

DE LA SALLE COLLEGE



CONCERNS AND COMPLAINTS POLICY

***“MAY THE GOD OF HOPE WILL YOU WITH ALL JOY AND PEACE
IN BELIEVING, SO THAT BY THE POWER OF THE HOLY SPIRIT
YOU MAY ABOUND IN HOPE.”***

ROMANS 15:13

Compiled by: The Head of College	Last Reviewed: June 2023
Policy Holder: Mr. J. Turner	Revision date: June 2024
Oversight Governor: David Cahill	Verification date: Summer 2024

OVERVIEW

This policy incorporates the manner in which complaints are to be handled according to the Regulatory Requirements, of the Education (Independent school Standards) (England) Regulations 2016, last updated in 2019.

De La Salle College will ensure that the quality of teaching and pastoral care offered to students will be of the highest order. However, if parents have a concern or complaint they can expect it to be treated by the school in accordance with this policy. We are always willing to listen to concerns and anxieties, parental and student concerns being of particular importance. We aim for the closest co-operation between parents and the teachers to whom our students are entrusted. Dealing with parental concerns is a vital part of the ethos and mission of De La Salle College. We aim to be open about the decisions we make and the actions we take and will always explain our rationale. If a parent would like to know how many (but not the nature, which is confidential) formal complaints were received by the College in the previous academic year they should contact headofcollege@dls-jersey.co.uk

The difference between a concern and a complaint

A concern may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’.

A complaint may be defined as ‘an expression of dissatisfaction, about actions taken or a lack of action’.

Concerns.

It is in everyone’s interest that concerns are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the more formal stages of the complaint’s procedure. Every effort will be made to allay concerns at this stage and with the least possible formality.

De La Salle takes all concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have a concern then you should normally contact your son’s Class teacher (subject related) or the House Tutor (Pastoral related). Email admin@dls-jersey.co.uk and mark for the attention of the particular member of staff. In most cases the matter will be resolved straight away by this means to the parent’s satisfaction. If the matter cannot be resolved, it may be necessary to consult the head of Department or the Head of House or in the case of Primary, Mr Coutanche.

If you have difficulty discussing a concern directly with a particular member of staff, we will respect your views. In these cases, you may raise your concern with a member of SMT by emailing concerns@dls-jersey.co.uk and s/he will either deal with your concern directly or will refer to another more appropriate staff member.

Similarly, if the member of staff with whom you raise your concern directly feels unable to deal with a concern, s/he will refer you to a member of SMT. The member of staff who will address your concern may be more senior than the person you raised your concern with, but does not have to be. The ability to consider the concern objectively and impartially is more important.

How to raise a concern

A concern can be raised in person, in writing or by telephone. Our ideal is that no concern should ever become a formal complaint as through open dialogue, a resolution should always be accomplished.

If the issue remains unresolved, the next step is to make a complaint.

How to make a complaint

We understand, that there are occasions when people would like to move beyond raising their concerns formally and may wish instead to raise the concern to the level of a complaint. In this case, we will attempt to resolve the issue through the stages outlined within this complaint's procedure.

A complaint is likely to arise when there are issues of physical or emotional wellbeing and security at stake, or when the College's stated aims or values are being ignored. A breach of the law will always constitute a complaint. If parents of students at the College do have a complaint, they can expect it to be treated by the College in accordance with this procedure. We use the term "complainant" to refer to the individual or individuals making the complaint. Complaints will be resolved either to the complainant's satisfaction, or with an otherwise appropriate outcome, which balances the rights and duties of students. At every stage of the procedure, the handling of the complaint will be swift (using the agreed time frame), fair and necessarily confidential. Throughout the process, De La Salle College will be willing to: listen, learn, admit mistakes, apologise if appropriate, address any issues raised and change practices and procedures if appropriate.

The College also has a "Whistle Blowing Policy" that is detailed in the school policies section of the website.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

Complaints against school staff (except the Head of College) should be made in the first instance, to the Head of College's PA. headofcollege@dls-jersey.co.uk.

