

# **ALL HALLOWS RC HIGH SCHOOL**

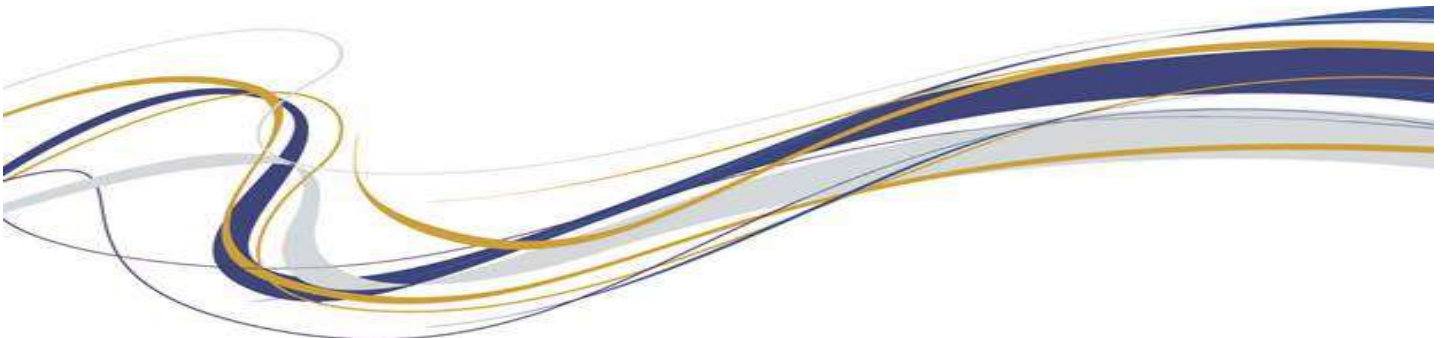


## **COMPLAINTS POLICY**

**Committee responsible for review: Welfare Committee**

**Review date: February 2023**

**Next review date: February 2026**



## **All Hallows RC High School**

We aim for All Hallows RC High School to be a Catholic school to which children wish to come, to which parents wish to send their children and where teachers wish to teach.

Our mission is to offer a high quality Catholic education for all, in an environment where Gospel Values are central to teaching and learning, and in which the unique value of each person is recognised and respected.

## **All Hallows RC High School Complaints Policy**

### **Who can make a complaint?**

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to All Hallows RC High School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

### **The difference between a concern and a complaint**

A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. All Hallows RC High School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, we, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, we will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, All Hallows RC High School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

### **How to raise a concern or make a complaint**

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to Mrs Cavanagh (the headteacher) via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to Mrs Christine Wood (the Chair of Governors), via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Ms Gemma Perkins (the Clerk to the Governing Body) via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form (appendix 5) is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

## Anonymous complaints

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

## Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

## Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

## Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by All Hallows RC High School other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"><li>• Admissions to schools</li><li>• Statutory assessments of Special</li></ul>	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Salford Local Authority

<p>Educational Needs</p> <ul style="list-style-type: none"> <li>School re-organisation proposals</li> </ul>	
<ul style="list-style-type: none"> <li>Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding email <a href="mailto:LADO@salford.gov.uk">LADO@salford.gov.uk</a></p>
<ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p> <p><a href="https://www.allhallowssalford.com/downloads/2022/policies/behaviour_policy_23.9.22.pdf">https://www.allhallowssalford.com/downloads/2022/policies/behaviour_policy_23.9.22.pdf</a></p>
<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>

<ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>
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If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against All Hallows RC High School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## 1. Monitoring and recording complaints

- a. At all stages of the complaints procedure the following information will be recorded:
  - name of the complainant;
  - date and time at which complaint was made;
  - details of the nature of the complaint;
  - desired outcome of the complainant;
  - how the complaint is being investigated (including written records of any interviews held);
  - results and conclusions of investigations;
  - any action taken;
  - the complainant's response;
  - record of any subsequent action if required.
- b. The governing body will appropriately monitor the general nature of complaints over each academic year to inform practice and potential improvements to procedures and policies within the school.
- c. It is usually proper to disregard anonymous complaints unless somebody is prepared to substantiate them, but the danger in this is that they may relate to something quite serious. It should be at the Headteacher or Governing Body's discretion to decide whether the gravity of an anonymous complaint warrants an investigation.

