



St. Joseph's Catholic Primary

School Complaints Policy

This General Complaints Procedure has been approved and adopted by the Governing Body and will be reviewed annually. Last review date December 2019

Next review date December 2021

Mission statement

As a Catholic School we value the special identity that God's love has created in each of us.

The Gospel inspired values of trust, honesty, self-respect, self-discipline and forgiveness are at the heart of our everyday loving and caring for one another.

All our curriculum activity reflects these principles as we search faithfully for excellence.

Together with parents, families, the church and the community, we encourage each individual to develop their God given talents and skills and realise their unique potential.

General Complaints Procedure

This procedure will be used by the School's Governing Body when dealing with general complaints; it is for parents, carers and members of the public to use to raise informal and formal complaints with the school and the Governing Body. Most parents/carers of the students at St Joseph's Catholic Primary School have a positive relationship with the school, but sometimes a problem may arise. Governing Bodies of schools are required by law under Education Act 2002 (Section 29) to establish a procedure which deals with complaints. All concerns will be taken seriously at the earliest stage to help reduce the numbers that develop into formal complaints. It is important that complainants have confidence in the procedure and know that their concerns and complaints will be investigated fully and impartially. If a complainant needs some kind of support in order to raise a concern or complaint, then efforts will be made to ensure this is available to enable them to fully participate in the process. Formal complaints must always follow the complaints procedure and where possible be made in writing, using the Complaints Form (Appendix 1) which is available from school or via the school website.

All parties need to be clear about 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 generally defined as '*an expression of dissatisfaction, about actions taken or a lack of action*'. Concerns should be handled, if at all possible, without the need for formal procedures. In most cases your child's teacher will be the first approach and may be able to resolve an issue immediately. The existence of a complaints procedure should not be seen as a way of undermining efforts to resolve a concern informally. The formal complaints procedure will need to be used where initial attempts to resolve the issue have been unsuccessful and the person raising the issue remains dissatisfied and wishes to take the matter further.



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This procedure does not cover complaints that relate to matters regarding Child Protection, school admissions and appeals, statutory assessment of SEN, exclusions of students from school, whistleblowing, services provided by other providers using the school premises or staff grievances or disciplinary matters for which there are separate arrangements. If the complaint is of a serious nature or if the school is unsure as to whether it should be dealt with under the general complaints procedure, advice will be taken from the Rotherham Local Authority. If at any point during the procedure it becomes apparent that the complaint is potentially a disciplinary matter relating to a member of staff, the procedure will be stopped and advice sought from the Rotherham Local Authority. All appropriate and involved parties will be notified.

General Principles

The procedure for handling complaints will be:-

- Accessible and simple to understand and use.
- Impartial and non-adversarial.
- Time-limited to ensure a prompt resolution to the complaint.
- Respectful of any request or need for confidentiality.

Written records of all meetings that take place in relation to both concerns and complaints will be produced and maintained for a period of 6 years.

The Governing Body will review the number and type of complaints annually to see whether patterns or themes are emerging in the content of complaints and whether procedures or systems can be improved as appropriate.

Stages of the Complaints Procedure

There are four defined stages:

- Stage One: The complaint is heard informally by a staff member (not the subject of the complaint).
- Stage Two: The complaint is heard formally by the Headteacher. If the complaint is about the Headteacher, this should move directly to Stage Three.
- Stage Three: The complaint is heard formally by the Chair of Governors.
- Stage Four: The complaint is heard by the Governing Body's Complaints Committee.



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Resolving Complaints

At each stage in the procedure all parties should keep in mind ways in which a complaint can be resolved. It is important to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues. To help in identifying areas of agreement between the parties complainants will be encouraged to state what actions they feel might resolve the problem at any stage.

Time-Limits

Complaints should be considered, and resolved, as quickly and efficiently as possible. Complaints should therefore be raised within 3 months of the event taking place, except in exceptional and mitigating circumstances. Written complaints will be acknowledged within five school days with a full reply within 20 school days unless some unforeseen circumstance occurs e.g. staff absence, or the complaint falls close to the end of a school term or is particularly complex. The complainant will be notified of the delay and reason, in writing, and a new expected response date agreed.

Standards for handling complaints

- Complainants will be treated with courtesy, respect and fairness at all times.
- Complainants will treat staff dealing with their complaint with courtesy, respect and fairness.
- Complaints will be dealt with in confidence within the school.
- Complaints will be dealt with promptly.
- Complainants will not be treated less favourably than anyone else because of:
 - Their sex, legal marital or same-sex partnership status: this includes family status, responsibility for dependants, and gender (including gender reassignment, whether proposed, commenced or completed)
 - sexual orientation
 - colour or race: this includes ethnic or national origin or nationality
 - disability
 - religious or political beliefs, or trade union affiliation
 - any other unjustifiable factors, for example language

Third Party Reporting

Complainants may wish to have a third party act on their behalf. A third party is any person or organisation acting on behalf of, or making enquiries for, the complainant. For example, third parties may include:



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- Advice organisations.
- Professionals such as social workers, community psychiatric nurses or doctors, solicitors.
- Family members or friends.
- Interpreters for second language.
- Interpreters for the deaf.

Where a third party is helping a complainant, the school requires written consent to that effect. Where this consent is in place, the third party will, as far as possible, be kept informed of progress on the complaint.

Confidentiality

All complaints received will be dealt with confidentially and in accordance with the requirements of the Data Protection Act 1998, subject to the need to disclose information as required by statutory authorities, and/or as a result of statutory, legal or parliamentary obligations placed on the Commission.

Complaints Procedure

Stage 1 (Informal)

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. Informal complaints can be made in person, by telephone or in writing. Most concerns, comments and complaints can be resolved informally by contacting the appropriate member of staff, the Headteacher or other nominated senior member of staff at the school, and do not develop into formal complaints.

Anyone who wishes to raise a concern should ask for an appointment to meet with an appropriate member of staff at an agreed time. At the meeting, the nature of the concern should be clarified and brief details recorded. The parties involved should discuss and be encouraged to offer their view of what would be a realistic resolution to the problem. If the member of staff first contacted cannot deal with the matter, he/she may need to refer the matter to a colleague. Before doing so, the nature of the concern should be clarified, details recorded (name of person, contact address or phone number, nature of concern, date when concern raised and date(s) of any relevant incident or event) and the person should be notified of the likely time-scale of a response. If the matter cannot be resolved at this stage, and the person wishes to take it further, they should be given clear information about how to proceed with a formal complaint. At this stage, members of the Governing Body should not be approached in case they are needed at a later stage of the procedure.



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Stage 2 (Headteacher)

All formal complaints should be submitted to the Headteacher, unless the complaint is in respect of the Headteacher, in which case it should be submitted to the Chair of Governors (stage 3). If the matter cannot be resolved after the completion of this stage, and the complainant wishes to take it further, they will be given clear information about how to proceed with a formal complaint at Stage 3.

Stage 3 (Chair of Governors)

All formal complaints which remain unresolved following an investigation carried out by the Headteacher or are complaints about the Headteacher should be submitted to the Chair of Governors for further consideration. If the matter cannot be resolved at this stage, and the complainant wishes to take it further, they will be given clear information about how to proceed with a formal complaint at Stage 4.

Stage 4 (Complaints Committee)

An issue that has not been resolved through informal and formal procedure (Stages 1, 2 and 3) will escalate to a full investigation by the Governing Body's Complaints Committee. The complainant must write to 'The Clerk to the Governing Body' (marking it 'private and confidential - complaint') giving details of the complaint and asking for it to be dealt with at Stage 4. The Clerk to the Governing Body will write to the complainant within five school days of receipt and advise them of the name of the Governor who will chair the Stage 4 panel, and outline the timescales for the process. The Clerk to the Governing Body will then convene a meeting of the Governing Body Complaints Committee, within 20 school days of receipt of the letter. The Governing Body Complaints Committee is made up of three Governors.

Individual complaints will not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing following a serious complaint against a member of staff. It should be made clear who can attend the meeting and both the complainant and the person/people subject to the complaint advised that they may bring someone to support or represent them. The date, time and venue of the hearing, should be agreed to ensure that they are convenient and accessible to all parties. The Clerk to the Governing Body will arrange for copies of all the relevant documentation to be sent to all people invited, ensuring that everyone has copies to read through at least 5 school days before the date of the meeting. It is recommended that the Panel meet prior to the hearing to agree any questions that they may have from the paperwork, and also to agree how questions will be raised during the hearing.



