

Sacred Heart Catholic Primary School



Complaints Policy and Procedure

Mission Statement:

Learning and loving with Christ as our teacher.

Policy Review

This policy will be reviewed in full by the Governing Body.

Review Frequency	Annual
Last Review Date	27/11/19
GB Adopted	1 st December 2020
Next Review Date	Nov 2021

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Date: 1st December 2020

Executive Head Teacher

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Date: 1st December 2020

Chair of Governors

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Aims and objectives

Sacred Heart School is committed to openness and is always willing to listen to concerns and anxieties and be ready to learn from them if appropriate. We recognise that parental concerns are of particular importance. As the first educators of their children, parents have a duty to take an active interest in their school. The Second Vatican Council declared

“Since parents have given children their life, they are bound by the most serious obligation to educate their offspring.”
(Gravissimum Educationis).

Therefore, “there must be the closest co-operation between parents and the teachers to whom they entrust their children to be educated. In fulfilling their task, teachers are to collaborate closely with the parents and willingly listen to them.” (Can.796) So for Sacred Heart, dealing with parental concerns is an intrinsic part of the school’s ethos and mission.

Concerns and Complaints

There is a difference between a concern and a complaint. A concern can be defined as a cause of worry, whilst a complaint can be defined as an expression of dissatisfaction. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

Nearly all concerns or questions can be resolved very quickly and informally if parents voice them as soon as they arise. Parents’ feedback is always welcome and you are warmly encouraged to voice any concerns straightaway, preferably to the person concerned. In most cases, discussion, explanation, further information – or an apology if appropriate – will resolve the issue. Our aim is that no concern should ever become a formal complaint.

The Head teacher or other senior teachers will happily meet parents or guardians if that would help to resolve concerns. However, should a concern be too serious to be handled in this way, perhaps needing greater investigation; or the person concerned may not feel that the answers given so far have been acceptable or adequate, the concern will become a complaint. In that case, the formal procedure in this policy will be followed. Even in these cases, we will make every effort to resolve the issue at the lowest possible level of the procedure.

Appendix 3 provides details of support organisations who may be able to impartially discuss the parent’s concerns with them (see Appendix 3).

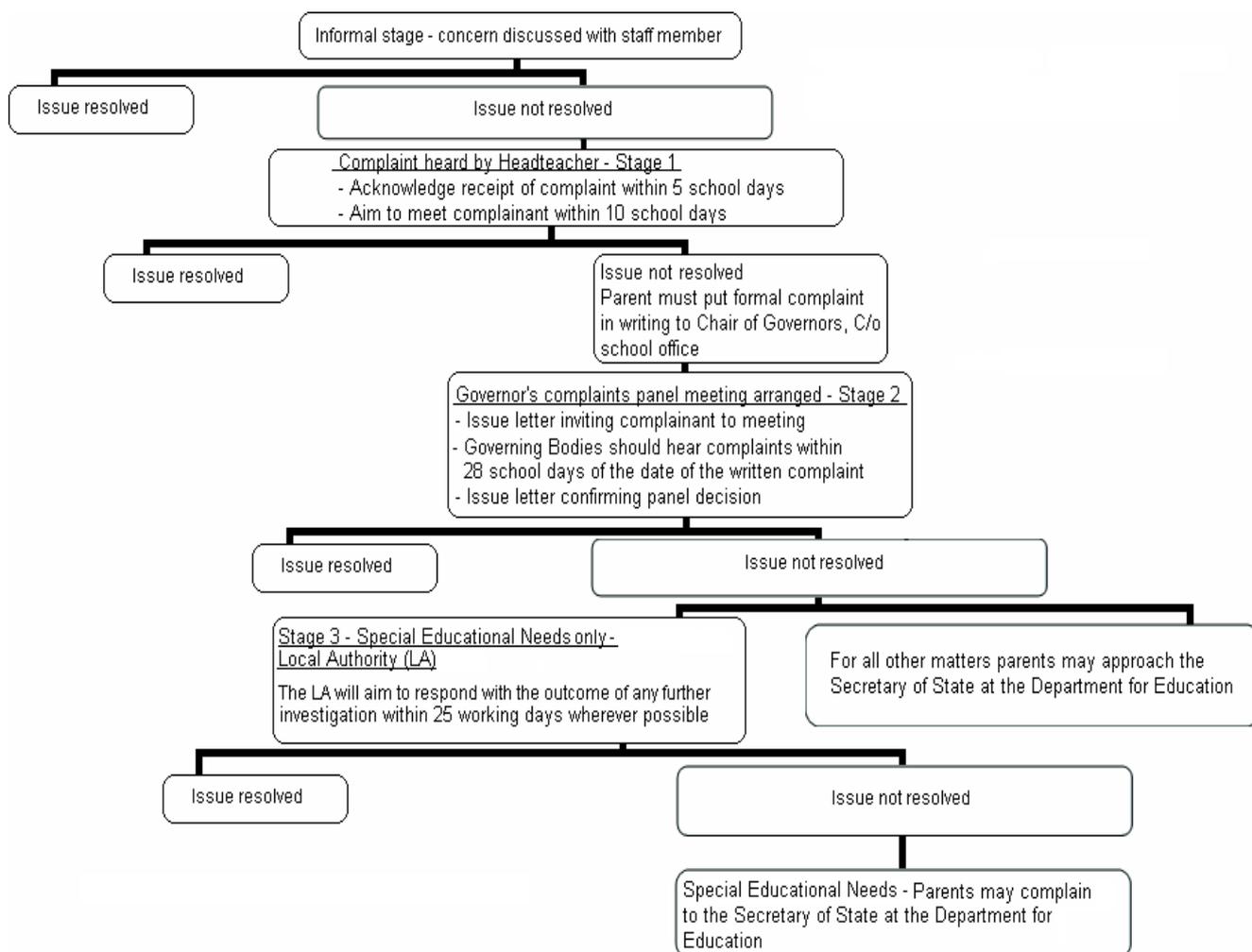
Dealing with Complaints – Formal procedures

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

Sacred Heart ‘Complaints Co-ordinator’ is the Head of School/Executive Headteacher.

