

St George's Catholic Voluntary Aided Primary School

COMPLAINTS PROCEDURE

1. Paragraph 7[2] of Schedule 6 to the Education Act 1993 requires the governing body to have procedures for the consideration and disposal of complaints relating to matters concerning the curriculum followed within the school.

The Secretary of State has approved the procedure set out below. They are comprehensive and cover all relevant complaints from the point when informal discussions becomes inadequate to a point where the next step would be complaint to the Secretary of State. The Secretary of State will not consider complaints on matters covered by the procedures until the have been exhausted.

2. The procedures do not cover complaints about the actions of individual teachers or the headteacher. If, in the course of consideration of a complaint, it is decided that disciplinary proceedings should be initiated, separate action will be taken as appropriate. Separate arrangements apply to resolve disagreements about the curriculum requirements specified in statements for children with special educational needs.

3. The complainant may make his or her representations at each stage of the procedure in person, accompanied by a friend if so desired. Where appropriate, steps will be taken to ensure that information is available to complainants in languages other than English and arrangements made for an interpreter to be present during any oral representations.

4. The duties covered by the procedure are:

- a. The provision of a curriculum which meets the general requirements of section 1 and 2 of the Education Act 1988, and the sections 240 and 241 of the Education 1993 Act;
- b. The implementation of the National Curriculum and compliance with Orders and Regulations made about its requirement and exceptions to its provision;
- c. Provision of courses leading to external qualification, only if that qualification and the associated syllabus have been approved;
- d. Provision of religious education and worship as required by sections 6, 8-10 of the 1988 Act, sections 138-142 and 146-148 of the Act, and other enactments;
- e. The need to act reasonably in deciding whether to apply to the Secretary of State either with or without The Schools Curriculum and Assessment Authority for exemption from all or part of the National Curriculum in order to carry out development work;

- f. Consideration of appeals by parents about the temporary withdrawal of pupils from part or all of the National Curriculum;
- g. Operation of policies in relations to the curriculum;
- h. Compliance with requirements in relation to the provision of information;
- i. Compliance with any other enactments relating to the curriculum;

5. The Secretary of State expects that any concerns expressed by parents and others about the school curriculum and related matters will be dealt with informal discussions with teachers and/or the headteacher in the first instance. If dissatisfied, the person concerned should submit a formal complaint in writing, specifying its nature as exactly as possible.

- 1. If in his/her view the complaint falls outside the scope of the procedures (see paragraph 3 and 4), the headteacher will advise the complainant of any recourse he or she may have. The headteacher will consider urgent complaints as quickly as possible. In any event the head will inform the complainant within 2 working days of:
 - a. The decision he/she has reached, and the reason for it;
 - b. Any action taken or proposed, including details of any request made to those complained against to take particular actions to resolve the complaint.

6. If the complainant is dissatisfied with the headteacher's response, or has not received a decision within the time limit imposed in paragraph 6 the headteacher must refer the matter to the governing body or committee of it via the clerk to the governing body. The clerk will write to the complainant with details of how the governing body or committee of it will consider the complaint, and of the complainant's right as explained in paragraph 3 above and in the paragraphs below.

7. If the complaint appears to be urgent, the clerk will convene a meeting of the governing body or committee to consider the complaint within 12 days of receipt, being days on which the school is normally in session ("school days"). If the complaint is not urgent, the clerk will convene a meeting to consider the complaint within 20 school days.

The clerk will give the complainant a minimum of 7 ordinary days notice of the date, time and place of the meeting; any reasonable request made by the complaint for an alternative date should result in a mutually convenient date being set at the earliest possible time. If the complainant does not wish to attend the meeting, he or she may present the complaint in writing to the governing body or committee. The complainant must submit any such material to the clerk no later than 2 school days before the meeting.

8. Subject to paragraphs 10 and 11, the headteacher - accompanied by a friend or representative if he/she so wishes - may be present at the meeting of the governing body or committee of it which is convened to consider a complaint.

9. Where the complainant chooses to attend in person, the usual order of proceedings shall be as follows:

- a. The chairman of the governing body or committee will welcome the complainant and any representative and introduce those present.
- b. The complainant may, if he or she chooses, restate the nature of the complaint.
- c. The complainant may be asked questions by the governing body or committee and by the headteacher.
- d. The headteacher may be asked to make a statement to the governing body or committee, regarding the matter complained of and may be asked questions by the governing body (or committee) or by the complainant.
- e. The complainant may, if he or she so chooses, summarise the complaint.
- f. The headteacher, complainant and any friend or representative they have brought will be asked to leave.