Complaints about the Head of College should be made to the Clerk to the Governing Body at governorsclerk@dls-jersey.co.uk and marked private and confidential.

Any complaints or allegations against staff with reference to safeguarding concerns will be dealt with in concord with the SBP and CYPES policies that relate to such matters.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Head of College, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

The process of dealing with a complaint made in writing from the moment it is received by the College to resolution will normally take no more than eight weeks, except in circumstances in which the normal timescales are affected by issues that delay resolution; namely College holidays and other factors.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Monitoring and Review:

- The Head of College PA logs all written complaints received by the College and records at which stage and how they were resolved. The record includes:
 - the person making the complaint,
 - the date of the complaint,
 - the nature of the complaint,
 - any action taken and
 - the outcome of the complaint.
- The Board of Governors will undertake a formal annual review of this policy.

The procedure to be followed is as shown below:

Stage 1 – Informal Resolution

- It is hoped that most complaints will be resolved quickly and **informally** if parents feel able to voice them as soon as they arise. Obviously, the more information the school gives to parents the less scope there is for misunderstanding. Parents will be encouraged to give feedback, preferably to the person concerned. In most cases, discussion, explanation, further information or an apology, if appropriate, will resolve any issues.
- If parents have a complaint they should contact The Head of College's PA, headofcollege@dls-jersey.co.uk who will then contact the complainant to ensure that the appropriate member of SMT is assigned and see if the complaint can be resolved at Stage 1. The complaint will be logged by the Head of College's PA, but at this stage the Head of College will not be involved in case the matter is moved to a Stage 2 complaint.
- The member of SMT will make a **written record of all complaints and the date they were received**. Should the matter not be resolved, or in the event that the member of SMT and the parents **fail to reach a satisfactory resolution, parents will be advised to proceed with their complaint in accordance with Stage 2** of this procedure.
- If a complaint reaches Stage 2, it will be deemed to be too serious to be handled informally, perhaps needing a greater degree of investigation, or the person concerned may not feel that the answers given have been acceptable or adequate. In such circumstances, the concern will become a **formal complaint**. Even at this stage, every effort should be made to resolve the issue at the lowest possible level of the procedure. It should be very rare that a complaint needs to escalate to the stage that it needs to be decided at the Appeal Stage by a formal committee.

Stage 2 – Formal Resolution

If a complaint cannot be resolved at Stage 1 then the complainant will be advised that they can make a stage 2 complaint.

At every stage of the formal procedure, the handling of the complaint will be:

- Non-adversarial
- Swift (using the agreed time frame)
- Fair (using independent investigation where necessary)
- Confidential

Throughout the process, De La Salle College will be willing to:

- Listen,
- Learn
- Admit mistakes

- Apologise if appropriate
- Address any issues raised
- Change practices and procedures if appropriate

In using the formal procedure:

- The school should be aware that complainants may feel intimidated by the school and be unsure whether they will be treated fairly
- Complainants are asked to be aware that those complained about, especially individual members of staff may feel vulnerable during this process.

Throughout this procedure, the aim should be not only to resolve any complaint but develop and sustain positive relationships. However formal or serious a complaint, or however dissatisfied the complainant may be, the aim should always be reconciliation and a renewed commitment to work together positively.

This Complaints Procedure is totally separate from any Disciplinary or Capability Procedures. Should a complaint lead to concerns on the part of the Head of College or Board of Governors about the capability or conduct of a member of staff, these would not be discussed or dealt with within this procedure.

Note: 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.

Additionally, this procedure does not apply to members of staff who would need to follow the school's Grievance Procedure, appeals such as admissions or exclusions nor concerns about the delivery of the National Curriculum.

