

**Bury Catholic  
Preparatory  
School**

**Complaints Policy**



Created by: Headteacher July 2016  
Ratified by Governors  
Review Date: May 2019  
To be reviewed: May 2020

# **Complaints Policy**

## **Mission Statement**

*BCPS is a happy and caring school community.  
We follow Jesus' example to respect, value and nurture every unique individual  
to develop their God given talents and potential.  
We are a school where faith and futures flourish*

### **This policy is applicable to the whole school, including the EYFS**

Although few and far between the school is anxious to resolve any complaints that parents may have about the school and to correct any deficiency or shortcoming as soon as possible. In order to help with this, the following procedure should be followed if you feel you have a complaint with the school. The policy is available on the school website, or a paper copy can be requested, and can be made available in large print or a more accessible format if required. We aim to resolve any concerns or complaints in a timely manner. Timescales for each stage are set out below. When we refer to 'working days' we mean Monday – Friday, when the School is open during term time excluding Bank Holidays. This policy will deal with complaints from parents of pupils.

The Headteacher is the member of staff with responsibility for the operation and management of the school complaints procedures and should be informed of any initial discussion that takes place with parents.

This policy describes a three stage procedure:

Stage 1: informal raising of a concern or difficulty notified orally or in writing to a member of staff

Stage 2: a formal complaint in writing to the Headteacher

Stage 3: a referral to the Complaints Panel

#### **Stage 1- Informal Complaint –**

Initially you should raise your complaint verbally, either in person or by telephone. If this is not possible, by email. Depending upon the nature of your complaint this would normally be your child's class teacher or the Deputy Head/Senior Teacher. If this is not appropriate or your complaint has not been resolved to your satisfaction by other staff, then you must make your complaint to the Headteacher. This should be done by either arranging a meeting or by speaking to the Headteacher on the telephone or writing to them. They may need some time to investigate but you would normally have a response within 48 hours, (during term –time) even if it is just to update you as to where the investigation is.

#### **Stage 2- Formal Complaint –**

If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing with full details and sent with all relevant documents and your full contact details in an envelope addressed to the Headteacher. The Headteacher will decide, after considering the complaint, the appropriate course of action to take.

- The Headteacher will acknowledge receipt of the complaint within 2 working days of receiving the complaint. In most cases, the Headteacher will meet with or speak to the parents concerned within 3 working days of receiving the complaint to discuss the matter. If possible, resolution will be reached at this stage.
- It may be necessary for the Headteacher to carry out further investigations and the Deputy Head teacher may be asked to act as Investigator.
- The Head/Senior teacher will keep confidential, written records of all meetings and interviews held in relation to each complaint and the outcome.
- Once the Headteacher 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 Headteacher will also give reasons for their decision. The Headteacher's aim would be to inform the parents of the outcome of the investigation to the complaint within 15 working days of receipt of the letter from the parents. Please note that any complaint received within one month of the end of term or half term is likely to take longer to resolve owing to the presence of School holidays. Complaints made by parents of pupils in the Early Years Foundation Stage will be investigated and the complainant notified of the outcome of the investigation within 28 days. The record of complaints must be made available to Ofsted and ISI on request.

**If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.**

### **Stage 3- Panel Hearing –**

To request a hearing before the Complaints Panel please write to the Chair of Governors, via the Clerk to the Governors, within seven working days of the decision complained of. Your request will only be considered if you have completed the procedures at Stages 1 and 2 of the Complaints Procedures. Please ensure that a copy of all relevant documents and your full contact details accompany your letter to the Clerk. Please state in your letter the outcome that you desire and all the grounds of your complaint. Please also send the Clerk a list of the documents which you believe to be in the School's possession and wish the Panel to see. The Clerk will acknowledge your request in writing within four working days. Should the complaint be regarding the Clerk of Governors or the Headteacher the complainant should write to the "Chair of Governors" c/o the school marking the envelope "Private and Confidential".

The matter will then be referred to the Complaints panel for consideration. The Panel will normally consist of a minimum of three individuals, who have no detailed prior knowledge of the circumstances of the complaint. One member of the Panel shall be independent of the management and running of the School. You may ask the Clerk to tell you who has been appointed to sit on the Panel. Each of the Panel members shall be appointed by the Governors. Panel hearing is a review of the decisions taken by the Headteacher. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure. Then Chair of Governors, 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 working days. The Panel will not normally sit during school holidays.

