



The Policy and Procedures for the Handling of Complaints at Our Lady and St Edward's

Our Lady and St Edward's Mission Statement

We are inspired by the teachings of Jesus Christ who is at the heart of all that we do.

Working in unity with our families, parish and community, we encourage and support the children to grow in faith and reach their full potential in a happy, caring and loving environment.

1. Introduction and Scope

We care about what you think

The policy of this School is to work in partnership with parents/carers and the wider community. We try hard to do our best for all our pupils/students. Your views help us plan for the future. We like to know when things are going well. We also want parents/carers to tell us about their worries, concerns or complaints as soon as possible. It is much easier for the school to sort out a recent problem than something that happened some time ago.

Our commitment to you

- We will deal with your concern or complaint in a professional manner.
- It will be looked into thoroughly, fairly and as quickly as possible.
- We will keep you up-to-date with what we are doing.
- We will apologise if the school has made a mistake.
- We will tell you what we are going to do to put things right.

What to do first

If you have a concern about anything we do you can tell us by telephone, in person or in writing. If any of these are difficult for you, a friend or advocate can speak to the school on your behalf. Most concerns or complaints will be sorted out quickly either by putting things right or by explaining the School's actions to you.

Try to go to the member of staff involved or your child's class teacher who will either deal with your issue or pass you on to someone who is more able to help.

Please remember that the beginning or end of the school day can be a very busy time. If you talk to a teacher at these times, for practical reasons, it may not be possible to

sort things out there and then. Be prepared for them to make an appointment to see you/to ring you at a more convenient time.

In considering concerns or complaints, the School will ensure that they are dealt with effectively and with fairness to all parties. Where possible, complaints will be resolved informally. Where a complaint has not been resolved informally, then the formal procedures set out in section “6(ii)” will be followed. Where your concern or complaint is considered sufficiently complex or serious, the school may choose to investigate formally from the outset.

2. What is a concern or a complaint?

- (a) A concern or a complaint is defined as:
- An expression of dissatisfaction about the conduct/operation of the School.
 - The conduct of, actions or lack of actions by a member of staff/the Governing Body/an individual governor.
 - Unacceptable delay in dealing with a matter or the unreasonable treatment of a pupil or other person.
- (b) Concerns or complaints relating to any of the following are not covered by these procedures, as separate procedures apply.

These procedures do not cover:	
Child Protection	School re-organisation proposals
Collective Worship	Services provided by other organisations on the school site or through the school. These organisations must have their own
Functions of the County Council	Sex Education
National Curriculum	Staff grievance and
Pupil Exclusions	Special Educational Needs and Disabilities (SEND)
Reports under Freedom of Information or data protection*	Unauthorised absence fines
School Admissions	

(*Where the concerns or complaints still exist following review.)

Note:

- i) Serious complaints or allegations relating to the abuse of children, assault, criminal or financial matters are also subject to separate procedures. The table above is not exhaustive, and separate procedures may exist for other categories.
- ii) For complaints regarding governors, the school will follow this Policy to resolve the issue.

3. Anonymous Complaints

The School will always give serious consideration to concerns and complaints that are brought to its attention. However, anonymous complaints will not normally be considered.

4. Making a complaint

The school expects that the majority of complaints to be made within three months of the incident being complained of. The school will consider complaints beyond this time frame in exceptional circumstances only.

Dependent on the type of complaint, the following table is a guide to whom it should be referred to:

Type of complaint:	Contact the:
Something that has happened, or failed to happen, in School.	Class teacher
The actions of the class teacher.	Headteacher via the school.
The actions of the Headteacher.	Chair of Governors via the school.
The actions of a governor.	Chair of Governors via the school.
The actions of the Chair of Governors.	Vice Chair via the School.
The actions of the Governing Body	Clerk to the Governing Body via the School.

The School /Governing Body would in most cases hope to resolve concerns and complaints at an informal stage, but the procedures allow for formal consideration of a complaint and a review stage if matters cannot be resolved.

The School is committed to dealing with complaints as speedily as possible and would plan to complete each stage within 20 school days. From time to time, it may not be possible to complete the process in that timescale. Where it is not possible, the complainant will be informed of any delays.

Where complaints are made against an individual member of the school staff or governor, the individual will be informed of the complaint at the earliest opportunity and certainly before any investigation commences.

5. The Complaint Procedures

(i) Informal Stage

The school will seek to resolve complaints informally by letter, telephone call, brief meeting as appropriate. If the complaint is unable to be resolved at this stage, the school

will ask you to put your concerns or complaint in writing and the 'Formal Stage' - Paragraph 5(ii) of the procedures will commence from the date that the letter is received by the school.

If the school has not heard from you by 20 school days, it will assume that you do not want to take things any further and the complaint will be closed.

For concerns regarding the Headteacher, the complainant should put the complaint in a sealed envelope marked 'private and confidential' and addressed to the Chair of Governors via the School. Under the Data Protection Regulations, the school is not permitted to provide the personal details of the Chair of Governors, but the School will forward the envelope to the Chair as soon as possible.

(ii) Formal Stage

This stage will commence when the:

- Informal complaint has not been resolved to the satisfaction of the complainant.
Or
- Complainant has indicated they wish to go straight to the formal stage.
Or
- School feels that the complaint is inappropriate for an informal resolution.

The Headteacher will:

Note: If the complaint is regarding the Headteacher or a governor, this will be investigated by the Chair of Governors, or nominated governor if the Chair has previously been involved.

