



ST. JULIAN'S
SCHOOL

Complaints Policy

Created May 2020

St Julian's School encourages friendly relations and mutual respect throughout the school community. Such an atmosphere is a positive example for the students and a necessary foundation for their successful personal, social, and academic development.

This policy aims to:

- Encourage resolution of problems by informal means wherever possible
- Be simple to understand and use
- Be impartial and non-adversarial
- Allow full and fair investigation
- Where necessary respect confidentiality
- Allow swift handling with established time-limits for action
- Provide information to the Leadership Team so that services can be improved.

From time to time, disagreements or problems do arise. Our aim is to resolve such difficulties swiftly and informally wherever possible through the Parent Protocol. If that does not prove possible, the following procedure should be followed:

1. Who can make a complaint

This Policy covers complaints made by parents or carers of children that are enrolled at St Julian's, and parents or carers of children no longer at the school and members of the public about any provision of facilities that we provide.

2. The difference between a concern and a complaint

A **'concern'** may be treated as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A **'complaint'** may be generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. St. Julian's takes all informal concerns seriously and will make every effort to resolve the matter as quickly as possible.

The School, however, is aware that there will be times where complainants may want to raise their concerns formally. In these cases, the following complaints procedure

should be followed.

Some complaints fall outside the school's complaints procedure and are dealt with by following the steps laid out in other policies, for example:

- Matters likely to require a Child Protection Investigation (complaints about child protection matters are handled under our Safeguarding and Child Protection Policy).
- Staff grievances (complaints from staff will be dealt with under the school's internal Staff Grievances Policy).
- Staff conduct (complaints about staff will be dealt with under the School's internal Disciplinary Policy, if appropriate). Complainants will not be informed of any disciplinary action taken against a member of staff because of a complaint for privacy reasons but will be notified that the matter is being addressed and resolved.
- Whistleblowing/Staff concerns (we have an internal whistleblowing procedure for all our employees, including temporary staff and contractors).
- An anonymous concern or complaint will not be investigated under this policy unless there are exceptional circumstances.

To ensure a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. Except in exceptional circumstances, any matter raised more than three months after the event being complained of will not be investigated.

3. Resolving complaints

At each stage in the procedure, St. Julian's School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- An explanation.
- An admission that the situation could have been handled differently or better.
- An assurance that we will try to ensure the event complained of will not recur.
- An explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made.
- An undertaking to review school policies in light of the complaint.
- An apology.

4. Appeals related to behaviour incidents

All matters related to the behaviour of students are dealt with according to the procedures outlined in the Behaviour Policy.

5. Withdrawal of a complaint

If the complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

6. Informal resolution of the problem

In most cases a problem can and should be resolved by contacting the class teacher, subject teacher or member of staff directly involved with the problem. The initial communication with the member of staff may be by email, telephone conversation or in person by appointment. If this person cannot resolve the matter alone, s/he may need to consult with their appropriate line manager. Informal concerns made directly to the relevant Principal or the Head of School will usually be referred to the relevant person (as above) unless the Head of School/Principal/Head of Finance and Support Services deems it appropriate to deal with the matter personally. In all cases, there will be a written record of complaints and concerns, to include the date received and the action taken. The school will attempt to resolve all informal concerns within five working days.

7. Statutory Complaints

St. Julian's School has a formal Complaints Book (Livro de Reclamações) which all establishments in Portugal must make available to customers by law. The School's Livro de Reclamações is available in the Guard's Hut at the Main Gate (Palácio Building), or online through this [link](#).

8. Relationship to other policies

- Safeguarding and Child Protection Policy
- Staff Code of Conduct
- Grievance Policy
- Disciplinary Policy

Appendix 1: Formal complaints procedure

Stage 1

Formal complaints must be made to the relevant Principal (unless they are about the Principal). This may be done in person, in writing (preferably using the Complaints Form), by email or by telephone.

The Principal will record the date the complaint is received and will acknowledge receipt of the complaint (either by letter or by email) within five working days. Within this response the Principal will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Principal can decide if a face to face meeting is the most appropriate way of doing this.

Note: The Principal may delegate the investigation to another member of the section senior leadership team but not the decision to be taken.

During the investigation, the Principal (or investigator) will:

- If necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.

- Keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Principal will provide a formal written response within **ten** school days of the date of receipt of the complaint. If the Principal is unable to meet this deadline, they will provide the complainant with an update.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the School will take to resolve the complaint.

The Principal will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Principal, the Head of School will complete all the actions at Stage 1.

Complaints about the Head of School or member of the Board of Governors must be made in writing to the Secretary to the Board of Governors, via the school office.

Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with the Head of School. A request to escalate the complaint to Stage 2 must be made via the Head of School's PA within 5 days of the receipt of the Stage 1 response.

The Head of School will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or by email) within 5 school days.

The Head of School will aim to hold the meeting within 7 school days of the receipt of the Stage 2 request. If this is not possible the Head of School's PA will provide an anticipated date and keep the complainant informed.

Stage 3

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a meeting with a committee of the Board of Governors, which will be comprised of the first three, impartial, governors available.

A request to escalate the complaint to Stage 3 must be made in writing via the Secretary to the Board of Governors via the school office within five days of the receipt of the response to Stage 2 of the procedure. The Secretary to the Board of Governors will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or by email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Secretary will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 2 request. If this is not possible, the Secretary will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Secretary will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee.

Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by a Staff Association member and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

At least ten school days before the meeting, the Secretary will:

- Confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- Request copies of any further written material to be submitted to the committee at least three school days before the meeting.

Any written material will be circulated to all parties at least three school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- Uphold the complaint in whole or in part.
- Dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- Decide on the appropriate action to be taken to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and the School with a full explanation of their decision and the reason(s) for it, in writing, within three school days.

If the complaint is about the Chair, the entire Governing Body or the majority of the Governing Body then Stage 3 will be heard by a committee of independent governors who will act with impartiality.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions St. Julian's will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Appendix 2: Roles and Responsibilities in the Complaints Procedure

Complainant

The complainant should:

- Explain the complaint in full as early as possible
- Co-operate with the school in seeking a solution to the complaint
- Respond promptly to requests for information or meetings or in agreeing the details of the complaint
- Ask for assistance as needed
- Treat all those involved in the complaint with respect
- Refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by providing a comprehensive, open, transparent, and fair consideration of the complaint through:

- Sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved.
- Interviewing staff and children/young people and other people relevant to the complaint
- consideration of records and other relevant information
- Analysing information.
- Liaising with the complainant and the complaints coordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- Conduct interviews with an open mind and be prepared to persist in the questioning
- Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- Ensure that any papers produced during the investigation are kept securely pending any appeal
- Be mindful of the timescales to respond
- Prepare a comprehensive report for the Head of School or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Head of School or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (this could be the Head of School / designated complaints governor or another staff member providing administrative support)

The Complaints Co-ordinator should:

- Ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Head of School, Chair of the Board of Governors and Secretary to the Board of Governors (if appropriate) to ensure the smooth running of the complaints procedure
- Be aware of issues regarding:
- sharing third party information
- additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- Keep records.

Secretary to the Governing Body

The Secretary is the contact point for the complainant and the committee and should:

- Ensure that all people involved in the complaint procedure are aware of their

legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)

- Set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- Collate any written material relevant to the complaint (for example, stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- Record the proceedings
- Circulate the minutes of the meeting
- Notify all parties of the committee's decision.

Committee Chair

The Committee's Chair, who is nominated in advance of the complaint meeting, should ensure that:

- Both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- The meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- Complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- The remit of the committee is explained to the complainant
- Written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under GDPR.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- Both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- The issues are addressed
- Key findings of fact are made
- The committee is open-minded and acts independently
- No member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- The meeting is minuted
- They liaise with the Secretary (and complaints co-ordinator).

Committee Member

Committee members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so
- No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

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- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant
 - We recognise that the complainant might not be satisfied with the outcome if the meeting is not found in their favour. It may only be possible to establish the facts and make recommendations.
 - Many complainants will feel nervous and inhibited in a formal setting
 - Parents/carers often feel emotional when discussing an issue that affects their child.
 - Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
 - Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
 - The committee should respect the views of the child/young person and give them equal consideration to those of adults.
 - If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
 - However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
 - The welfare of the child/young person is paramount.

Appendix 3: Complaint Form

Your name:
Student's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.
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: