

	Name of School	St. Joseph's Catholic Primary
	Policy review Date	March 2021
	Date of next Review	March 2022
	Headteacher	Mrs Bernadette Matthews
	Chair of Governors	Mrs Angela Podmore

## **Complaints Policy**

At St Joseph's Primary School, we work hard to establish and maintain good relationships with everyone in the school community. Occasionally, expectations are not met and issues need to be resolved. This policy sets out how we will deal with any concerns or complaints raised.

**If you have a concern about the safeguarding, safety or well-being of any child, please speak to the safeguarding lead at the school.**

### **Who can use this policy**

This policy has been prepared in accordance with the requirements of Section 29 of the Education Act, 2002 and the Department for Education's Best Practice Advice for School Complaints Procedures 2016.

It can be used by any person, including members of the general public, who wishes to make a complaint about any provision of services that are provided at St Joseph's Primary School unless separate statutory procedures apply (see Appendix A on page 8 for examples of when other procedures must be followed).

### **When to use this policy**

If you have any concerns (*which may be defined 'as an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*) please speak to the relevant member of staff, this is likely to be your child's class teacher in the first instance. It is anticipated that most concerns can be addressed informally, often by the clarification of issues or the provision of information without resorting to any formal procedures.

If you wish to make a complaint, (*which may be defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’*) you should follow the procedure set out below (see page 4). We are keen to work with you to resolve any complaints at the earliest possible stage.

It is expected that any complaint will be raised as quickly as possible and in any event this would be expected to be within three months of any incident arising unless there are extenuating circumstances.

For a flow chart showing the stages of the policy, please see Appendix B on pages 9 & 10).

### **Third party providers**

If your complaint relates to the service provided by a third party on school premises, for example, an after school club run by an outside agency, you should use the complaints procedure of the external provider and not this procedure. Contact details of outside providers can be obtained from the school office should you require them.

### **Unreasonable complaints**

At St Joseph’s Primary School we are committed to dealing with all complaints fairly and impartially, and to provide a high quality service to those who complain. We do recognise that complainants who feel dissatisfied may feel angry about their treatment. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive or threatening.

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

- Maliciously;
- Aggressively;
- Using threats, intimidation or violence;
- Using abusive, offensive or discriminatory language;
- Knowing it to be false;
- Using falsified information;
- Publishing unacceptable information in a variety of media such as in social media websites or newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

## **Records of complaints**

Details of all complaints will be recorded with details of the progress of the complaint and the final outcome.

The governing body will not receive details of the complaints, except in general terms, in case an appeal panel needs to be organised.

## **Review of policy and procedure**

This policy and procedure will be reviewed by the governing body every three years or earlier if deemed appropriate by the governing body or in response to any new guidance issued by the Department for Education or any legislative changes.

The DfE document 'Best Practice Advice for School Complaints Procedures 2016' has been used as a basis for our policy and will be referred to, if necessary, in the course of applying this policy.

## **COMPLAINTS PROCEDURE**

### **COMPLAINTS AGAINST ACTIONS OF A MEMBER OF STAFF OTHER THAN THE HEADTEACHER**

#### **1. Stage 1 - Informal Stage**

In most cases complaints can and wherever possible should be resolved by contacting your child's class teacher or other member of staff. Your initial communication may be by letter, telephone conversation or in person by appointment. Where a letter is not provided, the member of staff involved will keep a written record of the complaint made. Where the outcome of this does not lead to the issue being resolved then your complaint will need to be dealt with through the formal stages of this procedure.

#### **2. Stage 2 - Formal Stage**

If you are not satisfied with the response from the member(s) of staff at Stage 1 then you need to submit a written complaint to the Headteacher (a form is included within this document Appendix C – page 11). If your complaint is about the Headteacher, please see page 6).

Within 5 school days of receiving your written complaint, the Headteacher will write to you setting out how the complaint is to be investigated and advising you that the outcome of the investigation or an update on the progress of the investigation will be

notified to the complainant within 25 school days of receipt of the letter. If further investigations are necessary, new time limits will be set and shared with you.

Once the Headteacher is satisfied that the investigation into your complaint has been concluded and they have reached a decision on the issue(s) raised, the Headteacher will write to you to inform you of their conclusions and any actions that will be taken as a result of your complaint (except in the case of any action taken against individual members of staff which would remain confidential). At this stage, the consideration of the complaint by the Headteacher is concluded.

### **3. Stage 3 Formal Stage – Governors’ Complaints Review Panel**

If having received the letter from the Headteacher you remain dissatisfied with the manner in which your complaint was dealt with you may request that the Governors’ Complaints Review Panel is convened to consider the process followed by the Headteacher. To request that the Review Panel meets, you should submit a written request to the Clerk to the Governing Body at the School within 10 school days of the date of the Headteacher’s letter giving the conclusion of the investigation and give details of why you feel that the procedure has not been followed appropriately.

The review panel will usually be a panel of three members of the governing body who will not have had any prior knowledge or involvement, either directly or indirectly, in the issue which is the subject of the complaint. **The role of the review panel is to review the process followed not the decision taken by the Headteacher.**

If all members of the Governing Body are aware of the substance of a complaint before the final stage has been completed, an independent panel will be convened to hear the complaint which may include governors from other schools who are unaware of the details of the complaint.

Complainants have the right to request an independent appeal panel, if they believe there is likely to be bias in the proceedings. Such requests should be considered but ultimately, the decision is made by the governors.

## COMPLAINTS AGAINST ACTIONS OF THE HEADTEACHER

### **1. Stage 1 - Informal Stage**

If you have a complaint regarding an action taken by the Headteacher, you would usually be expected to speak directly with the Headteacher, except in the case of serious concerns when it may be appropriate to raise them directly with the Chair of the Governing Body in writing addressed to the Chair at the school. This letter of complaint will be acknowledged by the Chair within 5 school days of receipt.