- Following receipt of the written complaint, formally acknowledge receipt of the complaint and ensure the complainant receives an up to date copy of the School's Complaint Policy and Procedures. It should be clarified what the complainant feels would put things right if it is not clear in the correspondence.
(**Note:** It is acceptable for someone else to write the complaint on behalf of the complainant)
- Seek advice, as appropriate. (Dependent on the nature of the complaint, this could include: the School's Adviser; Clerk to the Governing Body; Legal Services; Schools' HR Team; Finance Officer or Pupil Access Officer.)
- Inform the member of staff (or governor) if the complaint concerns them and provide them with a copy of the complaint and School's Policy and Procedures.
- Arrange and complete a full investigation of the complaint.
- Prepare a report following the investigation; consider what actions need to be taken and whether it be substantiated or unsubstantiated.
- Advise the complainant, in writing, of the outcome of the investigation.
- Should the complaint remain unresolved:
If the Headteacher/Chair has undertaken the investigation, the complainant can request a review to the Complaints Review Committee. The request **must** be received

within 20 school days of the notification and set out the grounds as to which matters remain unresolved.

Note: If the Clerk to the Review Committee does not hear from the complainant within 20 school days of the notification of the outcome of the investigation, the complaint will be closed.

- The Headteacher/Chair of Governors should make a record in the Complaints Register* of the complaint and its outcome. This record may need to be updated by the Chair of the Review Committee in due course. The Complaints Register should be available for Ofsted Inspection purposes.

* **Note:** This is a requirement for Academies and strongly recommended for schools.

(iii) Complaints Review Committee

In very exceptional circumstances where the complaint has not been resolved by the Headteacher/Chair of Governors, a meeting of the Complaints Review Committee will be arranged to review the complaint. The request **must** be made in writing to the Clerk of the Review Committee via the school. The request for the review **must** clearly set out the grounds as to which matters remain unresolved.

The Clerk to the Review Committee will convene the Complaints Review Committee. It is not expected to take more than 20 days to convene but the Clerk to the Committee will update the complainant as appropriate.

The Committee will:

- Consider the written materials;
 - Consider the complaint and the Headteacher's (or Chair of Governor's) action.
 - With the Clerk, prepare an Agenda and invite the Headteacher and/or Chair of Governors, (as appropriate) and the complainant to the meeting.
- Note:** It is the responsibility of the Headteacher/Chair of Governors and complainant to secure their own witnesses and neither party can dictate who the other party brings.
- Seek advice and support as necessary.

At the end of their review, the Complaints Review Committee will:

- Determine whether to dismiss or uphold the appeal in whole or part.
- Where upheld, decide on recommendations that should be reported to the Governing Body by the Chair of the Review Committee.
- Advise the Headteacher/Chair of Governors (as appropriate) and complainant of their findings.
- Advise the complainant of any further action they may wish to take if they remain dissatisfied.

Following the review, the Chair of the Committee will arrange for the School's Complaints Register to be amended to include a brief summary of the complaint and the findings of the Complaints Review Committee. In addition, the Chair of the Committee will ensure that the matter in general terms and any recommendations be reported to the Governing

Body.

This concludes the School's Complaints Procedure.

6. Withdrawal of a Complaint

If the complainant wishes to withdraw their complaint at any time, they will be asked to confirm this in writing.

7. The Role of the Local Authority or Diocesan/Church Authority

The role of the Local Authority (LA) (or the Diocesan/Church Authority for church schools) is prescribed by legislation. In responding to complaints about schools, the LA will explain to the complainant:

- That schools are self-managing and are responsible for administering procedures that deal with complaints made against them.
- The appropriate procedures for their complaint and refer them to the Headteacher, Chair of Governors or Clerk, as appropriate.
- The school may seek advice and support from the appropriate Local Authority Officer or the School's Adviser (or the Diocesan/Church Authority for church schools).

8. Social Media

Whilst the school accepts that complainants have a right to an opinion and make it public through the use of social media, complainants are reminded that they are not entitled to use social media to defame or harass individual staff or governors.

9. Calculation of time

All references in this Policy to 'days' should be taken to mean school days and therefore will not include weekends, school holidays or INSET days.

10. Arrangements for handling complaints from parents of children with special educational needs (SEN) about the support the school provides

The complaint procedure for special educational needs mirrors the school's other complaints procedures. Should a parent or carer have a concern about the special provision made for their child they should in the first instance discuss this with the class teacher. If the matter is not resolved satisfactorily parents have recourse to the following:

- discuss the problem with the SENCO
- discuss the problem with the Headteacher

· More serious on-going concerns should be presented in writing to the SEN Governor, who will inform the Chair of the Governors

Parents are informed about Information Advice and Support Services (formerly Parent Partnership)

Parents can be signposted to the Lancashire SEND team for support.

The SEN Code of Practice outlines additional measures the Local Authority must set up for preventing and resolving disagreements. Parents/carers will be given the necessary information upon request.

11. Next stage

Complainants who remain unsatisfied with the outcome may refer their complaint to the Secretary of State for Education.

National Helpline: **0370 000 2288**

On line: **www.education.gov.uk/help/contactus**

Or by writing to:
Department for Education
School Complaints Unit
2nd Floor Piccadilly Gate
Stove Street
Manchester
M1 2WD

The role of the Secretary of State is to review that the School has followed their published procedures. The Secretary of State (via the Department of Education) does not facilitate a rehearing of a complaint

12. Policy for Unreasonable Complainants

Our Lady and St Edward's Catholic Primary School 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 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, offensive or threatening.

Our Lady and St Edward's Catholic Primary School defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

A complaint may be regarded as unreasonable when the person making the complaint:-

- refuses to articulate 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 complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints

procedure;

- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or 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, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

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 and 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.

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 asking them to change it. For complainants who excessively contact Our Lady and St Edward's Catholic Primary School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed.

Our Lady and St Edward's Catholic Primary School may take action to ban an individual from the school premises.

Dated November 2018

Agreed by Governors 22.11.18