



## Complaints Procedure

Date	Review Date	Coordinator	Nominated Governor
01 April 2022	01 April 2025	Senior Leadership Team	Julian Vennis

At Our Lady & St Joseph Catholic Primary School we will always be willing to listen to concerns and anxieties and be ready to learn from them, if appropriate. In a school, most concerns are likely to be expressed by parents of its pupils, though some may come from pupils themselves, parishioners, or from other interested parties such as neighbours or users of the premises.

As the first educators of their children, parents have a duty to take an active interest in their school. "Since parents have given children their life, they are bound by the most serious obligation to educate their offspring". (Gravissimum Educationis). To this end, "there must be the closest co-operation between parents and the teachers to whom they entrust their children to be educated. In fulfilling their task, teachers are to collaborate closely with the parents and willingly listen to them." (Can.796)

Nearly all concerns or questions can be resolved very quickly and informally if parents feel able to voice them as soon as they arise. Parents should know that feedback is always welcome and that, therefore, they are warmly encouraged to voice any concerns straightaway, preferably to the person concerned. In most cases, discussion, explanation or further information will resolve the issue. Every effort will be made to allay concerns at this level and in an informal manner. The ideal is that no concern should ever become a formal complaint.

Occasionally, however, a concern will be too serious to be handled in this way, perhaps needing greater investigation. The person concerned may not feel that the answers given so far have been acceptable or adequate. Even in these cases, every effort should be made to resolve the issue at the lowest possible level of the procedure. It should be very rare indeed that a complaint needs to be decided at the Appeal Stage by a Governors' Committee.

### 1. Purpose and aims

The purpose of this policy is to enable all complaints to be settled fairly, consistently, and as quickly as possible. We aim to resolve all concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The procedure is designed to reflect the following principles:

- Parents/carers with a complaint about Our Lady & St Joseph Primary School or any individual connected with it have the right to raise the complaint. All proceedings that follow will remain confidential within the parties concerned.
- Whenever possible, complaints should be dealt with at the informal stages of the procedure.

We understand that raising a complaint can be stressful to all parties involved. Therefore, we aim to deal with the complaints as quickly as possible.

We all have a responsibility to ensure equality permeates in to all aspects of school life and that everyone is treated equally irrespective of age, disability, gender reassignment, marriage and



civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We want everyone connected with this school to feel safe, secure, valued and of equal worth.

## 2. Legislation and guidance

This document meets the requirements of section 29 of the Education Act 2002, which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on guidance for schools on complaints procedures from the Department for Education (DfE), including the model procedure, and model procedure for dealing with serial and unreasonable complaints.

In addition, it addresses duties set out in the Early Years Foundation Stage statutory framework with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

## 3. Definitions and scope

### 3.1 Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

### 3.2 Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline
- School re-organisation proposals
- Curriculum
- Collective worship

## 4. Principles for investigation

### 4.1 Principals



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

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

The aim of all parties should be not only to resolve the complaint but also to develop and sustain good relationships between all members of the school community. However formal or serious the complaint, or however dissatisfied the complainant, the aim will always be reconciliation between all parties and a renewed commitment to work together amicably. The gospel values of justice and forgiveness should always underpin the entire process.

## 4.2 Timescales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

## 5. Stages of complaint

### 5.1 Dealing with complaints informally

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff or, in exceptional circumstances, the headteacher, either in person or by letter, telephone, or email.



The complainant should be given an opportunity to discuss their concern with an appropriate member of staff. An appointment may need to be made. The member of staff dealing with the concern should make sure the complainant is clear what action (if any) or monitoring of the situation has been agreed. The stage should be completed speedily and concluded in writing with appropriate detail.

Where no satisfactory solution has been found, the complainant should be informed that s/he will need to consider whether to make a formal complaint in writing to the headteacher using the appropriate complaint form (Appendix 1)

## **5.2 Stage 1: Referral to headteacher for formal investigation**

5.2.1 The complainant should make a formal complaint to the headteacher using the appropriate complaint form (Appendix 1). The complainant should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint.

