

**Complaints
Policy and Procedure**

Guidance for Parents and Carers

**St Marie's Catholic Primary
School**

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Introduction

St Marie's is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair, and efficient procedure for dealing with any complaints against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible, we value all comments about our school

The main aims of this policy and procedure are:

- To recognise the importance and value of feedback.
- To provide you with a clear way of contacting us and tell you when you will receive a response.
- To use your feedback to understand what is causing the problem and where necessary learn from the issue to prevent the same thing happening again.

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 however made, about actions taken or a lack of action'.

It is in everyone's interest that concerns, and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaint's procedure. St Marie's takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, Mr White, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Mr White will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important. We understand however, that there are occasions when people would like to raise their concerns formally. In this case, St Marie's will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure

Who can complain?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to St Marie's about any provision of facilities or services that they provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. It may also be made by a third party acting on behalf of a complainant if they have appropriate consent to do so.

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

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 2 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to Mr White via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to Mr R Coakley (the Chair of Governors), via the school office. Please mark them as Private and Confidential. Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Mrs C Owens (the Clerk to the Governing Body) via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure.

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.

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.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Standards

When you make a complaint, these are the standards that you can expect from us:

- An acknowledgement of your complaint within 5 school days.
- A response to any complaint with a full explanation within the timescales outlined for each stage of the process identified below.

- Contact from us if the response is going to take longer, explain why and give details of expected timescales.
- Handle and process your information in accordance with the Data Protection Act and School's Information Security Policy.
- Apologise if we have made a mistake.
- Provide a contact name and telephone number if you wish to contact us again.
- Be fair and honest.
- Treat you with dignity, respect, and courtesy.

When you make a complaint, these are the standards that we expect of you:

- To treat all of our staff with respect. If you do not, we will refuse to deal with your enquiry until your behaviour is acceptable.
- To provide us with all of the information that we need to investigate and respond to your complaint.
- To tell us what you would like us to do to resolve your complaint.

Please note that where the complaint is made jointly by a number of people, it is expected that a nominee/representative speaks on behalf of all complainants

What is not covered by this policy and procedure?

There are certain matters that we do not deal with through the complaints processes and stages in this procedure. These are:

- Something that a complainant knew about more than 12 months before it was raised with us.
- Complaints that have previously been dealt with through all stages of the complaints procedure identified in this policy.
- Requests for information under the Freedom of Information Act (2000) or the General Data Protection Regulation (2018)
- Admissions to school
- Statutory Educational Needs
- School re-organisation proposals
- Matters likely to require a Child Protection Investigation
- Exclusion of children from school
- Whistleblowing
- Staff grievance or disciplinary procedures; these matters should be dealt with through the relevant HR procedures
- Complaints about service providers who may use school premises or facilities

These issues can still be referred to the school, however, will be addressed under the relevant statutory guidance.

- Complaints in relation to the following issues should be made to the Local Authority:
 - The provision of religious education and collective worship (except for church aided schools).
 - School admission appeals.
 - Exclusions. ○ Special educational needs assessments.
 - Child protection issues and allegations of child abuse.

These are specifically concerns about areas where the authority has a statutory duty. Complaints relating to these issues should be referred to:

Customer Liaison Team
 Knowsley Metropolitan Borough Council
 Archway Road
 Huyton
 L36 9UX

Tel: 0151 443 3231

Web: <https://secured.knowsley.gov.uk/haveyoursayform>

A complaint about community facilities or services provided by any third party through the school premises or using school facilities should be addressed to the third-party provider who will have their own complaints procedure. Copies of the complaint's procedure for any third-party provider are available directly from the provider.

The Governing Body will monitor the level and nature of complaints and review the outcomes on a termly and annual basis to ensure the effectiveness of the procedure and make changes where necessary. The monitoring and review of complaints by the school and the Governing Body are seen as useful tools in evaluating a school's performance. Please note that information shared with the Governing Body about complaints will be anonymised.

Resolving complaints

At each stage in the procedure, St Marie's 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 considering the complaint

- an apology.

Withdrawal of a Complaint

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

Complaints Procedure

St Marie's respects the views of any complainant and if you express a difficulty in discussing the complaint with a particular member of staff the complaints coordinator will refer the complaint to another member of staff if required.

Where the concern involves any child protection issue, the Head teacher will inform the Local Authority Designated Officer (LADO) and social care team.

Complaints can be made formally in a number of ways; these are detailed in stage 1. If you have difficulty expressing yourself in writing, the school will be able to tell you where you can get independent assistance to support your complaint.

The stages in the complaints process are shown below:

Informal Stage: Complaint Reviewed Directly with the Relevant Teacher

The vast majority of concerns can be resolved informally; there are many occasions where the appropriate teacher, member of office staff, or the Head teacher, can resolve concerns straight away. It is in everyone's best interests that complaints are resolved at the earliest possible stage and it is important to us that you (the complainant) feel able to raise concerns with members of staff without any formality, either in person, by telephone or in writing in the first instance.

Stage 1

Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

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

To establish the detail of the complaint, the headteacher may contact the complainant by email, telephone or face to face if appropriate and discuss the complaint and what outcome the complainant would like to see to resolve the complaint.

Note: The headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the headteacher (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 headteacher will provide a formal written response within **15** school days of the date of receipt of the complaint.

If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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 <School Name> will take to resolve the complaint.

The headteacher 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 headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 1 will be considered by an independent investigator appointed by the governing body or . At the conclusion of their investigation, the independent investigator will provide a formal written response.

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 members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaint's procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within **20** school days of receipt of the Stage 1 response.

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

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 **20** school days of receipt of the Stage 2 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 based on 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. If there are fewer than three governors from St Marie's available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

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 union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaint's 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.

Representatives from the media are not permitted to attend.

At least **10** school days before the meeting, the Clerk 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 **7** school days before the meeting.

Any written material will be circulated to all parties at least **5** 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 St Marie's with a full explanation of their decision and the reason(s) for it, in writing, within **10** school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by St Marie's

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 2 will be heard by a committee of independent governors.

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 Marie's will take to resolve the complaint.

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

Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by St Marie's. They will consider whether St Marie's has adhered to education legislation and any statutory policies connected with the complaint. The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus,

by telephone on 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester M1
2WD.

Unreasonable Complainants

St Marie's is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our 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, offensive or threatening.

St Marie's defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to provide the detail of their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaint's investigation process

- refuses to accept that certain issues are not within the scope of the complaint's procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaint's procedure or with good practice
- introduces trivial or irrelevant information which they expect to be considered and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy, and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive, or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact St Marie's causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

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 St Marie's.

APPENDIX 1

Complaint Form / Record
Your Name –
Pupils Name -
Address Post Code Day Time telephone number Evening telephone number

Please give details of your complaint including whether you have spoken to anybody at school about it and who you spoke to

What actions do you feel might resolve the problem at this stage?
Are you attaching any information, if so, please give the details?
Signature
Date

For Office Use Only

Date Acknowledged

Acknowledgement sent by

Complaint referred to

Date referred

Response date