

Our Lady of Victories Catholic Primary School



Complaints Policy

We are committed to developing a diverse community of excellence driven by the values of love, forgiveness, trust and acceptance. With Christ at the centre of all learning we will inspire every individual to have the confidence to develop their unique potential and be a responsible, effective member of society. We offer a school that is: safe, creative and exciting. Together we will achieve in God's love.

“Achieving Together In God's Love”

A Blessed Christopher Wharton Academy Trust School

DOCUMENT CONTROL	
Doc Ref:	Version 2017
Document Full Title	Complaints Policy
Document Version number	December 2017
Document stored in	Yvonne Sinclair Consultancy
Owned by:	Trust Board
Authorised by:	Academy Council School Governors
Date:	December 2017
Review Date:	September 2018
Circulation:	All Staff and Volunteers All School Governors All Trust Directors On Website



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Background

At Our Lady of Victories Catholic Primary, we understand that it is natural parents may, occasionally, be concerned about an aspect of their child's education or welfare at school. This could include issues concerning the school's approach of the curriculum, homework, behavioural problems or any other issue.

We receive very few complaints but sometimes problems may arise from misunderstandings which could be easily addressed. If you have a concern it is important that you tell us as soon as possible, or generally within a three months' period, as it is difficult for us to investigate an incident or problem properly if it took place some time ago. Thankfully most concerns can be sorted out by speaking with the child's class teacher.

The governing body ensures that any third-party providers offering community facilities or services through the school premises, or using school facilities, have their own complaints procedures. Therefore, they should be contacted directly with regards any complaints.

Legislation

All schools are required by law under The Education (Independent School Standards) Regulations 2010 to have a complaints policy. This policy should help resolve problems and provide a means for issues of concern to be raised and subsequently addressed. All complainants will be treated respectfully during and after the course of any complaints investigation and will receive a written response to their complaint, unless appropriate and reasonable measures have been put in place as a result of the 'Persistent and/or Vexatious Complainants' set out below.

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 generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

Informal resolution

The need to invoke formal procedures. Where parents feel that a situation has not been resolved through Our Lady of Victories Catholic Primary will take all informal concerns seriously and make every effort to resolve the matter as quickly as possible. Where possible, complaints will be resolved through informal discussion and negotiation, without contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the executive headteacher. The executive headteacher considers any such complaint very seriously, and investigates each case thoroughly. Most complaints are normally resolved by this stage. However, there are occasions when complainants would like to raise their concerns formally, in those occasions the school's formal procedures will be invoked through the stages outlined in this policy.

All complaints will be dealt with impartially and respect the complainants desire for confidentiality. We will enable a full and fair investigation, addressing all points at issue and provide an effective response and appropriate redress where necessary.

In the event of a complaint being made the four stages below will be followed:

Stage 1: Informal Action

- The first point of contact should be your child's class teacher.
- If the matter cannot be resolved easily, clear details will be recorded, including complainant's name, phone number, date and what the complainant thinks may resolve the issue. The teacher receiving the complaint may also consult the executive headteacher at this stage.
- The teacher or executive headteacher will ensure that the parent is clear what action or monitoring of the situation has been agreed.

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- If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

Stage 2: Formal consideration of the complaint

- The executive headteacher acknowledges the complaint, within 5 working days of receiving communication and will enclose a copy of these procedures with the acknowledgement.
- As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
- The executive headteacher, or chair of governors may also be accompanied by a suitable person if they wish.
- The executive headteacher will investigate further, interviewing witnesses as appropriate. If the complaint centres on a pupil, the pupil would normally be interviewed with a parent present or, if this is not possible, with a member of staff who is not directly involved.
- If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
- The executive headteacher will keep written records of meetings, telephone conversations and other documentation.
- All details of a complaint will be kept confidential except in so far as they need to be shared with people who might contribute to their resolution
- Once all relevant facts have been established, the executive headteacher responds. If the complaint was in writing, a written response will be sent.
- Staff will be given the same level of support as the complainant.
- If the complainant is still dissatisfied, they will be advised to write to the governing body.

If the complaint is made against the executive headteacher, the Stage 2 procedures are carried out by the chair of governors. Complaints against the chair of governors or any individual governor should be made in writing to the clerk to the governing body.

Stage 3: Consideration of complaint by review panel

- The chair acknowledges receipt of the written complaint, informing the complainant that the complaint is to be heard by a committee of three members of the school's governing body within 20 working days.
- The chair arranges to convene a review panel elected from members of the governing body. The members will have no prior involvement with the complaint and they will elect a chair for the committee. All relevant documentation regarding the complaint will be given to the members of the committee as soon as possible.
- If necessary and at the discretion of the chair of governors, an independent person will be appointed to conduct the investigation.
- The chair of the committee will write and inform all concerned of the date, time and place of the meeting at least 5 working days in advance. The notification to the complainant will also inform him/her of the right to be accompanied to the meeting by a friend and the right to submit further written evidence.
- It is the responsibility of the chair of the committee to ensure that the meeting is properly minuted.
- After the meeting, the committee will consider the evidence and a written decision will be sent to the executive headteacher and the complainant within 15 working days.
- If the complaint is justified appropriate redress will be offered.