5.2.2 The Headteacher should acknowledge the complaint in writing. In some cases, the Headteacher will have already been involved in looking at the matter; in others it will be his/her first involvement

5.2.3 The Headteacher should consider providing an opportunity to meet with the complainant to supplement any information previously provided.

5.2.4 If the complaint is against a member of staff the Headteacher should talk to the staff member against whom the complaint has been made.

5.2.5 If necessary, the Headteacher should interview witnesses and take statements from those involved.

5.2.6 The Headteacher should keep reasonable written records of meetings, telephone conversations and other documentation.

5.2.7 Once all the relevant facts have been established, the Headteacher should produce a written response to the complainant. The Headteacher may wish to meet the complainant to discuss/resolve the matter before confirming the outcome in writing.

5.2.8 The written response should include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action the school will take to resolve the complaint.

5.2.9 Stage 1 should be completed in 15 school days. However, it is recognised that where the case is complex, it may prove difficult to meet this timetable. In such cases, the Headteacher should write to the complainant giving a revised target date.

5.2.10 Schools will not pay financial compensation as a response to complaints, though may spend money on a relevant educational purpose (e.g. paying a fee for a repeat examination).

5.2.11 The formal stage 1 response should also advise the complainant that if s/he is not satisfied with the response and wishes to take the matter further, s/he should write to the Chair of the Governing Body within 15 school days of receiving the outcome letter. The outcome letter



should set out the name of the Chair of the Governing Body and the address to which the complainant can send the letter. The appropriate referral form should also be attached (see appendix 2)

5.2.12 Complaints against the Headteacher - If the complaint is wholly or mainly about the Headteacher, the Governing Body should consider the complaint in accordance with Stage 2 of the procedure described below. However, before Stage 2 is instigated, the Chair of the Governing Body will invite the Headteacher to respond to the complaint in writing within ten school days. The Chair will send a copy of the Headteacher's response to the complainant who will be asked to indicate within five school days of receipt of the response whether s/he is satisfied with the response. If the complainant is not satisfied with the response, stage 2 should commence as described in paragraph 6.3 below.

5.2.13 Any serious complaint or allegation about the leadership and management of the school should be considered by the Governing Body in accordance with Stage 2 of the procedure described below.

### 5.3 Stage 2: Consideration by the Governing Body

5.3.1 If the complainant decides to take the matter further, the Chair of the Governing Body should write to the complainant to acknowledge the complaint within five school days of receipt of the complaint. A copy of the acknowledgement and the complaints form should be sent to the Headteacher and the Clerk to the Governing Body. (See appendix 3 for a standard letter which the chair may wish to use).

5.3.2 Investigating the complaint – If the complaint has been investigated at Stage 1, the result of the investigation must be made available to the Clerk/Chair by the Headteacher. However, where the complaint is against the Headteacher and the complaint is referred to Stage 2, the Chair of the Governing Body must decide how the complaint should be investigated. Where the facts of the complaint are clearly established, it is unlikely for the Chair of the Governing Body to order an investigation. The matter may instead be escalated directly to the Complaints Appeal Panel.

5.3.3 Governing bodies are advised to establish a Complaints Appeal Panel (CAP) drawing on three governors with no prior, direct involvement with the complaint. In deciding the make-up of the CAP, where possible the governing body will try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

5.3.4 The Headteacher should not serve on the CAP. If the Chair of the governing body has had any prior involvement in the complaint then the Chair must not sit on the CAP.

5.3.5 The CAP should consider the complaint on the basis of the written evidence and set up a hearing to hear both parties. The CAP should reconsider the issues raised in the original complaint and not confine themselves to consideration of procedural issues.

5.3.6 The Chair of the CAP should take a decision at the beginning of Stage 2 on whether to seek the services of a Clerk to:

- Deal with the administration of the procedure;
- Provide independent advice on procedure and evidence;



- Ensure that the relevant facts are established;
- Minute the meeting; and
- Draft the decision letter.