## 2. Upholding or not upholding complaints

- a. At each stage of the complaints procedure the conclusion will be either:
  - that the complaint is upheld (in part or full) and where appropriate some form of action is taken; **OR**
  - that the complaint is not upheld and reason(s) for this, where appropriate, are clearly given.
- b. In the first instance of receiving a complaint it may be appropriate to resolve the issue by offering to the complainant one or more of the following:
  - an emphatic response;

- an explanation of events;
  - a recognition that the situation could have been handled differently or better;
  - an explanation of the steps that have been taken to endeavour that it will not happen again. However, this must not include any information or detailed action taken involving a member of staff as this is confidential;
  - an undertaking to review school policies in light of the findings of the complaint.
  - An apology
- c. The complainant may choose to take no further action or take their complaint to the next stage of the process until all stages have been exhausted.

**Please see appendix 1 for the school's policy with regard to unreasonable complaints.**

### **Appendix 1** ***All Hallows RC High School policy for managing unreasonable and/or complaints***

*All Hallows RC High School* is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

*All Hallows RC High School* defines unreasonable complainants as '*those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints*'.

A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure; insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact *All Hallows RC High School* causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.


### **Barring from the School Premises**

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Head Teacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing. The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Head Teacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from *All Hallows RC High School*

Signed by the Chair of Governors	
Name: Mrs Christine Wood	
Signature: 	Date: 07/02/2023



## The stages of the complaints process

### a. **Stage 1 (also known as the Informal Stage)** Complaint Heard by Staff Member

- Most concerns and complaints can be resolved informally. There are many occasions where concerns are resolved straight away through the class teacher, admin team or other staff member, depending upon whom is approached in the first instance.
- Parents can raise concerns with staff without formality, either in person, by telephone or in writing.
- If the member of staff first contacted cannot immediately deal with the matter, s/he will make a clear note of the date, name, contact address and phone number. This information should be recorded. The member of staff should tell the complainant when they will be able to deal with it and respond to them in this way.
- A staff member may feel it more appropriate to refer the complainant to a more senior or experienced member of staff if they think they will be better placed to be able to try to resolve the concern informally.
- The staff member dealing with the concern makes sure that the parent is clear what action (if any) or monitoring of the situation has been agreed.
- Where no satisfactory solution has been found within **10 school working days**, the member of staff should ask the complainant if they wish their concern to be considered further or the complainant may request their concern is progressed further. They should be told how to proceed and the member of staff should make sure they either have easy access to the complaints policy on the school website or provide them a copy of the complaints policy.

### b. **Stage 2 – Formal Stage** Complaint Heard by Head Teacher

- If the complainant remains unhappy, they should then contact the Headteacher or member of the senior leadership team either by arranging an appointment to see them or putting their concerns in writing.
- If a complaint is against the action of a Headteacher, or if the Headteacher has been very closely involved at Stage 1, the Chair of the Governing Body will carry out all the Stage 2 procedures.
- The Headteacher (or nominated member of the senior leadership team) acknowledges the complaint orally or in writing within **3 school working days** of receiving the written complaint. The acknowledgement gives a brief explanation of the school's complaint procedure and a target date for providing a written response to the complaint. This should normally be within **10 school working days**; if this proves impossible, a letter will be sent explaining the reason for the delay and giving a revised target date.
- The Headteacher (or their nominated representative from the senior team) will then investigate the concerns and respond within agreed timescales. The Headteacher (or designate) will provide an opportunity for the complainant to meet him/her to supplement any information provided previously. The complainant may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or her behalf; and that interpreting facilities will be made available if needed.
- If necessary, the Headteacher (or nominee) will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. Pupils would normally be interviewed with parents/guardians present but not if this would seriously delay the investigation.

- If a member of staff is complained against, the Local Authority Designated Officer (Allegations) will be consulted about how any investigation should be conducted.
- The Headteacher (or the nominee) keeps written records of meetings, telephone conversations, and other documentation.
- Once all the relevant facts have been established, the Headteacher (or nominee) will then produce a written response to the complaint, or may wish to meet the complainant to discuss/resolve the matter directly.
- A written response includes a full explanation of the decision addressing all elements of the complaint and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint.
- The complainant is advised that if she/he wishes to take the complaint further he/she should notify the Chair of Governors in writing within **25 working school days** of receiving the outcome letter.

