

**At every stage of the formal procedure, the handling of the complaint will be:**

- Non-adversarial
- Swift (using the agreed time frame)
- Fair (using independent investigation where necessary)
- Confidential

**Throughout the process, De La Salle College will be willing to:**

- Listen,
- Learn
- Admit mistakes
- Apologise if appropriate
- Address any issues raised
- Change practices and procedures if appropriate

**In using the formal procedure:**

- The school should be aware that complainants may feel intimidated by the school and be unsure whether they will be treated fairly
- Complainants are asked to be aware that those complained about, especially individual members of staff may feel vulnerable during this process.

Throughout this procedure, the aim should be not only to resolve any complaint but develop and sustain positive relationships. However formal or serious a complaint, or however dissatisfied the complainant may be, the aim should always be reconciliation and a renewed commitment to work together positively.

This Complaints Procedure is totally separate from any Disciplinary or Capability Procedures. Should a complaint lead to concerns on the part of the Headmaster or Board of Governors about the capability or conduct of a member of staff, these would not be discussed or dealt with within this procedure.

Additionally, this procedure does not apply to members of staff who would need to follow the school's Grievance Procedure, appeals such as admissions or exclusions nor concerns about the delivery of the National Curriculum.

**Outline of the Procedure:**

- If the complaint cannot be resolved on an informal basis then the parents should put their **complaint in writing** to the Headmaster who will decide, after considering the complaint, the appropriate course of action to take.

- In most cases, the Headmaster will speak to the parents concerned, normally the day of receiving the complaint so as to discuss the matter. If possible, a resolution will be reached at this stage.
- A designated member of staff may be appointed by the Headmaster as a Complaints Co-ordinator (CC) at this stage unless it requires his direct involvement.
- It may be necessary for the Headmaster or CC to carry out further investigations.
- The Headmaster or CC will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Headmaster or CC 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 or CC will also give reasons for the decision.
- If the complaint concerns the Headmaster, the CC should refer it to the Chairman of the Board of Governors and out of courtesy, inform the Head that this has taken place.
- **Whoever investigates the complaint will:**  
 Establish what has happened so far and who has been involved  
 Clarify the nature of the complaint and what remains unresolved  
 Meet with the complainant or contact them  
 Clarify what the complainant feels would resolve the issue  
 Interview those involved, allowing them to be accompanied if they wish  
 Conduct each interview with an open mind and be prepared to persist in questioning  
 Keep notes of each interview

**Timescale:**

Within **10 school days** of receiving the complaint, the investigator will complete the investigation and contact the complainant to arrange a meeting. At any point in the process, the CC may decide or agree to commission a further investigation. If this occurs, the timescale may be extended and the complainant will be informed of the extension and the reason for it.

When the investigation is complete, the Headmaster or CC will meet the complainant to try to resolve the complaint. Every effort should be made to try to resolve the complaint at this meeting. Any of the following may be appropriate at this point:

An acknowledgement that the complaint is valid in whole or in part

An apology

An explanation

A clarification of any misunderstanding

An admission that the situation could have been handled better or differently

An assurance that the event complained of will not recur

An explanation of the steps that have been taken to ensure it will not be repeated

An undertaking to review school Policies in light of the complaint.

Some of the above may require the CC to consult with the Headmaster if he did not carry out the investigation, as nothing should be offered or promised that cannot be justified or fulfilled.

- If parents are still not satisfied with the outcome, the Headmaster may, if the initial process was undertaken by the CC and the parents request it, directly undertake his own investigations following the same procedures and timescale as outlined above.