Flowchart - Summary of Dealing with Complaints

Please see next page.



Dealing with complaints

Framework of Principles

Sacred Heart Complaints Procedure is structured to :

- encourage resolution of problems by **informal** means wherever possible;
- be easily **accessible** and **publicised**;
- be **simple** to understand and use;
- be **impartial**;
- be **non-adversarial**;
- allow **swift** handling with established **time-limits** for action and keeping people informed of the progress;
- ensure a full and **fair** investigation by an independent person where necessary;
- respect people's desire for **confidentiality**;
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
- provide **information** to the school's Senior Management Team so that services can be improved.

Investigating Complaints

At each stage, the person investigating the complaint (the Complaints Co-ordinator) will make sure that they:

- 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 (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

Resolving Complaints

Prior to a complaint being escalated to involve a formal hearing, Sacred Heart will have in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;

- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

Complainants are encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of liability.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Vexatious Complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. A vexatious complaint is likely to involve some or all of the following:

- the complaint arises from a historic and irreversible decision or incident;
- contact with the school is frequent, lengthy, complicated and stressful for Staff;
- the complainant behaves in an aggressive manner to Staff when he/she presents his/her complaint or is verbally abusive or threatening;
- the complainant changes aspects of the complaint partway through the complaint process;
- the complainant makes and breaks contact with the school on an ongoing basis; or
- the complainant persistently approaches the school (and in some cases the Local Authority) through different routes about the same issue in the hope of getting different responses.

If the situation is challenging but it is possible to proceed, Staff should avoid giving unrealistic expectations on the outcome of the complaint. In instances where there is a complete breakdown of relations between the complainant and the school, a decision may be made to restrict contact. Any restrictions imposed should be appropriate and proportionate. The options that schools are most likely to consider are:

- requesting contact in a particular form (e.g. letters only);
- requiring contact to take place with a named member of Staff (e.g. Head of School);

- restricting telephone calls to specified days and times;
- asking the complainant to enter into an agreement about his/her future contact with the school; and
- informing the complainant that if he/she still does not follow this advice (as stated above) any further correspondence that does not present significant new matters or new information will not necessarily be acknowledged, but should be kept on file.
- if the complainant tries to reopen an issue that has already been examined through the complaints procedure, the Chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Where the school identifies a need to discuss a particular case further, the County Complaints Team can be contacted directly in order to ascertain whether the complaint can be considered vexatious or not. Useful contact details are included in this document at the end of Appendix 2.

Time Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. An effective complaints procedure will have realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

Stages of the complaints process

Sacred Heart complaints process has the following well-defined stages:

Informal – Local resolution of the concern with Staff member

Stage 1 – complaint heard by Head of School

Stage 2 – Governor’s Panel

Further recourse – Possibly to Local Authority, OFSTED or Department for Education (where appropriate).

Recording Complaints

The progress of the complaint and the final outcome of a complaint will be recorded. A complaint may be made in person, by telephone, or in writing. At the end of a meeting or telephone call, the member of staff concerned will seek to ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.

Governing Body Review

The Governing Body can monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole GB will not name individuals.

As well as addressing an individual's complaints, the process of listening to, and resolving complaints will contribute to school improvement. When individual complaints are heard, the school may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Body can be a useful tool in evaluating the school's performance.

Publicising the Procedure

Details of the Complaints Procedure will be included:

- on the school website;
- in the school prospectus;
- the information given to new Parents when their children join the school;
- the information given to the children themselves;
- in the home-school agreement;
- in home-school bulletins or newsletters;
- in a specific complaints leaflet;

Why does the school need a complaints procedure?

Section 29 of the Education Act 2002 requires all maintained School Governing Bodies to adopt and publicise a complaints procedure for Parents. This includes complaints about any community facilities or services that the school provides.

Previous legislation still applies. In particular, 1991 SEN Information Regulations require Governing bodies of schools to publicise their complaint procedures in relation to SEN and the 1996 Education Act requires the LA to establish procedures for disputes between schools and Parents about SEN provision.

How will the school handle complaints made by:

- A member of Staff about another member of Staff, the Head of School or Executive Head of School?
- A member of the Governing Body about a member of Staff?
- A member of Staff about a member of the Governing Body?
- A member of Staff about the action/decision of the Governing Body?
- Members of the public (not Parents)?
- A Parent whose child no longer attends the school?

This Policy and Procedures essentially covers complaints made by Parents or Carers of children who attend the school; the written procedures for the above eventualities are explained below.

Sacred Heart would not normally consider complaints made 12 months or more after the events complained of.

Complaint made by one member of Staff against another (including the Head of School)

Complaints from members of Staff are not covered by this procedure. They should be dealt with by the Head of School (where appropriate) or the Chair of Governors informally in the first instance. If this approach fails to resolve the issue, the next step would be for the Staff Grievance Procedure to be invoked (by the person bringing the grievance).

Complaint made by a Governor about a member of Staff

This should be dealt with through the complaints procedure outlined in this document. Clearly the Governor concerned would have to withdraw from any meeting at which the complaint or its outcome was being discussed. If the complaint is related to the *conduct* of a member of Staff, it would be more appropriate to invoke the school's Disciplinary Procedures.

Complaint by a member of Staff against an individual Governor acting in a personal capacity

The Chair of the Governing Body (or the Vice-Chair if the complaint is against the Chair) should attempt to resolve the matter informally. If such a resolution is not possible, and with the agreement of the Governor concerned, a Panel of

Governors could be set up to consider the matter as under the normal complaints procedure in this document.