Outline of the Procedure:

- The Stage 2 complaint should be made in the first instance, to the Head of College's PA. headofcollege@dls-jersey.co.uk . The Head of College's PA will upon receipt of the complaint make contact and complete the Stage 2 complaint form (see appendix 1) with the complainant. The matter will then be referred to the Head of College, the Head of College at this stage may designate a member of Senior staff as a Complaints Co-ordinator (CC) unless it requires his direct involvement.
- In most cases, the Head of College or his CC will speak to the parents concerned, normally the day of receiving the complaint so as to discuss the matter. If possible, a resolution will be reached at this stage.
- It may be necessary for the Head of college or CC to carry out further investigations.
- The Head of College or CC will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Head of College or CC is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Head of College or CC will also give reasons for the decision.

- If the complaint concerns the Head of College, the CC should refer it to the Chair of the Board of Governors and out of courtesy, inform the Head that this has taken place.

Whoever investigates the complaint will:

- Establish what has happened so far and who has been involved
- Clarify the nature of the complaint and what remains unresolved
- Meet with the complainant or contact them
- Clarify what the complainant feels would resolve the issue
- Interview those involved, allowing them to be accompanied if they wish
- Conduct each interview with an open mind and be prepared to persist in questioning
- Keep notes of each interview

Timescale:

- Within **ten school days** of receiving the stage 2 complaint, the investigator will complete the investigation and contact the complainant to arrange a meeting. At any point in the process, the CC may decide or agree to commission a further investigation. If this occurs, the timescale may be extended and the complainant will be informed of the extension and the reason for it.
- When the investigation is complete, the Head of College or CC will meet the complainant to try to resolve the complaint. Every effort should be made to try to resolve the complaint at this meeting. Any of the following may be appropriate at this point:
 - An acknowledgement that the complaint is valid in whole or in part
 - An apology
 - An explanation
 - A clarification of any misunderstanding
 - An admission that the situation could have been handled better or differently
 - An assurance that the event complained of will not recur
 - An explanation of the steps that have been taken to ensure it will not be repeated
 - An undertaking to review school Policies in light of the complaint.

Some of the above may require the CC to consult with the Head of College if he did not carry out the investigation, as nothing should be offered or promised that cannot be justified or fulfilled.

If parents are still not satisfied with the outcome, the Head of College may, if the initial process was undertaken by the CC and the parents request it, directly undertake his own investigations following the same procedures and timescale as outlined above.

At the conclusion of his investigation, the Head of College will provide a formal written response.

Stage 3 – Complaints Panel Hearing

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 members of the governing body's complaints committee, which will be formed of the first two, impartial, governors available and one member who is independent of the management of the College (i.e. neither an employee or a member of the Governing body). The panel will conduct a full- hearing of the initial complaint, disregarding any previous judgement made, and will reach an independent judgement which may or may not uphold the judgement's made at earlier stages.

This is the final stage of the complaint's procedure.

A Stage 3 complaint should be made in the first instance, to the Clerk to the Governing Body at governorsclerk@dls-jersey.co.uk . The clerk to the Governing Body will then contact the complainant.

- To trigger Stage 3, the complainant will have been dissatisfied with the school's approach to the complaint in the first two stages. The Clerk to the Governing Body will contact the complainant and will check what has happened so far, if the procedure has been properly followed and if it is appropriate to move to Stage 3. The Clerk to the Governing Body will then convene a meeting of the Complaints Panel.
- A request to escalate to Stage 3 must be made to the Clerk to the Governing Body within five school days of receipt of the Stage 2 response. The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email).
- Requests received outside of this time frame will only be considered if exceptional circumstances apply.
- The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within fifteen school days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.
- If the complainant rejects the offer of three proposed dates, without good reason, the Clerk 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.
- The complainant may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.

If possible, the Panel will resolve the parent's complaint immediately without the need for further investigation.

- This is the final stage of the procedure. There is no further redress or appeal. It is therefore vital that, in the spirit of the procedure, the Complaints Panel should:
 - Be prepared to hear complaints without pre-conceptions
 - Examine and discuss the matter fully so that the Panel ensures it has all the information or evidence required
 - Be prepared to commission, organise or conduct further investigations if necessary
 - Give the complainant the opportunity to express their dissatisfaction and worries and to suggest what might put things right
 - Be prepared to take whatever action is required.