### **2. Stage 2 - Formal Stage**

If the complaint is not resolved at Stage 1, the complainant must put the complaint in writing to the Chair of the Governing Body who is responsible for investigating the issue. In some circumstances, it may be more appropriate for the investigation to be conducted by the vice chair and this will be for the Chair to determine.

In your letter of complaint, you should include details which might assist the investigation, such as the dates and times of the event(s), details of anyone else involved or who could corroborate details of the event(s) and copies of any relevant letters or documents. The Chair (or Vice Chair if appropriate) will arrange a meeting with you to clarify the issues that have resulted in the complaint. During such a meeting it would be usual to have a note taker present who will take brief notes of the discussion.

Once the Headteacher has had an opportunity to consider the complaint and any additional information (such as the notes of the meeting described above), the Chair (or vice Chair as appropriate) will meet with the Headteacher to discuss the complaint and the Headteacher's response.

When the investigation has been concluded, you and the Headteacher will be informed in writing of the outcome. It is expected that this will take no more than 20 school days from the receipt of the written complaint. If the outcome is disciplinary / capability action, this information will not be shared with you as this will remain confidential.

### **3. Stage 3 Formal Stage – Governors' Complaints Review Panel**

If having received the letter from the Chair of the Governing Body (or Vice Chair as appropriate) you remain dissatisfied with the manner in which your complaint was dealt with you may request that the Governors' Complaints Review Panel is convened to consider the process followed by the Chair. To request that the Review

Panel meets, you should submit a written request to the Clerk to the Governing Body at the School within 10 school days of the date of the Headteacher's letter giving the outcome of the investigation and give details of why you feel that the procedure has not been followed appropriately.

The review panel will usually be a panel of three members of the governing body who will not have had any prior knowledge or involvement, either directly or indirectly, in the issue which is the subject of the complaint. The role of the review panel is to review the process not the decision taken by the Chair of Governors (or Vice Chair as appropriate).

If all members of the Governing Body are aware of the substance of a complaint before the final stage has been completed, an independent panel will be convened to hear the complaint which may include governors from other schools who are unaware of the details of the complaint.

Complainants have the right to request an independent appeal panel, if they believe there is likely to be bias in the proceedings. Such requests should be considered but ultimately, the decision is made by the governors.

#### **COMPLAINTS AGAINST ACTIONS OF A MEMBER OF THE GOVERNING BODY**

The Governing Body has an agreed Code of Conduct for governors which sets out agreed expectations for governors.

Any complaint against a member of the Governing Body should be submitted in writing to the Clerk to the Governing Body at the School.

The Clerk will refer the matter to the Chair (or Vice Chair if the complaint is about the Chair) for consideration and where necessary, investigation.

Should the matter remain unresolved, the issue may be referred to the full governing body where it is recommended that the governor be suspended or removed from the governing body.

## COMPLAINTS NOT IN SCOPE OF THE PROCEDURE

This complaint procedure does not apply to the items listed below for which there are separate (statutory) procedures as indicated below.

### Exceptions

- Admissions to schools
- Statutory assessments of Special Educational Needs (SEN)
- School re-organisation proposals
- Matters likely to require a Child Protection Investigation (school safeguarding procedures should be followed)

### Who to contact

Concerns should be raised direct with local authorities (LA). For school admissions, it will depend on who is the admission authority (either the school or the LA). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.

- Exclusion of children from school

Further information about raising concerns about exclusion can be found at: [www.gov.uk/school-discipline-exclusions/exclusions](http://www.gov.uk/school-discipline-exclusions/exclusions).

- Whistleblowing

Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk) or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.

- Staff grievances and disciplinary procedures

These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.

- Complaints about services provided by other providers who may use school premises or facilities.

Providers should have their own complaints procedure to deal with complaints.

**COMPLAINTS PROCEDURE FLOW CHART**

**STAGE ONE – INFORMAL STAGE**

Complainant contacts the individual member of staff



Resolved? → Yes



No – complaint decides to proceed to Stage Two



**STAGE TWO – FORMAL STAGE**

Complainant writes to the Headteacher



School receives letter - Day 1



Headteacher writes acknowledgement setting out  
Investigation arrangements – By Day 5



Investigation concluded



Headteacher writes to complainant with outcomes  
of investigation – By Day 25



Resolved? → Yes



No

Complainant unhappy with process and decides to proceed to Stage Three



**STAGE THREE – FORMAL STAGE**  
**GOVERNORS' REVIEW PANEL**

Complainant writes to the Clerk to Governors about process followed in Stage 2



Clerk receives letter – **Day 1**



Panel review process



Panel communicates its findings to all parties – **By Day 25**



Resolved? →  Yes



No



If complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State who has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so.

Department for Education

School Complaints Unit

2<sup>nd</sup> Floor, Piccadilly Gate

Store Street

Manchester

M1 2WD

Note: If the complaint is about the actions of the Headteacher then the chair of the Governing Body carries out the Headteacher's role indicated above.



Please continue on a separate document if necessary and state here how many additional sheets used. There are \_\_\_ separate pages attached.

What action, if any have you already taken to try to resolve your complaint?  
Please give details of anyone who you have spoken with or written to about this issue and the outcome.

What actions do you feel might resolve the issue that you have raised?

Signature \_\_\_\_\_

Date \_\_\_\_\_

School Use:

Date Form received: \_\_\_\_\_ by: \_\_\_\_\_

Date acknowledgement sent: \_\_\_\_\_ by \_\_\_\_\_

Date of outcome letter sent \_\_\_\_\_ by \_\_\_\_\_