#### c. **Stage 3 - Review Hearing Stage**

Complaint heard by Chair of Governors

- **Complaints only rarely reach this formal level**, but it is important that the governing body is prepared to deal with them when necessary. At this stage, the school will seek advice from any relevant authority or Diocesan Schools' Commission.
- If the Headteacher is unable to resolve the concern to the satisfaction of the complainant, the complainant may write to the Chair of Governors at the school c/o The Clerk to Governors, All Hallows RC High School, 150 Eccles Old Road, Salford, M6 8AA. There is a complaint form for this purpose see Appendix 5.
- It is important that this review not only be independent and impartial but that it be seen as so. Therefore, individual complaints will be heard by a panel of three governors and not by the full governing body as serious conflicts of interest can arise; for example, in exceptional circumstances a complaint may result in disciplinary action against a member of staff, and governors might be required to give an unprejudiced hearing to an appeal by the member of staff concerned.
- Similarly, some governors might have previous knowledge of the problem, which led to the complaint and would be unable to give fair unbiased consideration to the issue and so should not be on the panel for the hearing.
- If the whole governing body is aware of the substance of a complaint before the stage 3 hearing, the school should arrange for an independent panel to hear the complaint and may approach a different school to ask for help from the local Governor Services Team at the LA, or the Diocese.
- Complainants have the right to request an independent panel, if they believe there is likely to be bias in the proceedings. The school will consider the request and the decision on this will be made by the governing body.
- The Chair of Governors will acknowledge the complaint (via the clerk for the complaint) within **5 school working days** and arrange a panel of governors to be formed to hear the complaint within **20 school working days** of the receipt of the complaint. These governors will have no previous involvement or knowledge of the case.
- The chair/clerk of the complaints panel will contact the complainant with the arrangements. For more information about setting up the panel hearing see Appendix 6: The roles and responsibilities of those involved in the process.
- Both parties may bring their representative with them. For more information see Appendix 6: The panel complaints hearing - good practice guidance

- Once the panel has been held the complainant and school will be informed of their decision in writing within **15 school working days**. The letter will contain details of what the complainant can do if they are still unsatisfied.
- If at any time during the stage 3 process it is not possible to meet the prescribed timescales then the Chair of Governors will ensure the clerk contacts both parties to discuss a mutually convenient date.

d. **Stage 4 – The Secretary of State**

- If the complainant is still unsatisfied at the end of Stage 3 they can contact the **Secretary of State** at:  
Ministerial and Public Communications Division  
Department for Education Schools  
Complaints Unit  
2<sup>nd</sup> Floor Piccadilly Gate,  
Store Street, Manchester,  
M1 2WD.  
Website: [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)  
Telephone 0370 000 2288

## Appendix 2

### COMPLAINTS PROCEDURE – PARENTS GUIDE

**This procedure was adopted by the Governing Body of All Hallows RC High School  
Autumn Term 2018**

#### **If you have a concern or complaint**

We would like you to tell us about it. We welcome suggestions for improving our work in the school. Be assured that no matter what you want to tell us, our support and respect for you and your child in the school will not be affected in any way. Please tell us of your concern as soon as possible.

If a complainant needs support in order to raise a concern or complaint, then every effort will be made to ensure this is available to enable them to fully participate in the process. (This could include provision of a translation of the procedure, provision of an interpreter etc.)

#### **Stage 1 – Informal Complaint**

Most concerns can be resolved satisfactorily for all concerned at this stage and this is our aim. There are many occasions where concerns are resolved straight away through the class teacher, admin team or other staff member, depending upon whom is approached in the first instance.

If the member of staff first contacted cannot immediately deal with the matter, s/he will make a clear note of the date, name, contact address and phone number of the complainant. The member of staff should tell the complainant when they will be able to deal with the concern and respond.

The staff member dealing with the concern should make sure that the complainant is clear about what action (if any) or monitoring of the situation has been agreed.