Timescale:

If the complainant or Head of College wishes to submit information in writing to the Panel, it should be sent to the Clerk to the Board of Governors at least five days before the meeting. As far as possible, the meeting should not be delayed if the referral comes at the end of term, especially at the end of the Summer Term. Since the aim of the procedure is to resolve the issue and effect reconciliation if necessary, it will be best if the matter can come to the Panel as quickly as possible, especially if the complainant will already have been engaged over a longer period in attempts to put things right.

Role of the Clerk:

- To confirm to all parties in writing the date, time and venue of the hearing
- To receive and distribute any documentation to be read before the hearing
- To meet and welcome all parties as they arrive at the hearing
- To record the proceedings
- To notify all parties of the Panel's decision. The wording of any letters will be agreed with the Chair of the Panel.

The role of the Chair of the Panel is to ensure that:

- Procedure is properly followed
- The procedure for the hearing of the complaint is explained to all parties and that they have the opportunity to put their case without undue interruption
- The issues are addressed
- All parties are put at ease, especially those who are unfamiliar with such a hearing
- Proceedings are kept as informal as possible and that everyone treats each other with respect and courtesy
- The Panel operates in an open-minded and independent way
- Time is given for all parties to consider 'new' evidence.

The order of the Proceedings for hearing of the complaint:

1. Welcome, introductions and explanation of the proceedings by the Chair.
2. The complainant is invited to explain the complaint.
3. The Head of College may question the complainant.
4. The Panel may question the complainant.

5. If there are any witnesses for the complainant, each one is invited to the hearing in turn and in each case the witness is invited to speak. The Headteacher may then question them, followed by the Panel. In each case the witness may leave after their evidence has been given.
6. The Head of College is invited to explain the school's actions.
7. If there are any witnesses for the school, they are treated in exactly the same way as the witnesses for the complainant.
8. When the Chair is sure that all parties have asked all they need to, the complainant is invited to sum up their complaint
9. The Head of College is then invited to sum up the school's actions and response to the complaint
10. The Chair explains that both parties will hear from the Panel within five school days following the day of the hearing
11. Both parties leave together whilst the panel decides on the issues.

Options open to the Panel:

The Panel may:

- Dismiss the complaint in whole or in part.
- Uphold the complaint in whole or in part.
- Decide on an appropriate action to be taken to resolve the complaint.
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not occur.

After the Hearing:

The Chair of the Panel agrees with the Clerk the wording of the letter to be sent to both parties. The Clerk will ensure that the letter is sent out in accordance with the agreed timescale.

The Clerk writes up the notes of the meeting and gives a copy to the Chair of the Panel
The clerk ensures that any recommendation to change school policies or procedures is put on the agenda for the next meeting of the Board.

If the complainant, still dissatisfied, tries to reopen the same issue, the Chair of the Board is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

THE DECISION OF THE PANEL WILL BE FINAL.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except where any other legal obligation prevails or it is appropriate to disclose such information.

If a current DLS parent would like to know how many (but not the nature, which is confidential) of formal complaints received by the College in the previous academic year they should contact headofcollege@dls-jersey.co.uk