- Notice of hearing: as soon as reasonably practicable, the Clerk will send you written notification of the date, time and place of the hearing together with brief details of the Panel members who will hear it.
- If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than seven working days prior to the hearing.
- You will be asked to attend the hearing and may be accompanied by one other person such as, a relative, teacher, or friend. Legal representation will not normally be appropriate. Copies of additional documents you wish the Panel to consider should be sent to the Clerk, at least seven clear days prior to the hearing.
- The Complaints Panel's task is to establish the facts surrounding the complaints that have been made by considering:
  - a. the documents provided by both parties and
  - b. any representations made by you and/or the Headteacher
- If, after establishing the facts, the Panel consider that the complaint is made out, they will uphold the complaint. If the Panel consider that it is not made out, they will dismiss the complaint. They will make these decisions on the balance of probabilities.
- It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils, or parents. The Panel may make recommendations on these, or any other issues to the Headteacher or to the full body of Governors as appropriate.
- The hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner. All statements made at the hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. The Clerk will be asked to take a handwritten minute of the proceedings.
- The Chair will conduct the hearing in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.
- If possible, the panel will resolve the parents' concern immediately, without the need for further investigation. After due consideration of the matters discussed at the hearing, the Panel shall reach a decision unless there is an agreed position. The Panel's decision, findings and any recommendations may be notified orally at the hearing or subsequently and shall be confirmed in writing to you by electronic mail or otherwise given within seven working days. If you do not wish to receive the decision by electronic mail, a copy will be given or posted to you. The decisions, findings and any recommendations will be made available for inspection on the school premises by the Governing Body and the Headteacher. Reasons for the Decision will be given. The Decision may include recommendations and will be sent to you, the Chair of the Governing Body, the Headteacher and, where relevant, any person about whom the complaint has been made.

- Where further investigation is required, the Panel will decide how to carry out the investigation. After due consideration of all the facts they consider relevant, the panel will form a decision and may make recommendations which it shall complete within seven working days of the hearing. If, after establishing the facts the Panel consider that the complaint is valid, they will uphold the complaint. If the Panel consider that the complaint is not valid, they will dismiss the complaint. They will make these decisions on the balance of probabilities.
- 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, its recommendations, will be sent in writing to the parents, the Head teacher, the Governing Body and, if relevant, the person complained of.

### **Confidentiality**

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them.

Written records will be kept of all complaints from the formal stage, indicating whether they were resolved at the preliminary stage, or whether they proceeded to panel hearing. The number of complaints registered under the formal procedure during the preceding school year will be supplied to parents on request. Correspondence, statements and records relating to a formal complaint will be stored securely for a minimum of six years.

The school recognises and acknowledges your entitlement to complain and we hope to work with you in the best interests of the children in our care.

Parents of EYFS children will be notified of the outcome of an EYFS complaint within 28 days.

Parents of children in the EYFS who, after following the complaints procedure, are still not satisfied have the right to complain to Ofsted on 0845 6014772 or ISI on 020 7600 0100.

However, if the complaint is regarding the governing body and/or, The Chair of Governors, then, the parents have the right to take their complaint to Janet Entwistle JP, Independent Person for Complaints for BCPS.

There have been 0 formal complaints in the last school year.

## **Appendix 1**

### **Procedures to be followed at a hearing of the Complaints Panel**

**1 Introduction:** this is the procedure that will normally be followed by the

Complaints Panel and is designed to ensure that all parties have the opportunity to present their views to the Panel.

**2 Meeting format:** the meeting will take the form of a "round the table" hearing, where all parties and the Panel are present in the same room throughout.

Present in the room throughout the hearing will be:

- the Panel Members
- the Clerk to the Panel. The Clerk will take notes of the meeting. Any notes produced by the Clerk will not be exact and will belong to the Chairperson.

The Chairperson can authorise the release of the Clerk's notes on condition that they remain confidential

- the parents who have made the complaint
- any person that the parents have brought as a supporter
- the Headteacher
- any person that the Headteacher has brought as a supporter who is not legally qualified, if agreed in advance by the Chairman
- any other appropriate member of staff

The Chair of Governors may be present as an observer or as a witness if the complaint is against the Headteacher.

Note: any witnesses called by any of the above parties may be asked to make their contribution and then leave rather than staying for the whole proceeding.

### **3 Suggested agenda**

3.1 Welcome and introductions by the Chairperson.

3.2 Parents present their complaints. Where two parents are present, it is often more helpful if one parent undertakes the responsibility of presentation

3.3 The Panel and the Headteacher may ask questions of parents for clarification. Questions should be put through the Chairperson of the Panel who can intervene if s/he thinks that questions are inappropriate or are straying into cross examination.

3.4 The Headteacher puts her case, explaining the reasons for the decision and consideration and calling witnesses if necessary.

3.5 The parents and Panel Members may ask questions of the Headteacher for clarification. Again, such questions should be put through the Chairman who can intervene as necessary.

3.6 The Headteacher is invited to make any further relevant points.

3.7 The parents are then invited to make any further relevant points.

3.8 When the Panel is satisfied that it has established facts sufficient for it to make its decision, the Chairman may bring the hearing to a close and inform the parties that they will be notified in writing of the decision, normally within seven working days.

3.9 The parents and the Headteacher leave together with any witnesses, supporters or representatives.

**Appendix 2:**

The current Chair of Governors:

Mrs K Duffy

Who is contactable via the school office

The current independent person for the Complaints Panel:

Mrs Janet Entwistle JP

Who is contactable via the Chair of Governors

The current clerk to the Governors:

Mrs Terez Taylor - school administrator

Who is contactable on telephone number 0161 797 5804 or by email  
[admin@burycatholicprepschool.co.uk](mailto:admin@burycatholicprepschool.co.uk)