10. The governing body or committee shall consider the complaint at the meeting and any relevant information or factors. They shall only reach a decision after the headteacher and where relevant, the complainant and any friend or representative or either individual, have withdrawn. The governing body or committee shall decide;

- * To reject the complaint;
- * To uphold the complaint;
- * To investigate the complaint further

11. The clerk shall inform the complainant and the headteacher in writing within 5 school days.

- a. Of the decision reached by the governing body or committee under paragraph 10 and the reasons for the decision; if the governing body or committee decides that the complaint falls outside the scope of paragraph 4 the clerk will inform the complainant of any further resources he or she may have
- b. If the complaint was upheld, of any action taken or proposed, including details of any request to those complained against, to take particular actions to resolve the complaint; where the complainant is dissatisfied with action taken or proposed to remedy the complaint, he or she may

wish to pursue the matter further with the headteacher, the governing body or the committee as appropriate.

- c. Where the governing body's response has failed to satisfy the complaint, the fact that further recourse lies in a complaint to the Secretary of State under section 68 or 99 of the Act. However, it should be pointed out that the Secretary of State's powers do not extend to reviewing decisions of complaints committees. The Secretary of State only has the power to decide whether the governing body concerned has acted reasonably or is in default of its statutory duties.

12. Where under paragraph 10 the governing body or committee decides to investigate the complaint further, the clerk shall inform the complainant of the steps to be taken and of the progress made. Any subsequent meeting of the governing body or committee shall be subject to the provisions described above in so far as they are relevant.

13. The Secretary of State may require the governing body to make annual returns to the Department for Education giving the number of formal complaints dealt with and their outcomes. These returns will not identify individual complainants.

14. Separate arrangements exist for complaints referring to Religious Education and/or Collective Worship.

15. If you have any questions about the procedures described above, you may wish to contact the Vice-Chairman of the Governors who will be able to advise you further.

Policy in case of Complaint against any Pupil or Member of Staff

Any parent having any grievance against any pupil or any member of staff, whether it be against a member of either the teaching or non-teaching staff, has a right to lodge that grievance and have it considered by the Governing Body of the school.

Set out below are the procedures to be followed and are for the guidance of all concerned:

1. The parent should, in the first place seek a meeting with the teacher, or the teacher and the non-teaching member of staff concerned. The teacher will keep the Head informed of the complaint.
2. If dissatisfaction still remains following any meeting with the teacher or with the teacher and the non-teaching member of staff, the parent should request a meeting with the Head and preferably put in writing to him/her the nature of the complaint.
3. In the unlikely event of continued dissatisfaction the parent(s) will be invited to summarise the nature of their dissatisfaction including statements summarising (a) the event and (b) the steps both they and the school have taken in an attempt to resolve the situation. This statement **must** be presented **in writing** and addressed to the Chairman of the Complaints Committee c/o the school.
4. Where any complaint is made against the Headteacher to any governor, the complainant(s) must be directed to seek a meeting with the Headteacher in an attempt to obtain a satisfactory outcome. Where no satisfactory outcome is possible, the complainant(s) must be directed to put their complaint in writing and address such complaint to the Chairman of the Complaints Committee c/o the school.
5. A meeting of the Complaints Committee must then be called within ten working days of receipt of the written complaint addressed to them.
6. The Governors of the Complaints committee will then decide:
 - a) Whether there is any case to answer by the school or any employee at the school;
 - b) Whether there is any need to invite the parent(s) concerned to a meeting with them;
 - c) How the situation will be most easily resolved to the satisfaction of all concerned;
 - d) Whether any disciplinary action or intensive monitoring might be required (and by whom);
 - e) Whether temporary or permanent exclusion of any pupil might be advisable.
7. The decisions of the Complaints Committee will be conveyed to the complainant and, in the case where any complaint is made against any member of staff, to that member of staff, in writing within five working days of the final meeting considering the complaint.
8. Any complainant, or member of staff against whom a complaint has been lodged, has the right to appeal against the findings of the Committee in which case the nature

of the grievance must be presented in writing within seven days of the date of the written decision having been received and must be addressed to the Chairman of the Appeals Committee who will convene a meeting of that Committee. The Appeals Committee will consist of independent members who are unaware of the nature of the case (complaint) and whose decision will be final and binding on all parties concerned provided that all such decisions are based on true justice and do not contain any element in its decision which might be in contravention of any law whether that law be relating to employment or education.

9. Following the completion of any complaints and/or appeals procedures, the full governing body will be informed of the relevant decisions at their next full meeting.

