

COMPLAINTS POLICY

September 2023

Document Information

Title: **Complaints Policy**

Status: **Final**

Please note that this policy is written in line with the Non-Maintained Special School Regulation (2015) No. 728.

Revisions: - Update Vision, Mission and Values included

Review Frequency: Recommended annually

Next Review: July 2024

Introduction

St Catherine's vision is to create a safe, welcoming and nurturing school where children and young people, families and staff are included and valued equally. Together we provide opportunities for all students to grow in confidence and develop a love of learning within our school and sixth form college and in the wider community. All are encouraged and challenged to become as independent as they can to prepare for life beyond St Catherine's. (See Appendix 3 for full Vision and Values)

We are committed to work with parents/carers to help their child to reach their potential. One aspect of this commitment is reflected in the recognition that occasionally, things may occur which cause parents concern. St Catherine's School and Sixth Form College recognise it is important that parents, carers and students know the steps to take to ensure any problems are resolved. This document is intended to provide guidance to help parents in this process.

Scope of this complaint procedure

This procedure covers all complaints with the exceptions listed below, for which there are separate procedures.

This policy does not cover the following issues:

- admissions to schools (please see Admissions Policy);
- exclusion of children/young peoples from school (please see our Suspension and Exclusion Policy);
- statutory assessments of special education needs;
- school re-organisation proposals subject to statutory procedures;
- matters likely to require a Child Protection Investigation (please see our Safeguarding Policy);
- whistle-blowing (please see our Whistle-blowing Policy);
- staff grievances and disciplinary procedures (please see our Grievance Policy and Disciplinary Policy); and
- complaints about services provided by other providers, such as contractors.

Parents and outside agencies

Stage 1 - Informal concern

Any problem or concern that relates to the actions of staff and/or the application of St Catherine's policies and/or procedures should be raised promptly with the member of staff responsible for the area or action, which is a matter of concern. St Catherine's will make every effort to resolve the problem promptly through informal discussion with the relevant member(s) of staff.

If the concern is not resolved at this stage, an informal discussion should be arranged with the Principal. If the concern is about the Principal, an informal discussion should be arranged with the Chair of the Board.

St Catherine's will seek to use any complaint as an opportunity to improve its services.

- Any concern should be brought to the attention of St Catherine's as soon as possible.
- Unless there are exceptional circumstances, any matters raised more than three months after the issue of concern has taken place will not be considered; nor will concerns or complaints raised anonymously.

Stage 2 - Formal concern

If the response of the member of staff and/or the Principal at the informal stage is unsatisfactory, the concern should be put in writing to the Principal or the Chair of the Board (if the concern is about the Principal), using the form attached to this policy at Appendix 1. The Principal or the Chair of the Board will investigate the complaint and provide a written response. This will normally be within 10 working days of receipt, but the complainant will be informed if, for example, more time is needed to complete the investigation.

The complainant will be told that consideration of their complaint by the Principal is now concluded.

Stage 3 – Complaints Panel Hearing

If the complainant remains unhappy with the response, the Chair of the Board will call a hearing of the Complaints Panel Hearing before an independent person such as a civil mediation provider accredited by the Civil Mediation Council. The independent person will not:

- have been a governor of the school, or a member of staff, or member of supply staff at the school at any time;
- have been a parent of a registered student or former registered student at the school; and
- have been directly involved in any matter detailed in the complaint.

The Complaints Panel Hearing will aim to meet within 14 school working days after a complaint has been escalated to Stage 3.

The complainant may attend the hearing and be accompanied if they wish. The complainant should make the school aware of who is attending the hearing.

Where further investigation is required after the Complaints Panel Hearing, the independent person will decide how it should be carried out. After due consideration of all facts they consider relevant the independent person will reach a decision and may make findings recommendations, which it shall complete normally within five (5) working days of the Hearing, however, this may be longer if further investigation is needed. The decision of the independent person will be final.

The independent person will make findings and recommendations and ensuring that a copy of those findings are:

- provided to the complainant and where relevant, the person complained about, and
- available for inspection on the school premises by the Chair of Board and Principal.

Time Scales

The timings referred to state term-time time scales, outside of term-time we aim to resolve a complaint as practicably as possible. The complainant will be kept informed throughout.

Record keeping

A written record of all complaints and whether they are resolved at the informal stage or following a formal procedure, or proceeding to a panel hearing, is kept by the Principal for a minimum of six years, the nature of the complaint, any action taken and the outcome of the complaint (regardless of whether they are upheld). A written record will also be kept of when a final outcome was reached.

Confidentiality

Complainants can be assured that correspondence, statements and records relating to individual complaints are to be kept confidential except:

Where the Secretary of State of a body conducting an inspection under section 5 of the 2005 Act or 87(6) of the Children Act 1989 requests access.

Unreasonable complaints/complainants

St Catherine's is committed to dealing with all complaints fairly and impartially and aims to provide a high quality service to those who complain. Ordinarily, complainants' contact with the organisation will not be limited. However, staff will not be expected to tolerate unacceptable behaviour and action will be taken to protect staff from any unacceptable, vexatious, abusive, offensive or threatening behaviour.