Where no satisfactory solution has been found within **10 school working days**, the complainant may request their concern is progressed further. The complainant should be told how to proceed within the Stage 1 response and the member of staff should make sure the complainant has access to the complaints policy on the school website or provide a paper copy.

At this stage members of the Governing Body should not be approached by the complainant.

#### **Stage 2 – Formal Complaint**

All concerns that have not been resolved at Stage 1 need to be logged as a complaint and put in writing and submitted to the Headteacher or designate, (*unless the complaint is about the Headteacher, then it needs to be submitted to the Chair of the Governing Body*).

The Headteacher or Chair of Governors will acknowledge receipt of the complaint in writing within **3 school working days** of receipt, and provide a target date for providing a response (**normally 10 school working days**). They will then investigate the complaint and provide the complainant with a written response which details the outcome of the investigation.

If the matter cannot be resolved at this stage, and the complainant wishes to take the matter further, they should be given clear information about how to proceed with a formal complaint at Stage 3 within the Stage 2 written response letter.

Written records of all the meetings, telephone conversations and other documentation relevant to

the investigation must be kept.

### Stage 3 – Review Hearing Stage

A complaint that has not been resolved through Stages 1 and 2 can escalate to be heard by a review panel made up of three governors.

The complainant should write to the 'Chair of the Governing Body' marking it 'Private and Confidential' asking for the complaint to be dealt with at Stage 3 of the complaint procedure. This will be c/o The Clerk to Governors, All Hallows RC High School, 150 Eccles Old Road, Salford, M6 8AA.

The Chair of Governors will acknowledge the complaint (via the clerk for the complaint panel) within **5 school working days** and arrange a panel of governors to be formed to hear the complaint within **20 school working days** of the receipt of the complaint. These governors will have no previous involvement or knowledge of the complaint. The Chair/Clerk of the complaints panel will contact the complainant with the arrangements. Both parties may bring their representative with them.

Once the panel has been held the complainant and school will be informed of their decision in writing within **15 school working days**. The letter will contain details of what the complainant can do if they are remain unsatisfied.

If at any time during the stage 3 process it is not possible to meet the prescribed timescales then the Chair of Governors will ensure the clerk contacts both parties to discuss a mutually convenient dates.