Complaint by a member of Staff against the action/decision of the Governing Body

If the decision was taken at a meeting of the full Governing Body the matter would have to be put on the agenda for review at another meeting and if the decision was then confirmed that would be the end of the matter. (For this reason it is important that matters that could potentially lead to a complaint or appeal are routinely dealt with by a committee with delegated authority, in order to allow for an appeal or a rehearing by an unprejudiced second group of Governors). If a committee or individual with delegated authority took the original decision then a Panel of Governors who were not involved in the decision should review the matter, ensuring that the member of Staff concerned was given an opportunity to state his/her case to the Panel. Any decision by the Panel would be final.

Complaint by a member of the public (not a Parent)

Complaints from members of the public are most likely to be dealt with by the Head of School and beyond that the Chair of Governors.

Complaint by a Parent whose child no longer attends the school

The purpose of this complaints procedure is to ensure that if an error has been made, or an injustice done, some action can be taken to remedy matters for the injured party. Where Parents have removed their child from the roll of a school it is clearly impossible for the Governing Body to put things right for that child. However, the Governing Body has a duty of care to the pupils who remain on roll and it would be advisable for Governors to investigate the circumstances to satisfy themselves that no-one had acted inappropriately and that procedures and policies had been followed correctly. Whilst it is not necessary to convene a Governor's complaint Panel, it would be good practice to inform Parents whether the complaint had been upheld or otherwise and of any changes to practice and procedures which have been agreed by the Governing Body.

What complaint/appeal procedures are NOT covered by this document?

This complaints procedure does not cover:

- Child Protection Procedures
- Appeals about admissions
- Appeals to the Governors discipline committee against permanent exclusion from school. Guidance on exclusions is available at the following link
- Staff Disciplinary Procedures

Further information about these procedures are available from the school or from Herts Children's Services on 0300 123 4043.

What is the position of Staff complained about?

Under this complaints procedure any member of school Staff who is the subject of a parental complaint will have the opportunity to respond to the complaint during its investigation. They should also be able to see any response sent to the complainant as a result of the investigation.

There is an entirely separate procedure for the school to follow in dealing with Staff disciplinary matters. Therefore, if in the course of considering a complaint the Governing Body or LA concludes that disciplinary procedures should be initiated, they will take separate action.

How long should the school take in dealing with concerns and complaints?

Schools should aim to deal with these quickly and efficiently at Stage 1, so avoiding the formal Stage 2 procedure wherever possible. All complaints should be acknowledged within **5 school days**.

The Governing Body should deal with and respond fully to Stage 2 formal complaints within **28 school days** of the written complaint being received. If this is not possible Parents need to be given the reasons for the delay and to be kept informed of progress.

What is the FIRST stage in dealing with a complaint?

Most concerns, or potential complaints, can be resolved informally by offering parents a full discussion with the member of staff who is best able to help. This may involve the Head of School and the Chair of Governors working together to investigate the complaint. This is where the process should start and sometimes governors approached by parents informally will need to steer parents in this direction initially.

Governors need to be aware that if they do become involved closely with complaints at Stage 1, they cannot be involved with Stage 2 of the complaints procedure.

If the complaint is about the provision the school is making for a child's Special Educational Needs, then a parent might find it helpful to talk to the named SEN Officer where this applies. The Parent Partnership Service will be able to provide advice on the procedures the LA has in place for resolving disputes between schools and parents over SEN provision.

Sacred Heart will give parents wishing to complain further a copy of the School Complaints Procedure and ask them to set out their complaint in a letter or by completing the complaint form.

What is the SECOND stage in dealing with a complaint?

The Chair of Governors will arrange for the complaint to be investigated and considered under the arrangements approved by the Governors for this purpose. This will usually involve a Panel of Governors appointed to act on behalf of the Governing Body. **In the case of Special Educational Needs complaints, the Chair of Governors must inform the Complaints Manager.**

If the Chair of Governors, or other Governors, have been involved in earlier discussions to try and help settle the disagreement at Stage 1, then arrangements should be made for another Governor with no prior involvement to take charge of the investigation and consideration of the complaint.

It may be helpful to offer the Parent an opportunity to talk about the complaint in the course of the investigation, prior to the complaint hearing. This might clarify the outstanding matters of complaint which remain unresolved and what outcome is sought by the complainant.

Parents should be provided with full details of how the Governors' Complaint Panel will conduct the further investigation (please see page 11, paragraph entitled 'Complaint by a parent whose child no longer attends the school' for the exception to this rule) A formal hearing is the best way for both parents and the Head of School and Staff to be satisfied they have had a proper opportunity to be listened to by Governors.

Everyone should also be informed in advance of the order of proceedings for complaint hearings.

Both parties should make available to the Panel, in advance, any written information they intend to use in the formal hearing.

Who can attend a Stage 2 hearing?

At any meeting parents may be accompanied by a friend or representative who may speak on their behalf. This person could be an interpreter of their choice and parents should be encouraged to do this where necessary.

The Chair of the Panel may invite to the meeting any person who may help establish the facts of the complaint. Parents need to be told who this person is before the meeting.

Any member of Staff required by Governors to attend any meeting or the hearing will have the opportunity to be accompanied or represented.

A member of Staff named by parents in the complaint may also choose to attend even if not required to do so by Governors and may be represented. If this happens, parents should be told beforehand.

What happens after the investigation/hearing?

When the complaint has been fully investigated and the hearing has taken place, parents should be notified of the **findings** in writing by the Chair of the Panel

hearing the complaint or the governor responsible for the investigation within 5 school days of the hearing date.

The report, with findings, should, at the same time, be published to the Governing Body as a confidential item and will, in addition, include any **recommendations**. A meeting of the Governing Body must accept the findings but can accept, reject or reject in part, the recommendations. Personal details should not be disclosed, but an outline of the complaint hearing and findings should be given.

The Chair of Governors should write to the parents to confirm any actions agreed by the Governing Body. Any agreed actions must be implemented by whoever it applies to - this could be the Governing Body as well as the Head of School. Parents should also be informed whether and how they can take their complaint further.

A copy of the report must be sent to the Head of School and the Complaints Manager in the case of a Special Educational Needs complaint, where there is a right in law to a third stage of complaint to the County Council.

