



## **ST. BEDE'S CATHOLIC PRIMARY SCHOOL**



### **Complaints Policy**

#### **Our Mission Statement:**

***“Love one another as I have loved you.”  
(John 15, Verse 12).***

## **1 Introduction**

We recognise the importance of establishing and maintaining good relationships with parents, carers and the wider community. We are aware that there may be occasions where people have concerns or complaints and the following procedure sets out the steps that should be followed in order to resolve these as fairly, quickly and informally as possible.

Individual complaints WILL NOT be discussed at Governing Body meetings. If a panel of governors considers a complaint, the recommendations from the panel will be shared with the Governing Body.

## **2 Aims of the policy:**

The aim of the policy is:

- To maintain good communication and relationships between the School and persons who wish to express a concern or pursue a complaint
- To support the well-being of students, staff and everyone else who has legitimate interest in the work of the School, including governors and parents
- To provide a clear and fair procedure for the resolution of concerns or complaints.

## **3 Policy status**

School governing bodies are required, under Section 29 of the Education Act 2002, to have in place a procedure for dealing with complaints.

This procedure applies for any person, including a Governor, with a specific complaint concerning a pupil or member of staff.

## **4 Links to other policies**

- Home School Agreement
- Behaviour Policy

## **5 Equality of Opportunity**

In light of the 2010 Equality Act, this policy has been written with due consideration to its potential impact (both positive and negative) on the many diverse groups of adults and children within the school. The school has ensured

that to the best of its knowledge, the statements and procedures set out in this policy do not discriminate unjustly against any such groups or individuals.

**6 Monitoring and review**

The Governing Body will receive termly reports of the number of complaints reaching the formal stages of the procedure. Individual complaints WILL NOT be discussed at Governing Body meetings. If a panel of governors considers a complaint, the recommendations from the panel will be shared with the Governing Body.

Approved by governing body on .....

Signed by:.....Chair of Governors

## Background Information

### 1. This procedure does NOT apply:

1. to complaints about the conduct of a particular teacher where the investigations would be carried out under the school staff discipline procedures, which remain in the professional domain with the hearing and appeal being heard by a panel of governors. Disciplinary action is taken at the discretion of the Headteacher.
  2. to complaints about the curriculum or acts of Worship, a separate procedure applies.
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### 2. Concerns relating to child protection

If, at any stage, a complaint raises a concern that the member of staff isn't suitable to work with children then the Hampshire County Council LADO ought to be consulted as well as following any other HR procedure.

Hampshire County Council LADOs: Barbara Piddington / Fiona Armfield / Mark Blackwell

Tel: 01962 876364 Fax: 01962 876229 (secure line)

E-mail: [child.protection@hants.gcsx.gov.uk](mailto:child.protection@hants.gcsx.gov.uk)

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### 3. Advice for parents making a complaint can be obtained from:

- The Advisory Centre for Education [www.ace-ed.org.uk](http://www.ace-ed.org.uk) Tel: 0207 704 3370
  - Hampshire County Council Childrens Services Tel: 0300 555 1384
  - Support for SEND (For parents of children with Special Educational Needs).  
<https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/specialneeds/support4send>
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### 4. If, after exhausting all stages of the complaints procedure, the complainant feels the school or Local Authority has acted unreasonably they may make a complaint to the Department for Education via the Government website:

<https://www.gov.uk/complain-about-school/state-schools>

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## **PART A: General complaints concerning a pupil or member of staff**

### **1. STAGE 1 - Informal Resolution**

#### **Informal Step 1**

Any complaint must first be raised in discussion with the class teacher concerned to clarify the situation and to try to reach an early mutually acceptable resolution.

#### **Informal Step 2**

If the complaint is unresolved at step 1 the complainant should ask for a meeting with the Headteacher to try to reach an early mutually acceptable resolution.

A complainant should receive a response to a complaint within five working days of receipt of the complaint at either step in stage 1.

### **2. STAGE 2 - Headteacher Investigation - Formal**

Should the complainant be dissatisfied with the resolution proposed at stage 1 they may ask for a Headteacher Investigation of their complaint. The Headteacher or another senior member of staff would normally conduct the investigation.

To escalate to this stage the complainant must write to the Headteacher giving details of the complaint and the reasons why they are dissatisfied with the stage 1 resolution. The written complaint may be in the form of a letter, e-mail or on the form provided on page 10.

A complainant should receive an acknowledgement of their request for an escalation to stage 2 within 5 working days giving an indication of when the investigation will be complete and when the complainant should receive a full response. In any case the complainant should have a full response within 15 working days. In circumstances where the case is so complex that the investigation is going to take longer the complainant should be kept fully informed of progress in the case.