### Stage 4 – The Secretary of State

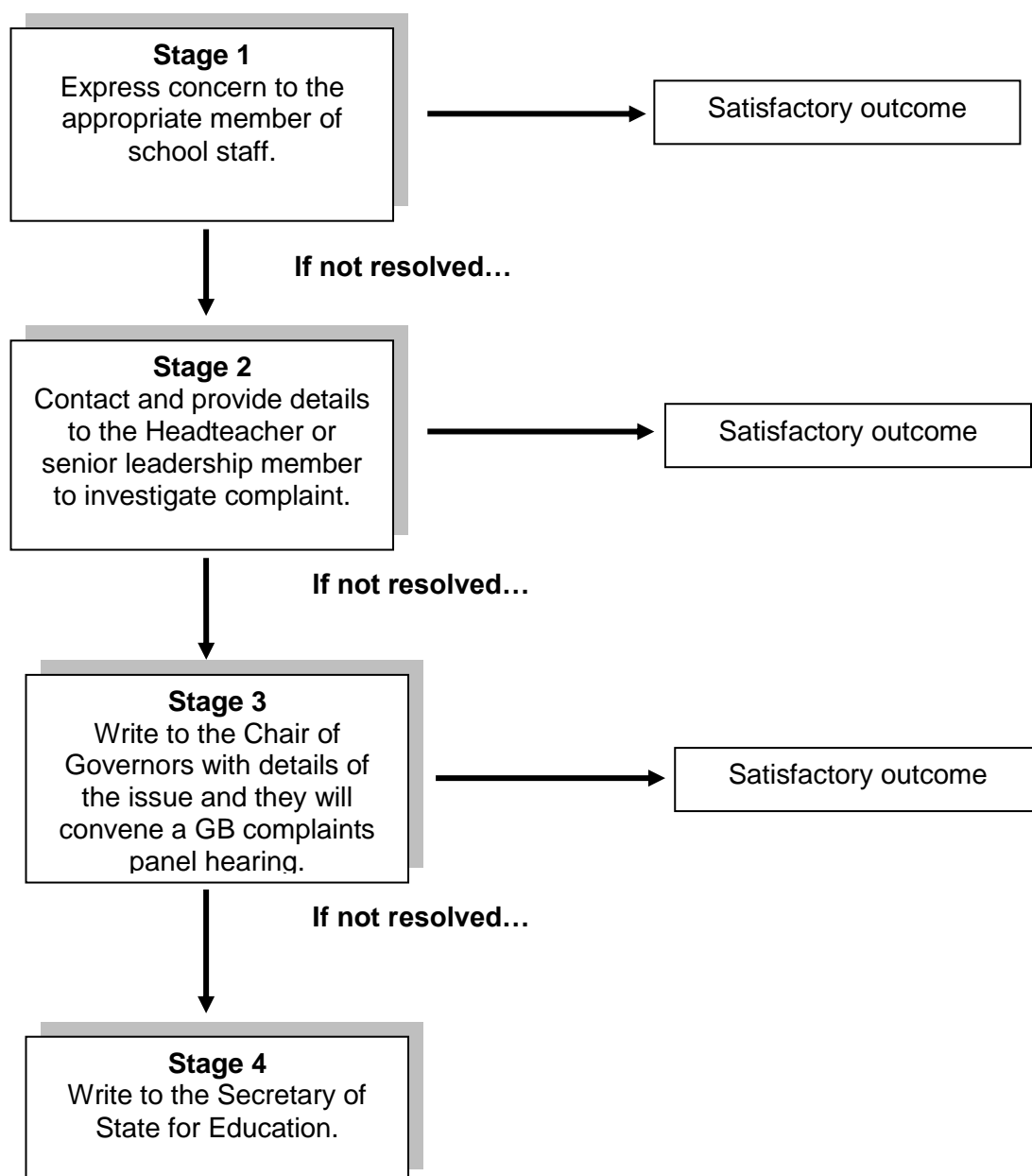
If the complainant remains unsatisfied at the end of Stage 3 they can contact the **Secretary of State** at: Department for Education Schools, Complaints Unit, 2<sup>nd</sup> Floor Piccadilly Gate, Store Street, Manchester, M1 2WD. Website: [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)

**The full complaints procedure document can be found on the school website.**

**[www.allhallows@salford.gov.uk](mailto:www.allhallows@salford.gov.uk)**

## Appendix 3

### Schools' general complaints – model complaints procedure



## Appendix 4

### The roles and responsibilities of those involved in the process

#### The Complainant

The complainant or person who makes the complaint will receive a more effective response to the complaint if he/she:

- co-operates with the school in seeking a solution to the complaint;
- expresses the complaint in full as early as possible;
- responds promptly to requests for information or meetings or in agreeing the details of the complaint;
- asks for assistance as needed;
- **treats all of those involved in the complaint with respect.**
- Refrain from publicising the details of their complaint on social media and respect confidentiality

#### The Complaints Co-ordinator

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure;
- ensure that all people involved in the complaint procedure will be aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000;
- liaise with staff members, Headteacher, Chair of Governors and Clerk to ensure the smooth running of the complaints procedure;
- keep records;
- be aware of issues regarding:
  - sharing third party information;
  - additional support - this may be needed by complainants when making a complaint including interpretation support.

#### The Investigator

The Investigator is the person involved in Stages 1 and 2 of the procedure. The Investigator's role can include:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
  - consideration of records and other relevant information;
  - interviewing staff and children/young people and other people relevant to the complaint;
  - analysing information;
  - effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;
  - identifying solutions and recommending courses of action to resolve problems;
  - being mindful of the timescales to respond; and responding to the complainant in plain and clear language.

The person investigating the complaint should make sure that they:

- conduct interviews with an open mind and be prepared to persist in the questioning;



- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.