**Stage 3 – Complaints Panel Hearing**

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution by either the CC or the Headmaster) they will be referred to the Chairman of the Board of Governors who has been appointed by the Board to call hearings of the Complaints Panel which will have delegated powers to hear and finally determine complaints.
- To trigger Stage 3, the complainant will have been dissatisfied with the school's approach to the complaint in the first two stages and must now put the complaint in writing to the Chairman of the Board who will check what has happened so far and, if the procedure has been properly followed and it is appropriate to move to Stage 3, will convene a meeting of the Complaints Panel.
- The Panel will consist of at least three people not directly involved in matters detailed in the complaint, **one of whom shall be independent of the management and running of the school. The Board of Governors shall appoint each of the Panel members.**
- The complainant 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 parent's complaint immediately without the need for further investigation.
- This is the final stage of the procedure. There is no further redress or appeal. It is therefore vital that, in the spirit of the procedure, the Complaints Panel should:
  - Be prepared to hear complaints without pre-conceptions
  - Examine and discuss the matter fully so that the Panel ensures it has all the information or evidence required
  - Be prepared to commission, organise or conduct further investigations if necessary
  - Give the complainant the opportunity to express their dissatisfaction and worries and to suggest what might put things right
  - Be prepared to take whatever action is required.

### **Timescale:**

The date of the Appeal Meeting should be agreed by all parties within 5 school days of receipt of the written referral of the complaint. The meeting itself should be held within 15 school days of the receipt of the referral. If the complainant or Headmaster wishes to submit information in writing to the Panel, it should be sent to the Clerk to the Board of Governors at least 5 days before the meeting. As far as possible, the meeting should not be delayed if the referral comes at the end of term, especially at the end of the Summer Term. Since the aim of the procedure is to resolve the issue and effect reconciliation if necessary, it will be best if the matter can come to the Panel as quickly as possible, especially if the complainant will already have been engaged over a longer period in attempts to put things right.

### **Role of the Clerk:**

To confirm to all parties in writing the date, time and venue of the hearing  
 To receive and distribute any documentation to be read before the hearing

To meet and welcome all parties as they arrive at the hearing  
To record the proceedings  
To notify all parties of the Panel's decision. The wording of any letters will be agreed with the Chair of the Panel.

**The role of the Chair of the Panel is to ensure that:**

Procedure is properly followed  
The procedure for the hearing of the complaint is explained to all parties and that they have the opportunity to put their case without undue interruption  
The issues are addressed  
All parties are put at ease, especially those who are unfamiliar with such a hearing  
Proceedings are kept as informal as possible and that everyone treats each other with respect and courtesy  
The Panel operates in an open-minded and independent way  
Time is given for all parties to consider 'new' evidence.

**The order of the Proceedings for hearing of the complaint:**

Welcome, introductions and explanation of the proceedings by the Chair  
The complainant is invited to explain the complaint  
The Headmaster may question the complainant  
The Panel may question the complainant  
If there are any witnesses for the complainant, each one is invited to the hearing in turn and in each case the witness is invited to speak. The Headmaster may then question them, followed by the Panel. In each case the witness may leave after their evidence has been given.  
The Headmaster is invited to explain the school's actions.  
If there are any witnesses for the school, they are treated in exactly the same way as the witnesses for the complainant.  
When the Chair is sure that all parties have asked all they need to, the complainant is invited to sum up their complaint  
The Headmaster is then invited to sum up the school's actions and response to the complaint  
The Chair explains that both parties will hear from the Panel within 3 school days following the day of the hearing  
Both parties leave together whilst the panel decides on the issues

**Options open to the Panel:**

The Panel may:  
Dismiss the complaint in whole or in part  
Uphold the complaint in whole or in part  
Decide on an appropriate action to be taken to resolve the complaint  
Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not occur.

**After the Hearing:**

The Chair of the Panel agrees with the Clerk the wording of the letter to be sent to both parties. The Clerk will ensure that the letter is sent out in accordance with the agreed timescale.  
The Clerk writes up the notes of the meeting and gives a copy to the Chair of the Panel  
The clerk ensures that any recommendation to change school policies or procedures is put on the agenda for the next meeting of the Board.

If the complainant, still dissatisfied, tries to reopen the same issue, the Chair of the Board is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

**THE DECISION OF THE PANEL WILL BE FINAL.**

**Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except where any other legal obligation prevails or it is appropriate to disclose such information.**

In drawing up this procedure, DfEE guidance, as outlined in regulation 7 of The Education (Independent School Standards) (England) Regulations 2003 was taken into account.