### **3. STAGE 3 - Review by the Governing Body - Formal**

Should the complainant remain dissatisfied with the outcome of the Professional Investigation stage they have the right to request a review by a panel of Governors.

To escalate to this stage the complainant must write to the Chair of the Governing Body at the school address requesting the review and giving their reasons for being dissatisfied with the outcome at Stage 2. The written complaint may be in the form of a letter, e-mail or on the form provided on page 14/15.

The process for resolving the complaint will be shared with the complainant and a time scale no longer than 20 working days will be agreed to bring the complaint before the Governing Body complaints panel.

On receiving a review request the Chair will call a meeting of the Governing Body complaints panel comprising of no fewer than two governors to hear the complaint (see Guidance on Dealing with Complaints for a model panel procedure)

The panel will:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- or, decide there is insufficient evidence to make a decision

The panel may also:

- recommend appropriate action to be taken to resolve the complaint;
- recommend a review of the relevant school systems or procedures to ensure that problems of a similar nature do not recur.

The decision of the Governing Body complaints panel will be final in most cases. The main exceptions are exclusions, curriculum and statutory admissions where separate procedures are available.

## Flowchart of procedure for handling general complaints concerning a pupil or member of staff

### Stage 1 - Informal

#### Step 1

Parent raises concern with class teacher or year group leader if appropriate

Concern resolved - no further action

#### Step 2

Parent request meeting with Headteacher to raise concerns

Concern resolved - no further action

### Stage 2 (Headteacher Investigation)

Parent writes to the Headteacher to request the concern is considered at Stage 2

Headteacher acknowledges concern within 5 days giving an indication of when parent can expect a response

Headteacher conducts investigation and responds to parent within 15 days of written request

Concern resolved - no further action

### Stage 3 (Review by Governing Body)

Governing Body panel consider the complaint and make recommendations

**PART B: Child Protection Allegations against members of staff (including the Headteacher)**

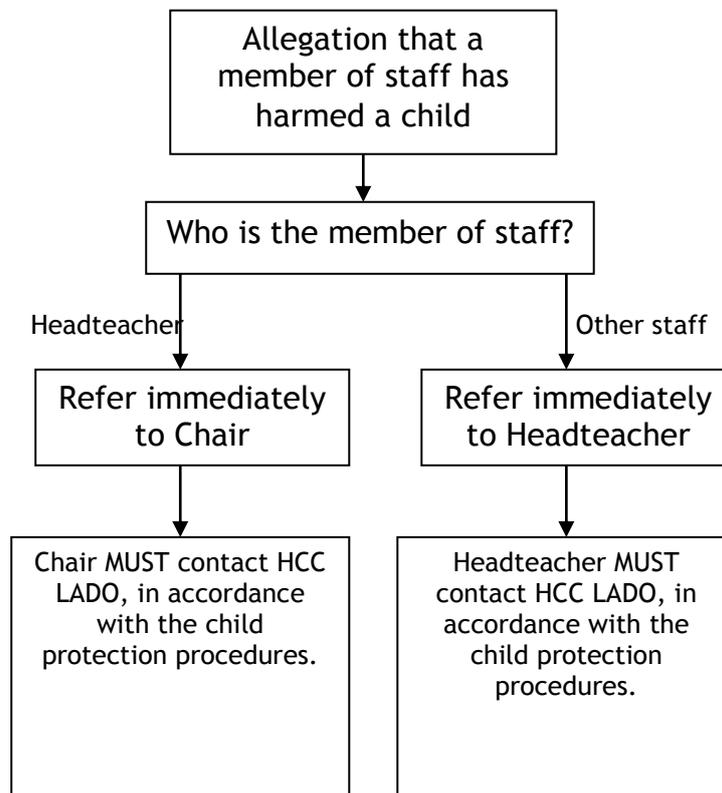
1. If a child or parent makes an allegation that a member of staff has abused or harmed the child, the matter must be referred immediately to the Headteacher. The Headteacher must then without delay contact Hampshire County Councils Local Authority Designated Officer (LADO), in accordance with the child protection procedures.
2. If a child or parent makes an allegation that a Headteacher has abused or harmed their child, the matter must be referred right away to the Chair of Governors. The Chair of Governors must then without delay contact Hampshire County Councils Local Authority Designated Officer (LADO), in accordance with the child protection procedures.

**Hampshire County Council LADOs: Barbara Piddington / Fiona Armfield / Mark Blackwell**

**Tel: 01962 876364 Fax: 01962 876229 (secure line)**

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**Flowchart of actions for Child Protection Allegations against members of staff (including the Headteacher)**



## **PART C: Complaints concerning the Headteacher or a Governor**

1. Any complaint concerning the Headteacher or a Governor should be referred to the Chair of Governors, unless the Chair is involved in which case the complaint should be dealt with by the vice chair or other senior governor.
2. (Other than for Child Protection allegations against the Headteacher) the Chair should arrange a meeting to relay the details of the complaint. Care must be taken not to give a judgement about the complaint or potential outcome but simply to explain the complaint and the procedure that will be followed. This needs to be done sensitively and quickly. Information may need to be repeated or updated by email, but this should not be a substitute for a meeting.

