



# ST. JOSEPH'S COLLEGE

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## **Policy on the Handling of Concerns and Complaints**

This policy relates to all sections of St Joseph's College, including the Early Years Foundation Stage.

### **Introduction**

St Joseph's College prides itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they can expect it to be treated by the College with care and in accordance with this Complaints Procedure. The College makes its Complaints Procedure available to all parents of pupils and of prospective parents on the College website and from the Senior School Reception and the Prep School Reception during the school day. The College will ensure that parents of pupils and of prospective pupils who request it are made aware that this document is published or available and of the form in which it is published or available.

The aim of this policy is to ensure that a concern or complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote confidence in this College's ability to safeguard and promote welfare. Every concern or complaint will be resolved in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing systems and procedures in light of the circumstances.

In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, St Joseph's College will make available to parents of pupils and of prospective pupils and provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the complaints procedure and the number of complaints registered under the formal procedure during the preceding school year.

"Parent(s)" means the holder(s) of parental responsibility for a [current] pupil about whom the complaint relates.

### **What Constitutes a Complaint?**

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the College as a whole, about a specific department or about an individual member of staff, and any matter about which a parent is unhappy and seeks action by the College is within the scope of this procedure. A complaint is likely to arise if a parent or other stakeholder believes that the College has done something wrong, or failed to do so something that it should have done or acted unfairly.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The College is here for your child and you can be assured that your child will not be penalised for a complaint that you, or your child, raises in good faith.



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## **Timeframe for Dealing with Complaints**

All complaints will be handled seriously and sensitively. They will be acknowledged within five working days if received during term time and as soon as practicable during holiday periods.

It is in everyone's interest to resolve a complaint as speedily as possible: the College target is to complete the first two stages of the procedure within 28 days if the complaint is lodged during term-time and as soon as practicable during holiday periods. Stage 3, the Appeal Panel Hearing, will be completed within a further 28 days, if the appeal is lodged during term-time and as soon as practicable during holiday periods.

Written complaints about the fulfilment of the EYFS requirements will be investigated and the complainant notified of the outcome of the investigation within 28 days.

Whilst the College will strive to meet the timeframe outlined above, flexibility in timings may be needed during any lockdown period, because the relevant staff or documentation may not be available.

## **The three-stage Complaint Procedure**

### **Stage 1 – Informal Resolution**

It is hoped that most complaints and concerns will be resolved quickly and informally.

If parents and pupils have a complaint they should as a first step contact their son/daughter's Class teacher (Early Years to Year 6) Form Tutor (Years 7 to 13). In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Class teacher/Form Tutor cannot resolve the matter alone, it may be necessary for him/her to consult a more senior colleague.

Complaints made directly to the Head might be referred to the relevant member of staff unless he/she deems it appropriate for him/her to deal with the matter personally.

A written record will be kept of all concerns and complaints and the date on which they were received. Should the matter not be resolved within two weeks or in the event that the member of staff involved and the parent fail to reach a satisfactory resolution then parents are advised to proceed with their complaint in accordance with Stage 2 of this Procedure.

If, however, the complaint is against the Head, parents should make their complaint directly to the Chair of Governors.



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## **Stage 2 – Formal Resolution**

If the complaint cannot be resolved on an informal basis, then the parent or stakeholder should put their complaint in writing to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Head will meet with or speak to the parent or stakeholder concerned, normally within seven days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage. It may be necessary for the Head to carry out further investigations, which normally will be completed within a further seven days.

The Head will keep written records of all meetings and interviews held in relation to the complaint.

Once the Head is satisfied that, so far as is practicable, all the relevant facts have been established, a decision will be made and the parent or stakeholder will be informed of this decision in writing. The Head will also give reasons for his/her decision.

If the complaint is against the Head, the Chair of Governors will call for a full report from the Head and for all the relevant documents. The Chair may also call for a briefing from members of staff, and will in most cases, speak to or meet with the parents to discuss the matter further. Once the Chair is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing. The Chair will give reasons for his decision.

If the parent or stakeholder is still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.

## **Stage 3 – Panel Hearing**

If the parent or stakeholder seeks to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Chair of Governors who will call a hearing of the Complaints Panel.

The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of at least three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the College. The Convenor/Chair, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within fourteen days. If the complaint is against the Head, the Chair will not be involved in the panel hearing

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 normally not later than seven days prior to the hearing.



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The parent or stakeholder may attend the hearing and be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.

If possible, the Panel will resolve the complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Panel will make findings and may make recommendations.

The Panel will write to the parent or stakeholder informing them of its decision and the reasons for it, normally within seven days of the hearing. The decision of the Panel will be final. A copy of the Panel's findings and, if any, recommendations will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about as well as the Chair of Governors and the Head.

A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the school premises by the Chair of Governors and the Head.

## **Recording Complaints**

Following resolution of a complaint, the School will keep a written record of all complaints, whether they are resolved at the informal stage, the formal stage or proceed to a panel hearing and any action taken by the school as a result of the complaint (regardless of whether the complaint is upheld).

The School processes data in accordance with its Privacy Notice <https://www.sjcr.org.uk/434/information/parent-handbook-and-policies>.

When dealing with complaints the School (including any panel member appointed under the Stage 3 process) may process a range of information, which is likely to include the following:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name of member (s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)
- Notes of the hearing
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's Privacy Notice, but potentially including sensitive data such as information relating to physical or mental health) where this is necessary owing to the nature of the complaint.



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The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its Privacy Notice and Data Retention and Storage Policy but in most cases for a period of at least seven years from the date of receipt of the complaint, after the pupil leaves the School.

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 Act requests access to them.

### **Written complaints relating to the requirements under the Statutory Framework for the EYFS**

St Joseph's College will provide Ofsted and ISI, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint. The record of any such complaints will be kept for at least three years.

Parents may complain directly to Ofsted or to ISI if they believe the College is not meeting the EYFS requirements.

- Ofsted may be contacted on  
Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD.  
email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)  
General helpline 0300 123 4666  
Textphone number 0161 618 8524
- ISI may be contacted on  
ISI, CAP House, 9-12 Long Lane, London EC1A 9HA  
email: [concerns@isi.net](mailto:concerns@isi.net)  
Phone: 020 7600 0100

The number of complaints registered under the formal procedure is available from reception upon request.



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## **Alternative Dispute Resolution (ADR)**

From 1 October 2015, under EU regulation, ADR applies to all contracts for services and the College contracts with parents therefore fall within its scope. ADR takes effect when the College internal complaint-handling procedures detailed above in Stages 1 – 3, is exhausted without resolution of the matter. In this unlikely eventuality, the College is required to provide parents in writing with the following:

- an appropriate statement to the effect that the College is unable to settle the parental complaint and
- the name and website address of an ADR provider that could deal with the complaint, if the parent wishes to use ADR.

However, the College is not required to submit to an ADR procedure.

## **Appendix: Complaints Procedure – Independent Member of the Panel**

The DfE has supplied the following guidance in their Registration of Independent Schools Information Pack of July 2011:

'Whilst we do not wish to be prescriptive about who schools should appoint as an independent person our general view is that people who have held a position of responsibility and who are used to analysing evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force might be considered by schools. Schools will of course have their own views.'

The Appendix does not form part of the actual procedure.