What can Parents do if they are not satisfied with the outcome of the second stage of investigation?

In most cases it is expected that parental complaints will be satisfactorily resolved following formal complaint to the Governing Body. However, should parents remain dissatisfied, the following sections explain the circumstances in which complaints can be taken further.

It should be noted that if parents remain dissatisfied following the outcome of their Stage 2 hearing and wish to take their complaint further, they must do so within 28 days of receiving the written outcome of the hearing.

After 28 days, neither the school nor the Local Authority (where appropriate) is under any obligation to investigate or progress the complaint any further.

**When is there a THIRD stage of complaint to the County Council and how does it work?
(THIS APPLIES TO VERY FEW COMPLAINTS AS SET OUT BELOW)**

When it is a complaint about the way a school is providing for a child's Special Educational Needs.

Parents can complain further to the LA by writing to the Complaints Manager.

The Complaints Manager will acknowledge the letter and will notify the Chair of Governors and the Head of School. The Complaints Manager will arrange for the complaint to be investigated. The investigator will seek the comments of the Governing Body and any other information or advice as necessary.

When the complaint has been fully investigated and considered the Complaints Manager will notify parents of the outcome in writing, giving the reasons for it, any action or proposed action to be taken and the further recourse available. A copy of this will be sent to the Head of School, the Chair of Governors and to anyone

else concerned in the investigation. This brings the third stage for Special Educational Needs complaints to a conclusion.

Parents who remain dissatisfied following further investigation of their Special Educational Needs complaint by the Local Authority have the right to complain to the Secretary of State who may decide to conduct an additional investigation. The contact details for the Secretary of State are as follows:

The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT
Telephone: 0870 000 2288
Website: www.education.gov.uk

What happens when there is NO statutory third stage of complaint to the County Council?

If the complaint is about Denominational Religious Education in a Voluntary-Aided school or Collective Worship in a Voluntary-Aided school in accordance with the trust deed or previous practice before the school became a Voluntary-Aided school:

There is no formal right of complaint to the LA. This is because the LA has no power to inspect the provision or to influence its content but complaint beyond the second stage may be made to the relevant Diocesan Authority where this applies.

For Roman Catholic schools, complainants should write to: The Director of the Education Service, Diocese of Westminster, 46 Francis Street, London SW1P 1QN.

For Church of England schools complainants should write to: The Diocesan Director of Education, Diocese of St Albans Education Centre, Hall Grove, Welwyn Garden City, AL7 4PJ.

IF THE COMPLAINT IS ABOUT BULLYING, THE NATIONAL CURRICULUM, COLLECTIVE WORSHIP IN A COMMUNITY, VOLUNTARY-CONTROLLED, FOUNDATION OR TRUST SCHOOL, OR ABOUT ANY OTHER GENERAL MATTERS: THERE IS NO THIRD STAGE OF INVESTIGATION BY THE COUNTY COUNCIL

For the vast majority of complaints there is no right of further complaint or appeal to the LA beyond the school's Governing Body.

Parents may contact the complaints helpline for further advice but will be told there is no right of a further stage of formal investigation by the LA.

If parents who have not yet complained to their child's school contact the Local Authority, Council Officers will ask the complainant for their written consent to share information regarding their complaint with the school in question. If the

complainant declines to provide their consent, the matter will not normally be taken any further. If consent is provided, the Council will pass the complainant's concerns onto the school, whilst ensuring that the complainant is made aware that this will not necessarily result in the complaint against the school being resolved or the complainant achieving the outcome they were seeking.

Can Parents complain to anyone other than the County Council?

Parents have the right to complain to the Secretary of State at the Department for Education (under the Education Act 1996), if they believe that the Governing Body or the LA is acting or proposing to act unreasonably (section 496), or is failing to carry out a statutory duty (section 497). This has to mean that the LA or the Governing Body is acting outside its powers, or misusing them. Only then would the Secretary of State follow up the complaint.

The Secretary of State will then contact the Governing Body or LA for information. The contact details for the Secretary of State are as follows:

The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT
Telephone: 0870 000 2288
Website: www.education.gov.uk

Where can Parents get help?

Parents who remain dissatisfied following the Stage 2 consideration of their complaint by the Governing Body may seek advice from the Children's Services Complaints helpline on 01992 588542.

Sacred Heart leaflet for parents on *How to raise Concerns and Complaints* is at Appendix 3. It also shows other sources of help which Parents can access.

What kind of record will be kept about complaints?

The County Council will formally monitor Special Educational Needs complaints escalated to it under the statutory third stage of the complaints procedure.

Sacred Heart will formally record and monitor all Stage 2 complaints to the Governing Body.

Statistics may be published from time to time about the number and nature of complaints about individual schools. Publications will not include reference to any named individual. This is used to identify complaint trends and whether individual schools need particular guidance or support.

Appendix 1

Guidelines for School Management - Hearing Stage 2 formal complaints

This is advice for school management on practical aspects on handling Stage 2 complaints. It is available to parents if they should wish to see it; please contact the school office

How to complain to your child's school - information for parents

Introduction

School Governors are responsible in law for having a published complaints procedure and for responding to complaints. These complaints arrangements are well-established and were made following consultation with Head of Schools, Governors, the Diocesan Authorities, Teacher Associations and Representatives of Parent Groups. For Church of England schools the Diocese of St Albans commends the adoption of this procedure. For Roman Catholic schools, the Diocese of Westminster provides its own guidelines to schools for dealing with complaints.

What happens at the first stage?

Most concerns, complaints or potential complaints can be resolved by talking to the member of school Staff concerned. The school can tell you who you should speak to first. You may wish to request a copy of the school's complaints procedure, available from the school office or website. If the concern isn't resolved by speaking to a member of Staff, you should then request a meeting with the Head of School who will investigate your complaint and aim to inform you of the outcome within 10 school days.

If your first contact is with individual Governors, you may be asked to take up your concerns with the Head of School or the appropriate member of Staff. A Governor should not be made aware of a potential complaint as they may be required to sit on a panel in the event of a formal hearing (2nd stage) and should be impartial.