### **Stage 1 (Informal)**

3. The Chair of Governors should seek to convene a meeting with the complainant and the Headteacher or governor to secure an informal resolution to the complaint by mediation. Both the complainant or the Headteacher/governor is entitled to have another person as support at the meeting.

### **Stage 2 (Formal)**

4. Should either the Headteacher/governor or the complainant be unwilling to participate in a mediation meeting or the mediation meeting fails to resolve the complaint the Chair of Governors should appoint an investigator from outside the Governing Body to investigate the complaint and prepare a report for the Complaints Panel. Schools should inform the Local Authority of any complaint against the Headteacher that has reached this stage; Voluntary Aided schools should also inform the Diocese.

### **Procedure for investigating complaints concerning the Headteacher or Governing Body**

1. When using the procedure the Chair of the Governing Body would appoint an investigating officer. (The investigating officer then works as an independent adviser to the Governing Body.)
2. On receipt of the complaint the investigating officer will write to the complainant and arrange a meeting to clarify and agree the exact nature of the complaint. The process for resolving the complaint will be shared with the complainant and a time scale no longer than 20 working days will be agreed to bring the complaint before the Governing Body complaints panel. (This is an important stage for the avoidance of doubt at subsequent stages.)
3. The investigating officer will then make appointments to speak with the Headteacher/governor and any other relevant person. (The purpose of this stage is to enable the complaint to be put, answers to be given and evidence to be collected.)
4. When the investigating officer is satisfied that he/she is in receipt of all the relevant evidence he/she will prepare a report. The report will consider the complaint in detail, in the light of all the evidence, draw conclusions as to whether the complaint is upheld, not upheld, unproven or partially upheld and make recommendations.
5. When the draft report is complete it will be shared in the first instance with the Headteacher and the complainant, who will be invited to make comments on points of factual accuracy.
6. The investigating officer should attend the panel meeting to answer any questions and make any points of clarification required by the committee.
7. The Complaints Panel should consider the report of the professional investigator, representations from the Headteacher/governor and the complainant in coming to their decision. To this end the Complaints Panel may chose to invite written representations or invite the Headteacher/governor and the complainant to attend the meeting to make oral representations. It is important that both parties are given the opportunity to make representations to the Complaints Panel.
8. In the vast majority of cases the decision of the panel is final.

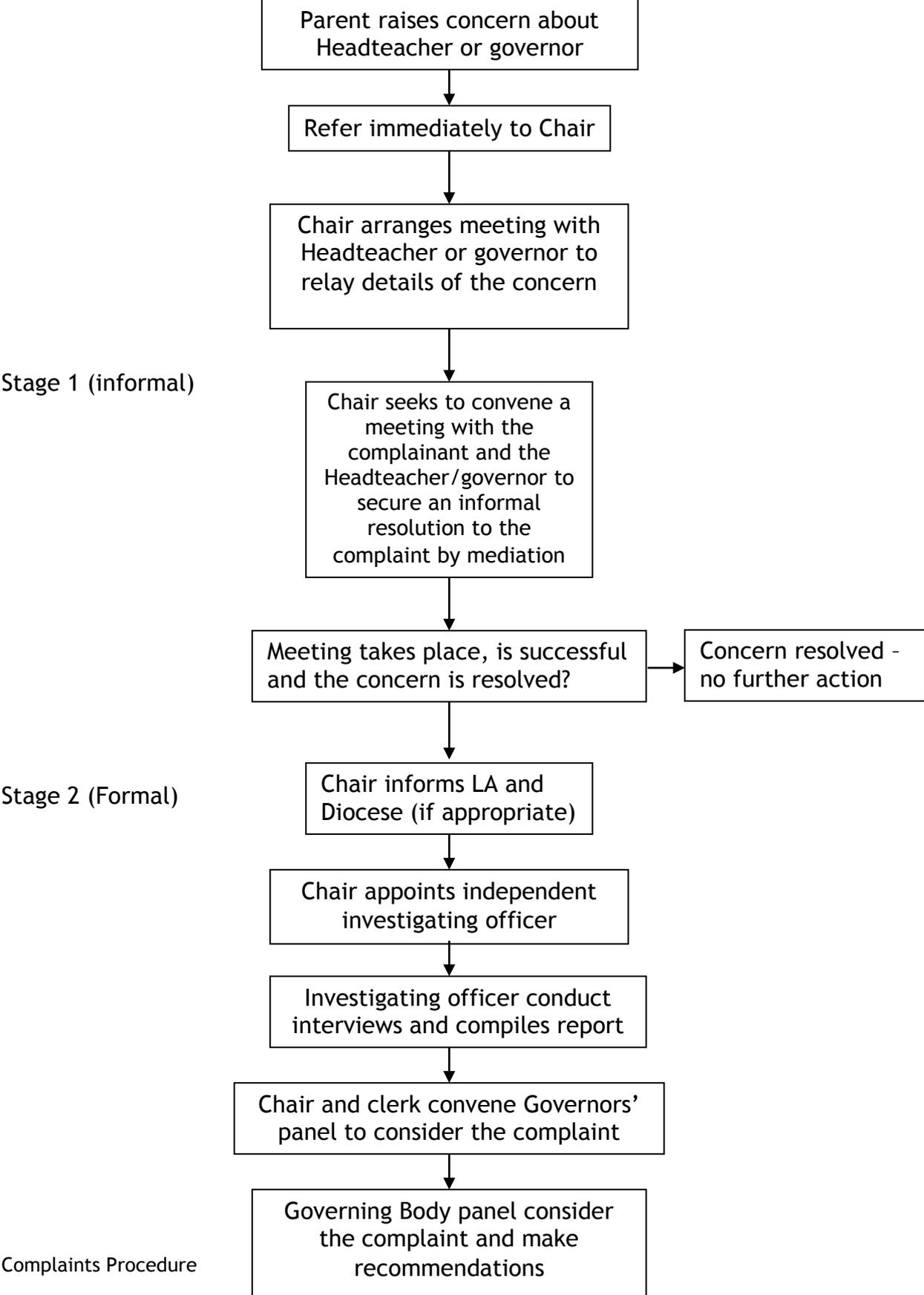
**NOTE:** The investigation report to a governor panel does NOT form part of any staff HR procedure. If, as a result of the investigation, an HR procedure needs to be followed, the situation will have to be investigated again under the remit of the HR procedure.