APPENDICES

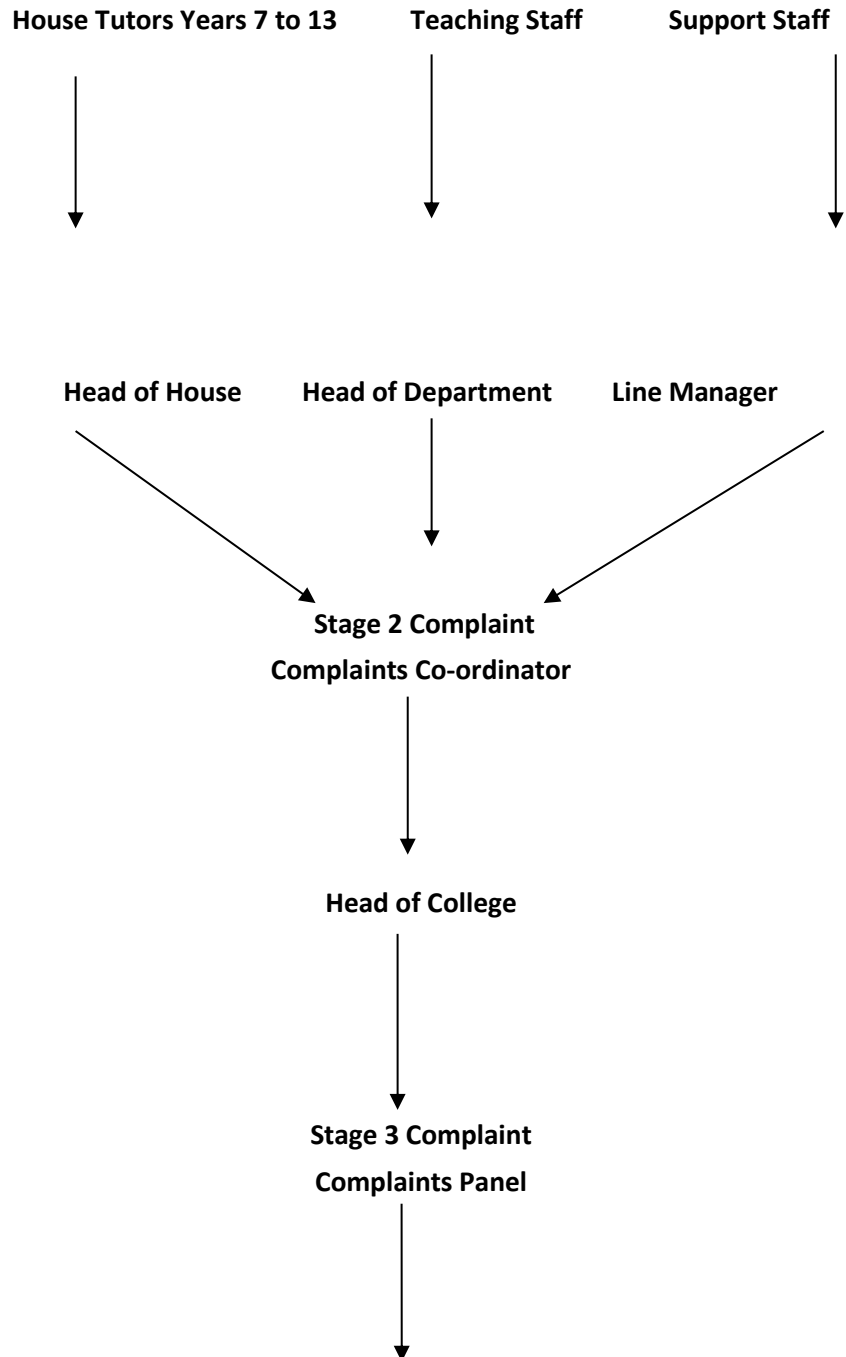
- **DLS Complaints Tree**
- **Complaint form**

Roles of those involved in the complaints process.

De La Salle College

COMPLAINTS TREE

Procedure for Stage 1 complaint by parents or student



NOTIFICATION OF OUTCOME TO ALL RELEVANT PARTIES

Complaint Form

Please complete and return to **HEAD OF COLLEGE'S PA** who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil'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?

<p>Are you attaching any paperwork? If so, please give details.</p>
<p>Signature:</p>
<p>Date:</p>
<p>Official use</p>
<p>Date acknowledgement sent:</p>
<p>By who:</p>
<p>Complaint referred to:</p>
<p>Date:</p>

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- 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 co-ordinator 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 headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher 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

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Head of College, to ensure the smooth running of the complaint's 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.

Clerk to the Governing Body

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

- 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 the DPA 2018 or 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 Clerk (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.
- 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 does not find 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.