### The Clerk to the Panel

The panel must be clerked. The clerk organises the complaints panel and must:

- Send an acknowledgement of the receipt of the complaint on behalf of the Chair of Governors within **5 school working days** and confirm that the complaint will be heard by a panel of three governors on behalf of the GB.
- Arrange the membership of the panel (based on the terms of reference of the governing body), in discussion with the Chair of Governors, which should be three governors who have no prior knowledge of the complaint.
- Set the date, time and venue of the panel, ensuring the dates are convenient to all parties and that the venue is and proceedings are accessible. The hearing should be set within **20 school working days** (i.e. term time) after receiving the complaint. If the timescales cannot be adhered to the chair of the panel should discuss with the school and the complainant the next most appropriate date
- Write to all parties, detailing the following:
  - the date, time and venue of hearing;
  - the aims and objectives of the hearing and how it will be conducted;
  - a request for any documentation that either party wishes the panel to consider. This must be with the clerk so that it can be sent to all parties at **least 5 school working days** before the hearing;
  - the rights of equal access, accompaniment and representation for both the complainant and the school, ensuring that everyone is notified as to who will be attending the panel, in advance of the hearing;
  - how and when the panel will reach their decision.
- At the hearing, meet and welcome the parties as they arrive ensuring there is appropriate separate waiting space.
- Ensure that both parties arrive at the panel at the same time.
- Take minutes of the proceedings and send the typed version to the chair of the panel for checking.
- Notify all parties of the panel's decision within **15 school working days**.
- Keep confidential minutes at the school with the governing body files.
- Liaise with the school's complaints co-ordinator.

### The Chair of Governors

- If the formal stage is required the Chair of Governors will notify the clerk to the panel to arrange the governing body complaints panel hearing.
- If the complaint is about the Headteacher the Chair of Governors will take the role of The Investigator and investigate the issue, taking advice from the clerk to the governors and/or Governor Services where appropriate.
- The Chair of Governors will need to ensure that general nature of complaints over the academic year are appropriately monitored by the governing body to inform practice and potential improvements to procedures and policies within the school.

### The Chair of the Complaints Panel



- **General principles:** The chair (supported by and in consultation with the clerk) should ensure that the following general principles are adhered to:
  - the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
  - the panel is open minded and acting independently; parents/carers and others who may not be used to speaking at such a hearing are put at ease – this is particularly important if the complainant is a child/young person;
  - the layout of the room will set the tone – care is needed to ensure the setting is informal and not adversarial;
  - no member of the panel has a vested interest in the outcomes of the proceedings or any involvement in an earlier stage of the procedure;
  - both the complainant and the school are given the opportunity to state their case and seek clarity;
  - written material is seen by all parties. If a new issue arises the chair can give all parties the opportunity to consider and comment on it.
  
- **At the hearing:** The chair of the panel has a key role and will need to ensure that:
  - the panel hearing is minuted;
  - the remit of the panel is explained to the complainant and both they and the school have the opportunity of putting their case without undue interruption;
  - the issues are addressed;
  - key findings of fact are made;
  - the hearing is conducted in an informal manner with everyone treated with respect and courtesy;
  - after introductions the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
  - the complainant is given the opportunity to state their case and the panel and school then have the opportunity to ask questions and clarify points;
  - the school is given the opportunity to state their case and the panel and complainant then have the opportunity to ask questions and clarify points;
  - any witnesses or representatives are only required to attend to give supporting information;
  - both parties have the opportunity to sum up and make their final statements;
  - the chair reminds both parties what will happen next and when and how their response will be communicated to both parties;
  - the meeting is drawn to a close and both parties leave the panel at the same time;
  - the issues are discussed fully, fairly and are addressed by the panel members with the clerk to the governors (and any minute/note taker) in attendance to provide advice and support;
  - the panel members agree:
    - The key findings of the facts;
    - Whether or not they uphold or do not uphold each part of the complaint;
    - What recommendations to change or improve practice within the school (if any) they propose for the GB to consider for approval.
  
- **Notification of the Panel's Decision:** The chair of the panel must ensure that the complainant and the school are notified of the panel's decision. This notification will be in writing and received by the complainant within **15 school working days** of the panel hearing. The panel will either:
  - uphold the complaint;
  - reject the complaint;
  - uphold the complaint in part.

The letter must explain any further rights of appeal and if so, who to contact.