**It is important not to confuse complaints from parents with issues about staff discipline or capability, which are dealt with under HR policies and procedures.**

A complainant is entitled to know that their complaint has been investigated and that the Headteacher has taken the action the Headteacher deems to be appropriate within the procedures of the school.

A complainant is not entitled to become involved in the employment relationship between the school and the teacher and should not be given details about what an investigation may have discovered or how the Headteacher intends to proceed if personnel procedures are to be embarked upon.

**Flowchart of actions for complaints concerning the Headteacher or governor**



## **PART D: Dealing with unreasonably persistent complaints and unreasonable complainant behaviour**

1. The Headteacher and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the **Complaints Procedure**.
2. We are committed to dealing with all complaints fairly and impartially and in the best interests of the child. We do not normally limit the contact complainants have with the School. The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant.
3. However there are a small number of complainants who, because of the frequency, nature and quality of their contact with the School, hinder our consideration of theirs, or other people's, complaints. We refer to such complainants as 'unreasonably persistent complainants' and, exceptionally, we will take action to limit their contact with the School.
4. The decision to restrict contact with the School will only be taken in consultation with the Chair of Governors after taking legal advice and will normally follow a prior warning to the complainant. Any restrictions imposed will be appropriate and proportionate. The options we are most likely to consider are:
  - a) inform the complainant in writing that his/her behaviour is now considered by the School to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy
  - b) inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties
  - c) inform the complainant that, except in emergencies, all routine communication with the complainant to the School should be by letter only
  - d) (in the case of physical or verbal aggression) refer to the guidance for schools, on dealing with abuse, threats and violence towards school staff", and consider warning the complainant about being banned from the School site; (Advice is available from the Local Authority Legal Team)
  - e) consider taking advice from the Local Authority on pursuing a case under Anti-Harassment legislation
5. In all cases where we decide to treat someone as an unreasonably persistent complainant, we will write to tell the complainant why we believe their behaviour falls into that category, what action we are taking and the duration of that action.
6. Where a complainant, whose case is closed, persists in communicating with us about it, we may decide to terminate contact with that complainant about the matter. In such cases, we will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complaint we will simply acknowledge it or place it on the file with no acknowledgement.

7. New complaints from people who have come under the unreasonably persistent complainant's policy will be treated on their merits.

**APPENDIX**

**St Bedes Catholic Primary School**

**COMPLAINT FORM (Formal)**

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken.

**Your name:**

**Pupil's name:**

**Year group/class:**

**Your relationship to the pupil:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Please give details of your complaint:**

**What action, if any, have you already taken to try and resolve your complaint.  
(Who did you speak to and what did they say/do)?**

**What actions do you feel might resolve the problem at this stage?**

**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**