Stage 4: Consideration by the Trust Board

- The Trust Board will acknowledge receipt of the written complaint, informing the complainant that the complaint is to be heard by the Trust Board within 20 working days.

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- The Trust arranges to convene a review panel. The members will have no prior involvement with the complaint at school or governing body level. A chair will be selected. All relevant documentation regarding the complaint will be given to the Trust review panel as soon as possible.
- If necessary and at the discretion of the chair, an independent person will be appointed to conduct the investigation.
- The chair will write and inform all concerned of the date, time and place of the meeting at least 5 working days in advance. The notification to the complainant will also inform him/her of the right to be accompanied to the meeting by a friend and the right to submit further written evidence.
- It is the responsibility of the chair to ensure that the meeting is properly minuted.
- After the meeting, the panel will consider the evidence and a written decision will be sent to the executive headteacher and the complainant within 15 working days.
- If the complaint is justified appropriate redress will be offered.

Stage 5: Consideration by the diocese

- The diocese will acknowledge receipt of the written complaint, informing the complainant that the complaint is to be heard by the diocese within 20 working days.
- The diocese arranges to convene a review panel. The members will have no prior involvement with the complaint at school or governing body level. A chair will be selected. All relevant documentation regarding the complaint will be given to the diocese review panel as soon as possible.
- If necessary and at the discretion of the chair, an independent person will be appointed to conduct the investigation.
- The chair will write and inform all concerned of the date, time and place of the meeting at least 5 working days in advance. The notification to the complainant will also inform him/her of the right to be accompanied to the meeting by a friend and the right to submit further written evidence.
- It is the responsibility of the chair to ensure that the meeting is properly minuted.
- After the meeting, the panel will consider the evidence and a written decision will be sent to the executive headteacher and the complainant within 15 working days.
- If the complaint is justified appropriate redress will be offered.

Closure of complaints

- Very occasionally, we may feel that we need, regretfully, to close a complaint where the complainant is still dissatisfied.
- We will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes.
- Persistent and/or vexatious complainants', if a complainant persists in making representations to the school – to the executive headteacher, designated governor, chair of governors or anyone else - this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.
- For this reason, we are entitled to stop correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and the chair of governors have informed the complainant that the matter is now closed.

Stage 6: The Role of the Education Funding Agency (EFA)

The Education Funding Agency (EFA) handles complaints about academies and free schools. Part of their role is to make sure academies comply with the terms of their funding agreement which is a contract between the academy and the Secretary of State

If a complaint has completed the local, trust and diocese procedures and the complainant remains dissatisfied, they have a right to refer their complaint to the EFA. The EFA will look at complaints about academies that fall into the following areas:

- undue delay or non-compliance with an academy's own complaints procedure

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- an academy's failure to comply with a duty imposed on it under its funding agreement with the Secretary of State
- an academy's failure to comply with any other legal obligation, unless there is another organisation better placed to consider the matter as set out in the next section

They will not investigate complaints that are, for example:

- about the quality of education or leadership, or concerns affecting the school as a whole. These should be raised with Ofsted
- about discrimination. These should be raised with the Equality Advisory Support Service
- about data protection. These should be raised with the Information Commissioner's Office
- about exam malpractice or maladministration. These should be raised with the Office of Qualifications and Examinations Regulation (Ofqual) and relevant awarding body
- about criminal behaviour. These should be raised with the police
- about any matter which is, or has been, subject to legal action
- about employment matters. These should be raised through the academy's grievance procedure, or taken to an Employment Tribunal
- about child protection. These should be taken up with the relevant local authority designated officer (LADO) and/or the Director of Children's Services
- about a child or young person's Statement of Special Educational Need where there is another route of appeal, for example the First Tier Tribunal (Special Educational Needs and Disability) Service formerly the Special Educational Needs and Disability Tribunal (SENDIST)

They will not consider complaints more than 12 months after a decision or action is taken. The only exceptions will be if the delay in sending the complaint was unavoidable or if there is evidence that the academy is not currently complying with legal requirements.

Complaints about academies should be sent:

- via the Department for Education's [schools complaints form](#)
- by post to:

Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Monitoring and review

The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The headteacher logs all complaints received by the school, and records how they were resolved. Governors examine this log on an annual basis.

Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy.

This policy is reviewed annually, or before if necessary.