## Panel Members

Panel members will need to be aware that:

- it is important that the review panel hearing is independent and impartial, and that it is seen to be so;
- no governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it;
- in academies one panel member must be independent of the management and running of the school;
- the aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant;
- it must be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously;
- many complainants will feel nervous and inhibited in a formal setting;
- parents/carers often feel emotional when discussing an issue that affects their child and the panel chair will ensure that the proceedings are as welcoming as possible;
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the hearing, such as:
  - careful consideration of the atmosphere and proceedings will ensure that the child/young person does not feel intimidated;
  - the panel should respect the views of the child/young person and give them equal consideration to those of adults;
  - if the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint;
  - where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the hearing, if any, the child/young person needs to attend;
  - the parent should be advised however that agreement might not always be possible if the parent wishes the child/young person to attend part of the meeting which the panel considers not to be in the child/young person's best interests.
- The welfare of the child/young person is paramount.

## Appendix 5 Complaint Form

**Name of School:** All Hallows RC High School

**Contact details of school:** [www.allhallows@salford.gov.uk](mailto:www.allhallows@salford.gov.uk) 0161 921 1900

1. Please give details of your complaint below:

2. What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was the response?):

3. Your relationship to the school, e.g. Parent, Grand Parent, Carer, Neighbour, Member of the Public:

4. What action do you feel might resolve the problem at this stage?

5. If you require any support to help you submit a complaint, please indicate below and a member of staff will contact you to offer assistance:

I would appreciate support for a member of staff: Yes / No\* Please delete as appropriate.

6. Are you attaching any paperwork? If so please give details below:

Signature:

Contact details:

Date:

Name:

Pupil name (if relevant):

Address:

**Please submit this complaints form to the school secretary by post, by hand or via email to: [www.allhallows@salford.gov.uk](mailto:www.allhallows@salford.gov.uk)**

**Official use:**

Date acknowledgement sent:

By Whom:

Complaint referred to:

Date:

Response due by:

## Appendix 6

### The panel complaints hearing - good practice guidance

Although the panel will follow formal procedures, the hearing should be conducted as informally as possible. Extra care will need to be taken if the hearing involves a child or young person being present.

1. Both the complainant and the school are invited to attend the panel and arrive at the same time.
2. The chair of the panel will introduce everyone and set out that the remit of the panel is to investigate the complaint. They will do this by allowing each party the opportunity to put their case without undue interruption.
3. Any witnesses or representatives are only required to attend to give their supporting information and must leave once they have done so unless invited to stay by the panel.
4. The complainant is given the opportunity to state their case. The panel and the Headteacher have the opportunity to ask any questions.
5. The Headteacher is given the opportunity to state the school's case. The panel and the complainant have the opportunity to ask any questions.
6. The complainant is invited to sum up their complaint.
7. The Headteacher is invited to sum up the school's actions and response to the complaint.
8. The chair lets both parties know how they will be notified of the panel's findings, within agreed timescales. The chair draws the meeting to a close.
9. Both parties leave at the same time and the panel withdraws to make their findings.

Schools should do their best to be helpful to people who contact them with a complaint or concern or a request for information. However, in cases where a school is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, schools will need to act appropriately.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is important for schools to recognise when they really have done everything they can in response to a complaint. It is a poor use of schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed.

Under no circumstances should an individual be marked as serial for exercising their democratic right to refer their complaint to their local MP regardless of which stage the complaint has reached.

Is it time to stop responding?

The decision to stop responding should never be taken lightly. A school needs to be able to say yes to all of the following:

- ☐ ☐ The school has taken every reasonable step to address the complainant's needs;
- ☐ ☐ The complainant has been given a clear statement of the school's position and their options  
(if any); and
- ☐ ☐ They are contacting the school repeatedly but making substantially the same points each time.
- ☐ ☐ The case is stronger if the school agrees with one or more of these statements:
  - ☐ ☐ The school has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience - have they actually said as much in a letter, email or telephone call?
  - ☐ ☐ Their letters/emails/telephone calls are often or always abusive or aggressive.
  - ☐ ☐ They make insulting personal comments about or threats towards staff.

Schools should not stop responding just because an individual is difficult to deal with or asks complex questions. In most circumstances the subject matter is what you can refuse to respond to, not the correspondent.

Schools must provide parents with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005.

However, where an individual's behaviour is causing a significant level of disruption schools may wish to implement a tailored communications strategy such as restricting them to a single point of contact via an email address or by limiting the number of times they make contact; e.g. a fixed number of contacts per term.