

**St James the Great RC (VA) Primary and Nursery School**



**Non-Statutory Complaints Procedure**

Autumn 2003

## **NON-STATUTORY COMPLAINTS PROCEDURE**

*The following guidelines outline the approach the Governors have approved for dealing with complaints that fall outside the scope of the procedures already approved for dealing with complaints falling under Section 23 of the 1988 Education Reform Act about the implementation of the National Curriculum*

### **Introduction**

1. The aim of this complaints procedure is to ensure that a complaint is fully considered and wherever possible resolved to the satisfaction of the complainant.
2. It may be that a complaint can be resolved without formally invoking these procedures, particularly where the complaint can be redefined as a problem or concern. These procedures should not be seen as replacing the good practice of resolving concerns or problems as they arise.

### **Scope**

1. The procedures do not cover complaints relating to the following matters, which are dealt with under other (statutory) arrangements:-

Admission of pupils;  
Exclusions of pupils;  
Assessments of special educational needs.

2. During the investigation of a complaint under these procedures, it may become clear the other procedures will need to be invoked – for example, relating to Section 23 complaints, child protection, staff discipline or staff grievances procedures.

### **Principles**

1. Complaints, however, received will be dealt with as quickly and as fairly as possible and will be recorded in writing.
2. Complainants will be kept fully informed at every stage of the procedure.
3. All staff will be made aware of the procedures and will be given guidance in distinguishing between a worry, a problem or concern and an actual complaint.
4. It will be at the Headteacher's discretion whether or not anonymous complaints are investigated.

### **Procedures**

1. Every effort will be made to resolve concerns and complaints as they arise by informal means.
2. Wherever possible this will be done by discussion with the members of staff felt to be most directly involved.
3. Only where the complainant remains dissatisfied with the outcome of such discussions will it be necessary to move to the next formal stage of the procedures.

### **Stage One**

1. Once a complaint has been received either in writing, by telephone or verbally by the complainant in person, it will be recorded in a complaints register, along with the nature and details of the complaint and the name of the person who will be dealing with it.
2. The complainant will be advised who is to deal with the complaint and how that person can be contacted and the date of the initial investigation, which should be within ten school days of the receipt of the complaint.
3. The complainant will be informed that he/she may be accompanied by a friend or relative and that all conversations and correspondence will be treated as confidential.
4. The person dealing with the complaint will, as appropriate, interview the complainant and any witnesses. Pupil witnesses will normally be interviewed only in the presence of their parents/guardians. Where circumstances might prevent this, for example, a serious delay to an urgent complaint, another member of staff with whom the pupil feels comfortable should be asked to attend.
5. Following this investigation, the complainant will be informed in writing and within 24 hours of the outcome:-
  - the complaint is upheld and appropriate action will be taken;
  - the complaint is not upheld and no action will be taken;
  - the complaint is a matter of staff discipline and will be pursued under the school's disciplinary and grievance procedures;
  - the complaint is a matter which is subject to child protection procedures and will be dealt with under the appropriate code of practice.
6. The complainant will also be informed of the right to take the matter to the Governors if he/she is dissatisfied with the outcome of stage one.
7. If the complaint is directed against the Headteacher, the person designated to deal with the complaint shall be the Chair of Governors (or his nominee).

### **Stage Two**

1. If the complainant is not satisfied with the outcome of stage one, he or she may request a hearing of the complaint by a panel of the Governing Body.
2. The Governors' panel will meet within three school weeks of receiving the complaint. The Governors' panel will adhere to the procedures for investigating the complaint and reporting to the complainant as set out in 4) and 5) under stage one.

**Appeal**

1. The complainant shall be informed that he/she may appeal against the decision of the Governors' panel and that this is the final stage in this procedure.
2. Should the complainant wish to appeal against the decision made by the Governing Body panel, he or she should write to the Clerk of the Governors c/o the school within ten school days of receiving the Governors' decision.
3. On receipt of the appeal, the Governors will establish an appeals panel of three, five or seven Governors, none of whom have been involved in the original hearing, to hear the appeal.
4. The appeals panel will adhere to the procedures set out in 4) and 5) above.