5.3.7 The Clerk/Chair of the CAP should write to the complainant to explain how the review will be conducted. The letter should be copied to the Headteacher.

5.3.8 The Clerk/Chair of the CAP should confirm the date of the meeting with the other governor(s).

5.3.9 The complainant and Headteacher should be invited to attend the meeting. The date and time of the meeting should be convenient to the complainant and Headteacher, within reason. The notification should inform the complainant of his/her right to be accompanied to the meeting by a friend/representative. It should also explain how the meeting will be conducted and of the complainant's right to submit further written evidence to the committee.

5.3.10 In certain circumstances, the CAP may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the CAP will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

5.3.11 Representatives from the media are not permitted to attend.

5.3.12 The Headteacher should also be invited to prepare a written report for the CAP in response to the complaint.

5.3.13 All relevant correspondence regarding the complaint should be circulated to the CAP; the complainant and the Headteacher in advance of the meeting.

5.3.14 If the Headteacher and/or the complainant wish to call witnesses, the agreement of the Chair of the CAP should be obtained in advance of the meeting.

5.3.15 It is the responsibility of the Chair of the CAP to ensure that the meeting is properly conducted. However, the proceedings should be as informal as possible.

5.3.16 The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. However, at the end of the meeting the CAP will need to issue a finding in writing either upholding or not upholding the complaint or upholding some parts and not others.

5.3.17 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interest of natural justice to adjourn the meeting so that the other side has time to respond to the new evidence. Late evidence of witnesses should not be accepted unless there is a good reason for the lateness.

5.3.18 The meeting should allow for:

- The complainant to explain his or her complaint and the Headteacher to explain the reasons for his or her decision;



- The Headteacher to question the complainant about the complaint and the complainant to question the Headteacher;
- The CAP to have an opportunity to question both the complainant and the Headteacher;
- Any party to have the right to bring witnesses (subject to the approval of the Chair of CAP) and all parties having the right to question all the witnesses; and
- A final statement by the Headteacher and complainant.

5.3.19 The Chair of the CAP should explain to the complainant and the Headteacher that the CAP will consider its decision, and a written response will be sent to both parties as soon as possible. The complainant, Headteacher and any witnesses will then leave.

5.3.20 The CAP will consider the complaint and all the evidence presented and reach an unanimous, or at least a majority, decision on the complaint. Where appropriate the CAP can decide on the action to be taken to resolve the complaint and/or suggest recommended changes to the school's system or procedures to ensure that problems of a similar nature do not happen again.

5.3.21 As in Section 6.2.10 above, the CAP will not pay financial compensation as a response to a complaint, though may spend money on an appropriate educational purpose.

5.3.22 The Clerk/Chair of CAP will send a written statement outlining the decision with reasons to both the complainant and the Headteacher.

5.3.23 Stage 2 should be completed in 15 school days. However, it is recognised that this timetable is likely to improve impossible for complaints which are complex. In such cases the chair of the complaints committee should write to the complainant and Headteacher giving a revised target date.

## **6. Appeal to the Secretary of State for Education and Skill**

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the DfE.

The DfE will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The DfE also looks at whether the school's statutory policies adhere to education legislation.

The DfE will intervene where a school has:

- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

We will include this information in the outcome letter to complainants.

## **7. Persistent complaints**

### **7.1 Unreasonably persistent complaints**





Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it has already been resolved by following the school's complaints procedure.
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory, or repetitive.
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason.
- Pursues a valid complaint, but in an unreasonable manner e.g., refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out.
- Makes a complaint designed to cause disruption, annoyance, or excessive demands on school time.
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

## 7.2 Steps we will take

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary

## 7.3 Stopping responding

We may stop responding to the complainant when all these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.





## 7.4 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we had not previously considered, or any added information we need to consider.

- If we are satisfied that there are no new aspects, we will:
- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete.
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint.