If your complaint is about the Head of School or Executive Head of School, you should write to the Chair of Governors at the school. If your child has Special Educational Needs (SEN) you might find it helpful to talk to the Special Educational Needs Co-ordinator (SENCo) at your child's school or your named Special Needs Officer if your child has a Statement of SEN. A Parent Partnership Supporter may also be able to help you.

If parents who have not yet complained to their child's school contact the Local Authority, Council Officers will ask the complainant for their written consent to share information regarding their complaint with the school in question. If the complainant declines to provide their consent, the matter will not be taken any further. If consent is provided, the Council will pass the complainant's concerns onto the school.

What happens at the second stage?

The school will ask you to write a letter addressed to the Chair of Governors. In the letter you should:

- make it clear why you are complaining
- say who you have spoken to already
- explain what you want to happen as a result of your complaint.

The Chair of Governors will arrange for your complaint to be considered and investigated under the arrangements approved by the Governing Body. This is likely to involve a Panel of Governors. If the Chair of Governors or another Governor has been involved in discussions to help settle the disagreement at Stage 1, s/he should arrange for another Governor to take charge of the investigation. The Governor in charge of investigating the complaint may ask to meet you to discuss your concerns. The Governing Body should give you full details of how they will carry out any further investigation or formal hearing and keep you up-to-date with progress.

You and the school must make sure the Governors' Complaint Panel is provided with any written information or evidence you intend to use in a formal hearing. You may bring a friend, representative or interpreter to any meeting if you wish. The Chair of the Panel may invite any person who may help establish the facts of the complaint. The Chair should tell you who this person is before the meeting.

If any member of Staff is required by the Governing Body to attend a meeting they will have the opportunity to be accompanied or represented as they wish. A member of Staff named by parents in the complaint may also choose to attend a meeting, even if not required to do so by the Governors. They may be represented. If this happens, the school will inform you before the meeting.

When the panel has fully investigated your complaint, the Chair of the Panel or the Governor in charge of the investigation will write to you to tell you the findings. These findings will be reported to the Governing Body. The Chair of Governors will then write to you confirming the outcome of your complaint and any agreed actions to be taken. The Governing Body should aim to deal with complaints within 28 school days.

Is there a third stage of complaint?

For most complaints, the procedure ends with the Governing Body and there is no third stage of complaint to the Local Authority.

If the school's complaints procedure has been exhausted and you remain dissatisfied, you can approach the Secretary of State. Further advice is available from the Children's Legal Centre, the Advisory Centre for Education (ACE) or Family Lives (formerly Parentline Plus).

If your complaint is about the way that a school is providing for your child's Statement of Special Educational Needs you do have a third stage of complaint to the Local Authority.

In this case, you can write to the Complaints Manager who will acknowledge your complaint within five working days and then inform the Chair of Governors and Head of School. The Complaints Team will aim to investigate your complaint within 25 working days, however the investigation may take longer in complex

situations. When your complaint has been fully investigated the Complaints Manager will write to let you know the decision. S/he will give the reasons for the decision, any action or proposed action to be taken and any further avenues open to you. S/he will send a copy to the Head of School, the Chair of Governors and anyone else concerned in the investigation.

Parents who remain dissatisfied following further investigation by the Local Authority have the right to complain to the Secretary of State who may decide to conduct an additional investigation.

If your complaint is about Denominational Religious Education or Collective Worship in a Voluntary-Aided school you do not have a third stage of complaint to the Local Authority.

This is because the Local Authority has no power in Voluntary-Aided schools to inspect the provision or to influence content. You may complain beyond the second stage to the relevant Diocesan Authority where this applies:

For Roman Catholic schools:

The Director of the Education Service, Diocese of Westminster, 46 Francis Street, London, SW1P 1QN. Tel: 020 7798 9005. Email: education@rcdow.org.uk

Can I complain to anyone other than the County Council?

For all other types of complaint, including those regarding Bullying, the National Curriculum or Collective Worship in a Community, Voluntary-Controlled, Foundation or Trust school, there is no third stage of complaint to the Local Authority.

However, you can complain to the Secretary of State at the Department for Education. The contact details for the Secretary of State are as follows:

The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT
Telephone: 0870 000 2288
Website: www.education.gov.uk

Please note that the Department for Education will only follow up your complaint with the school or the Local Authority if they believe either might have acted unreasonably or failed to carry out a statutory duty.