A complainant will be deemed unreasonable when, because of the frequency and/or nature of their contact(s) with St Catherine's, staff are hindered from considering their and/or other people's complaints.

A complaint will be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints' investigation process whilst still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of the complaints policy;
- insists on the complaint being dealt with in ways which are incompatible with the complaints policy and procedures or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented upon – and/or raises large numbers of detailed but unimportant questions and insists they are fully answered, perhaps immediately and/or to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues and/or suggests staff should be replaced;
- changes the basis of the complaint as the investigation proceeds;
- makes the same complaint repeatedly (despite previous investigations or responses concluding that either the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation(s) into the complaint(s) where St

Catherine's complaint policy has been fully and properly implemented and completed;

- seeks an unrealistic outcome; and/or
- makes excessive demands on staff time by frequent, lengthy, complicated and stressful contact regarding the complaint in person, in writing or by email.

A complaint/complainant may also be considered unreasonable if the person making the complaint (either face-to-face, by telephone, in writing and/or electronically) does so:

- maliciously;
- vexatiously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information; and/or
- publishing unacceptable information in whatever form, including on social media platforms.

Complainants should limit the number of communications they have with St Catherine's whilst a complaint is being progressed. It is not helpful for repeated correspondence to be sent, in whatever format, as this could delay the outcome being reached.

Whenever possible, the Principal and/or the Chair of the Board will discuss any concerns with the complainant informally before applying an 'unreasonable' categorisation.

If the behaviour is deemed unreasonable, the Principal and/or the Chair of the Board will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who contact St Catherine's excessively and/or cause significant levels of disruption, certain methods of communication will be specified as will the acceptable number of contacts in a given period. Ordinarily, such measures will be reviewed after a period of six months.

In exceptional circumstances, if the unreasonable behaviour persists and the complainant is the parent, carer or guardian of a student, a contract may be drawn up which the complainant will be required to sign in order for the student to continue their education at St Catherine's. In such circumstances, St Catherine's reserves the right to levy an administrative charge upon the complainant in relation to the costs associated with drawing up such a contract.

In very exceptional circumstances, an injunction may be sought against the complainant to prevent the complainant from continuing to make unreasonable complaints.

Should any serious incident(s) of aggression or violence occur, the concerns and actions taken (including banning an individual from St Catherine's site) will be put in writing immediately and the police will be informed.

Students

Posters displayed around the school explain to students how to fill in a complaint form (Appendix 2).

The Principal, Head of Care and/or another senior member of staff will respond to the complaint within 5 school days wherever possible.

Each complaint will be filed in the complaints book with a record of any actions taken. The student making the complaint will be spoken to before and after any actions taken to make sure he/she is satisfied.

Monitoring

A member of the Board of Trustees carries out half-termly monitoring visits. Complaints will be included as part of this monitoring. A termly report will be submitted to the Board of Trustees. For reasons of confidentiality it will be in terms of number and nature of complaints without specific details of each one.

Monitored by Governors Feb 2013/March 2018/May 2019/March 2021/July 2022
Reviewed Mar 2013 / Oct 2015/Sept 2016/March 2018/March 2019/August 2020/July 2022/September 2023

APPENDIX 1

ST CATHERINE'S SCHOOL AND SIXTH FORM COLLEGE

COMPLAINTS FORM FOR PARENTS AND OUTSIDE AGENCIES

If Stage 1 of the Complaints Policy has not resolved the concern, please complete and return this form to the Principal or the Chair of the Board, if the complaint is against the Principal.

The form should be submitted to The Clerk, St Catherine's, Grove Road, Ventnor, Isle of Wight, PO38 1TT or email clerk@stcatherines.org.uk.

Name:
Contact details:
Date:
Nature of complaint: (Please include specific details including dates, times, names etc., as appropriate)



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Any supporting evidence:
(Please list any documents and attach these to the form)

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Signed:

Date:

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To be completed by the Principal/Chair of the Board/Independent Person

Date complaint form received:

Signed:









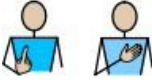













Person dealing with the complaint:

Date this person received the form:

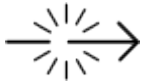

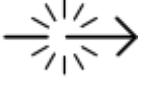
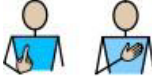



Response form completed:

ST CATHERINE'S SCHOOL AND SIXTH FORM COLLEGE

COMPLAINTS FORM FOR STUDENTS

   <p>Student complaints form</p>			
 Name		 Date	
   I am unhappy because ...			
 This makes me feel ...			
   I would like you to ...			
      Put this form into the red post box outside the Care office			
    Victoria or Mrs Thompson will talk to you about this.			



<p>?  What happened next ...</p>			
<p> ?  This happened because..</p>			
<p> This makes me feel ...</p>			
<p> Date</p>		<p>  Student Signature</p>	