If there are new aspects, we will follow this procedure again.

## 7.5 Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

## 8. Record keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls. This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.



Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

## 9. Learning Lessons

The Governing Body will review any underlying issues raised by complaints with the Senior Leadership Team, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

## 10. Monitoring complaints

The Governing Body will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The Governing Body will track the number and nature of complaints, and review underlying issues as stated in section 9.

The complaints records are logged and managed by the Headteacher.

This policy will be reviewed by the Senior Leadership Team every 3 years.

At each review, the policy will be approved by the Governing Body.

<b>Headteacher:</b>	Aoife O'Grady	<b>Date:</b>	01/04/2022
<b>Chair of Governing Body:</b>	Julian Vennis	<b>Date:</b>	01/04/2022



**School Complaint Form: Stage 1 complaints (appendix 1)**

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the Headteacher. (If your complaint is against the Headteacher you will need to complete the stage 2 complaints form.)

Your name:	
Pupil's name (if relevant):	
Your relationship to the pupil (if relevant):	
Address:	
Phone number:	
What is your complaint about and what would you like the Headteacher to do?          <div align="right">(Continue on a separate sheet as necessary)</div>	
When did you discuss your concern/complaint with the appropriate member of staff?          <div align="right">Continue on a separate sheet as necessary)</div>	
What was the result of the discussion?          <div align="right">(Continue on a separate sheet as necessary)</div>	
What would you like the outcome of the complaint to be?          <div align="right">(Continue on a separate sheet as necessary)</div>	
Are you attaching any paperwork? If so, please give details.	
Signature:	Date:
OFFICIAL USE ONLY	
Date acknowledgement sent:	
By who:	



**School Complaint Form: Stage 2 complaints (appendix 2)**

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the Chair of the Governing Body, via the school office.

Your name:	
Pupil's name (if relevant):	
Your relationship to the pupil (if relevant):	
Address:	
Phone number:	
What is your complaint about and what would you like the Governors to do?          <div align="right">(Continue on a separate sheet as necessary)</div>	
When did you discuss your concern/complaint with the headteacher?          <div align="right">Continue on a separate sheet as necessary)</div>	
What was the result of the discussion?          <div align="right">(Continue on a separate sheet as necessary)</div>	
What would you like the outcome of the complaint hearing to be?          <div align="right">(Continue on a separate sheet as necessary)</div>	
Are you attaching any paperwork? If so, please give details.	
Signature:	Date:
OFFICIAL USE ONLY	
Date acknowledgement sent:	
By who:	



Example letter (appendix 3)

An example of a letter that the Chair of the Governing Body may wish to send to the complainant upon receipt of a complaint at Stage 2 for consideration by the Governing Body

Dear (COMPLAINANT)

**Complaint re:**

Thank you for your letter dated (INSERT DATE) setting out the reasons why you are not satisfied with the Headteacher's response to your complaint about (OUTLINE OF COMPLAINT)

I write to let you know that I will be arranging for a Complaints Appeal Panel (CAP) to consider your complaint in accordance with Stage 2 of the attached complaints procedure. As explained in the procedure, the Clerk/Chair of the CAP will let you know in writing how the CAP intends to consider your complaint.

**Or in the case of complaints against the Headteacher:**

I have received your complaint against the Headteacher of Our Lady & St Joseph RC Primary School. I write to let you know that I have forwarded a copy of your complaint to the Headteacher with a request that s/he respond within ten school days to the issues raised in the complaint.

A copy of the Headteacher's response will be sent to you as soon as possible.

If you are not satisfied with the Headteacher's response, I will arrange for a Complaints Appeal Panel to consider your complaint in accordance with Stage 2 of the attached complaints procedure.

As explained in the procedure, the Clerk/Chair of the Complaints Appeal Panel will let you know in writing how the complaint will proceed.

Yours sincerely

Chair of the Governing Body

Cc The Headteacher  
The Clerk to the Governing Body

Enc. Complaints Policy & Procedures