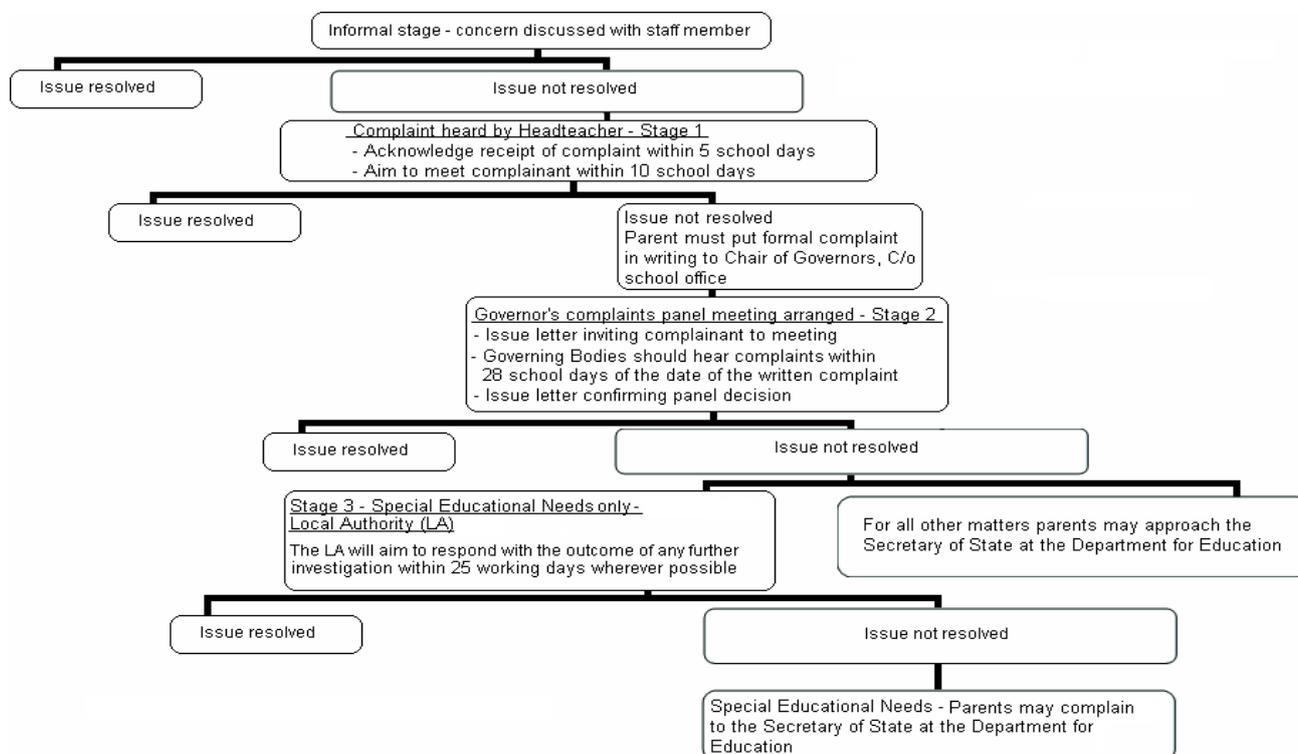
Complaints about academies

Whilst they are required to have a complaints procedure in place, Academies operate independently of the Local Authority. Accordingly, the Local Authority is unable to investigate complaints regarding Academies even if your complaint

relates to Special Educational Needs provision. If you have a complaint about an Academy which has not been satisfactorily resolved through the Academy's complaints procedure, you should contact the Secretary of State using the contact details listed above and request that your complaint be passed to the Education Funding Agency.

Useful contact details

Chair of Governors	The school secretary can tell you who this is and pass on any written correspondence	
Complaints Team Children's Services	www.hertsdirect.org/your-council/hcc/childserv/comments/ Email: cs.complaints@hertsgov.uk	01992 588542
Parent Partnership Service (SEN)	www.hertsdirect.org/parentpartnership Email: parent.partnership@hertsgov.uk	01992 555847
Black Minority Ethnic (BME) Achievement Team - If your complaint is about racial harassment or discrimination	www.thegrid.org.uk	01438 844752
ACE (Advisory Centre for Education)	www.ace-ed.org.uk	0808 800 5793
HertsHelp	www.hertsdirect.org/hertshelp	0300 123 4044
Family Lives	www.familylives.org.uk	0808 800 2222
Carers in Herts	www.carersinherts.org.uk	01992 586969
Children's Legal Centre	www.childrenslegalcentre.com	01206 873820
Citizen's Advice Bureau	www.citizensadvice.org.uk	08444 111 444



How to raise concerns or complaints

Information for Parents

We care about what you think

Each day this school makes many decisions and tries hard to do the best for all the children. Your comments - either positive or negative - are an invaluable contribution for future planning.

You may want to talk to us about a particular aspect of this school, though not actually make a complaint - you just want to get something 'off your chest'.

If you are dissatisfied about the way your child is being treated, or any actions or lack of action by us, please feel able to contact us using the details listed above.

Our aims

- Your concern or complaint will be dealt with honestly, politely and in confidence
- Your concern or complaint will be looked into thoroughly and fairly
- If your complaint is urgent we will deal with it more quickly
- We will keep you up to date with progress at each stage
- You will get an apology if we have made a mistake
- You will be told what we are going to do to put things right
- You will get a full and clear written reply to formal complaints within 28 school days

How to raise a concern or make a complaint

First

If you have a concern about anything we do, or if you wish to make a complaint, you can do this by telephone, in person or in writing (by letter or email). We hope that most complaints can be settled quickly and informally, either by putting matters right or by giving you an explanation. If there is something you are not happy about, or you don't understand why we are doing something in a particular way, please come in and discuss it with the class teacher or another appropriate member of staff. If it is about Special Needs, you may want to contact the Special Educational Needs Co-ordinator (SENCo).

We know that it can feel uncomfortable to question or challenge, but if you don't tell us what is worrying you we cannot explain what we are doing or try to put it right. If the first person you talk to cannot help you then speak to the Head of School. Make an appointment with the school secretary to make sure the Head of School is

available. You should be able to sort out your worries but sometimes this is not possible. In this case there is a next step.

Second

If you are not satisfied you can complain formally by writing to the Chair of Governor. The school secretary will tell you who this is and pass on any written correspondence. The Chair will then arrange for your complaint to be investigated and considered and will reply within 10 working days to give you a progress report and tell you what will happen next. This is likely to involve a Panel of Governors. When your complaint has been fully investigated you will be told of the outcome in writing.

Third

Most complaints are the responsibility of the Governing Body of the school and will be resolved by them. A small number of complaints may not be resolved by this process.

In the case of complaints about **Special Educational Needs**, you can complain further to the Local Authority. This should be done by writing to the Complaints Manager in the Customer Service Team at the address on the back page.

It should be noted however that if you wish to pursue this route, you must do so within 28 days of receiving the written outcome of the hearing into your complaint. After 28 days, neither the school nor the Local Authority is under any obligation to investigate or progress your complaint any further.

Sacred Heart Complaints Policy and Procedures

The School's Complaints Policy and Procedures is available on the school website www.sacredheart682.herts.sch.uk or from the school office. This sets out in detail the procedures we will follow and contains in the final Appendix outline letters which can be used to raise concerns or make a complaint.

Useful contacts

Complaints Team

Customer Service Team, Room 164, County Hall, Hertford, SG13 8DF
Web: www.hertsdirect.org/your-council/hcc/childserv/comments/
Email: cs.complaints@hertsc.gov.uk
Phone: **01992 588542**

Parent Partnership Team (Special Educational Needs)

Room 152, County Hall, Hertford SG13 8DF
Web: www.hertsdirect.org/parentpartnership
Email: parent.partnership@hertsc.gov.uk

The Parent Partnership service provides impartial information and offers guidance on Special Educational Needs to Parents, Carers and Professionals. There are four Parent Partnership Supporters in the county and you can contact your local Supporter directly and confidentially. Their contact details are as follows:

**Special Educational Needs & Disability Information Advice Support Service
(SENDIASS)**

Web: www.hertfordshire.gov.uk/sendiaass

Email: SENDIASS@hertfordshire.gov.uk

Summary - Schools Complaints Procedure

Full procedure available on: www.thegrid.org.uk

Model procedures for dealing with school based complaints

What is the issue?

Whether a grievance or a complaint, it is important to decide which policy to use.

Is it a Safeguarding issue? Read your Safeguarding policy to consider which procedure to follow.

A grievance is an issue raised by a member of Staff. *Staff* are employees of the LA/school and work solely at the school, except for Shire County Catering. It does not apply to outside contractors, who are managed by their own organisation. Full details can be found in the Guide to the Law - Chapter 4 (Grievance and Disciplinary procedures) and Chapter 5 (Disciplinary procedures)

A complaint is often an issue raised by a Parent, or a member of the community.

1. The complaint may initially start as a concern, and by dealing with it promptly and professionally, thus reducing the number that develop into formal complaints. In most cases the class teacher or the individual delivering the service, in the case of extended school provision, will receive the first approach. It would be helpful if Staff were able to resolve issues immediately, including apologising where necessary.
2. If an informal discussion has not resolved the issue, the person raising the concern can take the matter further. *Appendix A* is a flowchart summarising the three stages of the complaints procedure. Follow this in conjunction with the explanatory notes below.

Resolving the complaint is what the school will want to achieve as swiftly and efficiently as possible by being fair and impartial both at informal or formal stages. Whether the complaint is not valid, valid in whole, or in part, needs to be acknowledged. An effective procedure will identify areas of agreement between the parties. It is appropriate to offer one or more of the following depending on the outcome:

- An apology;
- An explanation;
- An admission that the situation could have been handled differently or better. This is not the same as an admission of liability.
- An assuring discussion of the matter with the complainant, and explanation of steps taken that this issue will not recur, can be a positive move in resolving the matter.
- An undertaking to review school policies in light of the complaint.

A complainant may remain dissatisfied even if the school has followed all the above guidance and its own procedures. If the complainant tries to reopen the same issue, the Chair of the GB is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. If it is written in the schools procedure, the complainant should be told of the next stage available to them

(where applicable) - i.e. writing to the LA, Diocese or other external agency such as the Secretary of State.

Appendix 1: Flowchart - The three stages of a school-based complaints procedure

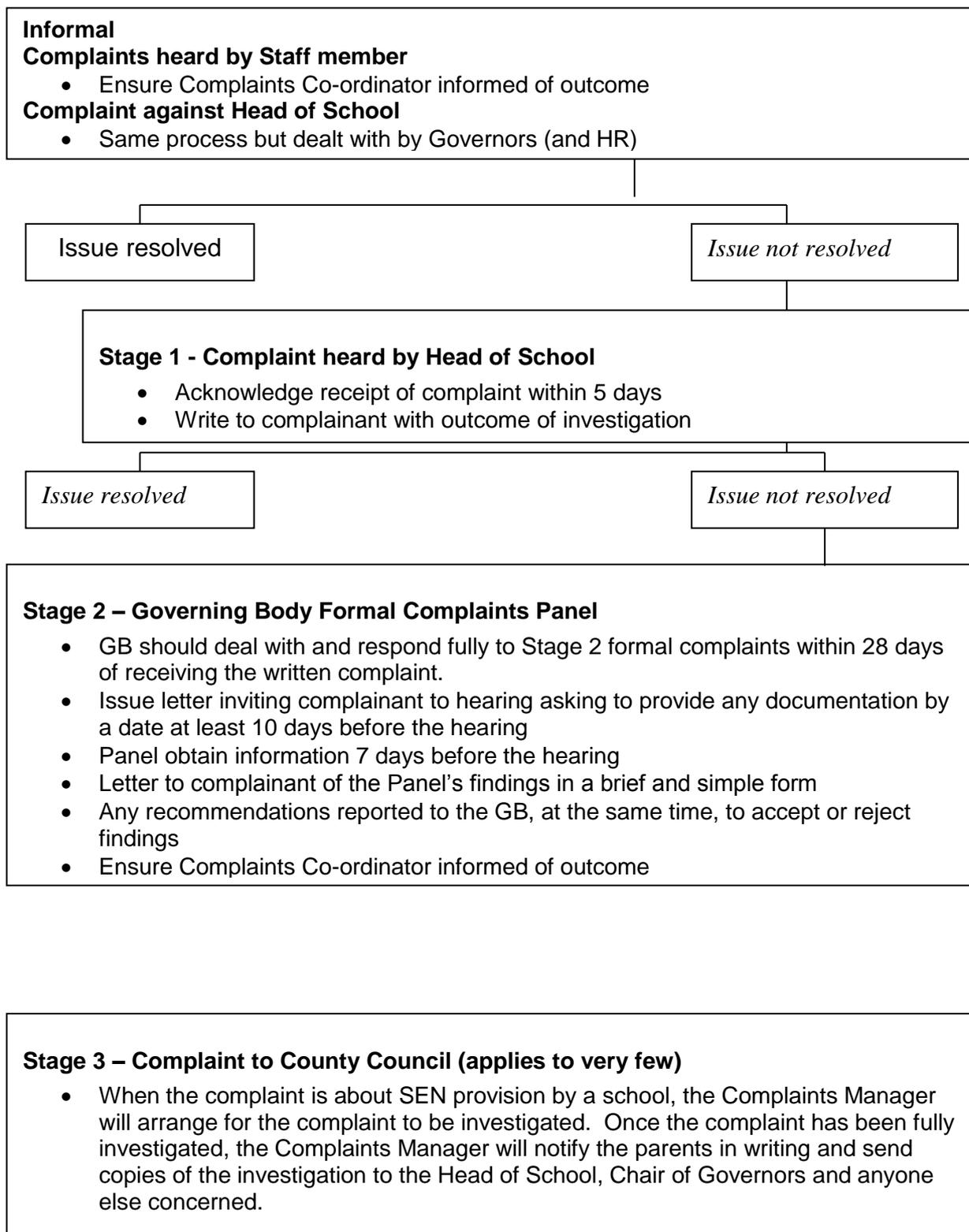
Appendix 2: Roles and Responsibilities

Appendix 3: Vexatious Complaints

Appendix 4: Panel Checklist

Appendix 5: Example of a Complaint Form

Appendix 1: The three stages of the school-based complaints procedure.



Appendix 2: School Complaints Procedure – Roles and Responsibilities

A complaint needs to be dealt with at the earliest stage by the appropriate person.

A Complaints Co-ordinator is the member of Staff with responsibility for the operation and management of the school complaints procedure. This may often be the Head of School. Responsibilities include:

- Establishing what has happened so far, and who is involved;
- Considering timescales so the complaint is resolved as quickly and efficiently as possible. Allow for realistic time limits for each action. Be flexible if time is needed to prepare or for the meeting time to suit all involved, remember to keep all parties informed.
- Clarify the nature of the complaint and what remains unresolved;
- Meet or contact the complainant to discuss any information needed or clarify issues;
- Clarify what the complainant feels might resolve the problem at any stage;
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- Conduct the interview with an open mind and be prepared to persist in the questioning;
- Keep notes of all the interviews and final outcome. Some discussions may be on the phone but to ensure all parties have the same understanding of the issue a brief note of the meeting/telephone calls can be kept and a copy of any written response added to the record.

The Role of the Chair of Governors

If the Governing Body are requested to hear the complaint, at Stage 2, the Chair will check the correct procedure has been followed before notifying the Clerk to arrange a Panel.

The Role of the Clerk

The Department strongly recommends that any Panel assign a Clerk for the complaints hearing. The Clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the Panel's decision.

The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- the remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;

- Parents and others who may not be used to speaking at such a hearing are put at ease;
- 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;
- no member of the Panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case;
- written material is seen by all parties. **If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.**

Notification of the Panel's Decision

The Chair of the Panel needs to ensure that the complainant is notified of the Panel's decision, in writing, with the Panel's response; this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

It should be noted that if Parents remain dissatisfied following the outcome of their Stage 2 hearing and wish to take their complaint further, they must do so within 28 days of receiving the written outcome of the hearing. After 28 days, neither the school nor the Local Authority (where appropriate) are under any obligation to investigate or progress the complaint any further.

Full procedure is available on: www.thegrid.org.uk

Model procedures for dealing with school based complaints
(Guidelines for Head of Schools and Governing Bodies)

Appendix 3: Vexatious Complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied.

A vexatious complaint is likely to involve some or all of the following:

- The complaint arises from a historic and irreversible decision or incident;
- Contact with the school is frequent, lengthy, complicated and stressful for Staff;
- The complainant behaves in an aggressive manner to Staff when he/she presents his/her complaint or is verbally abusive or threatening;
- The complainant changes aspects of the complaint partway through the complaint process;
- The complainant makes and breaks contact with the school on an ongoing basis; or
- The complainant persistently approaches the school (and in some cases the Local Authority) through different routes about the same issue in the hope of getting different responses.

If the situation is challenging but it is possible to proceed, Staff should avoid giving unrealistic expectations on the outcome of the complaint. In instances where there is a complete breakdown of relations between the complainant and the school, a decision may be made to restrict contact. Any restrictions imposed should be

appropriate and proportionate. The options that schools are most likely to consider are:

- Requesting contact in a particular form (e.g. – letters only);
- Requiring contact to take place with a named member of Staff (e.g. – Head of School);
- Restricting telephone calls to specified days and times;
- Asking the complainant to enter into an agreement about his/her future contact with the school; and
- Informing the complainant that if s/he still does not follow this advice (as stated above) any further correspondence that does not present significant new matters or new information will not necessarily be acknowledged, but should be kept on file.
- If the complainant tries to reopen an issue that has already been examined through the complaints procedure, the Chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

The Complaints Team can be contacted directly by schools to discuss such cases further on 01992 588542 (www.hertsdirect.org/your-council/hcc/childserv/comments/)

Appendix 4: Panel Checklist

- The hearing is as informal as possible and proceedings explained to all parties;
- Witnesses are only required to attend for the part of the hearing in which they give evidence;
- After introduction, the complainant is invited to explain their complaint, and be followed by their witnesses;
- The Head of School is then invited to explain the school's actions and be followed by the school's witnesses;
- The Panel may ask questions at any point, or adjourn if necessary;
- The complainant is then invited to sum up their complaint;
- The Head of School is then invited to sum up the school's actions and response to the complaint;
- The Panel needs to ensure that all parties have been heard;
- Both parties leave together while the Panel decides on the issues;
- The Chair explains that both parties will hear from the Panel within a **set timescale**.

Appendix 5: Example of a Complaint Form

Please complete and return to(Complaints Co-ordinator)
who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

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

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

**Letter to Complaints Team informing about a complaint concerning
SEN**

Complaints Team
Customer Service Team
County Hall
Hertford
SG13 8DF

Date

Dear

COMPLAINT CONCERNING SEN

The Governing Body has received a complaint from name
..... dated concerning
.....

I enclose a copy of the complaint.

The Governing Body will investigate the complaint and report the outcome to
you as soon as the investigation is complete.

Yours sincerely,

Chair of the Governing Body

enc.