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Proceedings at the Meeting

The Chair of the Complaints Committee will introduce him/herself and ask the people present to introduce themselves. The Chair will explain the purpose and format of the meeting and advise those present that at any time they can ask for a short break. It should be noted that complainants may feel uncomfortable speaking in front of a large number of people, and therefore it may be more productive for people to be invited into part of the hearing only. It needs to be made clear by the Chair at the start of the meeting, who will be present for what part of the meeting.

The complainant will be asked to give a verbal statement in support of his/her written letter of complaint and why he/she feels that the issue has not been resolved. He/she will be permitted to call witnesses and to produce relevant documentation.

The person subject to the complaint will be given the opportunity to ask questions of:

- The complainant on the evidence given by him/her.
- Any of the witnesses the complainant has called on their evidence.

The Chair and other Complaints Committee members will take the opportunity to ask questions and seek clarification.

The person subject to the complaint will be given the right of reply, to state his/her case, to call witnesses and to produce relevant documentation.

The complainant will be given the opportunity to ask questions of:

- The person subject to the complaint on the evidence given by him/her.
- Any of the witnesses the person subject to the complaint has called on their evidence.

The Chair and other Complaints Committee members will take the opportunity to ask any further questions they may have. When the Complaints Committee members understand all the issues, the Chair will ask all parties to leave, except the members and the clerk.

After the meeting

The Complaints Committee members will discuss the issues and consider the information, come to a decision and suggest a way to resolve the issue. When the Complaints Committee has reached a decision the Chair will inform everyone concerned in writing of its conclusion within 10 school days of the meeting. The decision of the Complaints Committee is final and will be reported to the Governing Body ensuring that any issues coming out of the investigation are put into action. Once a Complaints Committee has heard a complaint and it is clear that correct procedures have been followed, that specific complaint cannot be reopened or re-heard. The matter will then be closed as far as the school is concerned. The complainant should also be



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made aware that there is no right of appeal to the Local Authority if they are still dissatisfied. If a request is received in this respect, the complainant should be advised that they can write to:

The Schools' Adviser
The Hallam Pastoral Centre
St Charles Street
Sheffield
S9 3WU

The Role of the Schools Complaints Unit (SCU)

If a complaint has exhausted the local procedures and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State who has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so. The SCU will examine if the complaints policy and any other relevant policies were followed; they will also determine whether the policies adhere to education legislation. They will not re-investigate the substance of the complaint. This remains the responsibility of the school. If legislative or policy breaches are found, these will be reported to the school and the complainant and, where necessary, require remedial action to be taken. Failure to carry out remedial actions could ultimately result in a formal Direction being issued by the Secretary of State.

The SCU can be contacted via the National Helpline - **03700 000 2288**, online at: www.education.gov.uk/help/contactus or in writing at Department for Education, School Complaints Unit, 2nd Floor, Piccadilly Gate, Store Street, Manchester M1 2WD

Serial and Persistent Complaints

Problems may arise where the complainants remain dissatisfied. When the school has done all it can to respond to a claimant the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed. If the complainant continues to contact the school on the same issue, the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond.

The application of the term 'serial or persistent' will only be against the subject of the complaint rather than the complainant. The school will not stop responding to an individual just because they are difficult to deal with or ask complex questions.

Further information and advice can be found on the Department for Education's **Best Practice Advice for School Complaints Procedure 2016 (January 2016)** which can be found on the following link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/346867/School_Complaints_Toolkit_2014.pdf



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Checklist for Complaints Procedure

| ACTIONS | PERSON RESPONSIBLE | DATE COMPLETED |
|--|--------------------|----------------|
| Current Complaints Procedure document on the school website | | |
| Complaint Form on school website | | |
| Copies of Complaint Form available from reception | | |
| Record of complaints maintained | | |
| Complaints added to GB agenda and list of complaints and their resolution prepared | | |



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COMPLAINTS FORM

Appendix 1

Please read the school's Complaints Procedure (available on the school website or from the school reception) before completing the form below and returning to the school.

Name of Complainant:

Address:

Day Time Telephone Number:

Evening Telephone Number:

Student's Name:

Your Relationship to the Student:

Please give details of your complaint:

What action have you already taken to try and resolve the complaint? (Who have you already spoken to and what happened as a result?)

What action do you think might resolve the problem at this stage?

Are you attaching any additional paperwork? If so, please give details:



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| | | |
|---|--------------|----------------|
| | | |
| Signature: | | Date: |
| OFFICIAL USE BY SCHOOL ONLY | | |
| Complaints form received: YES / NO | Date: | Signed: |
| Acknowledgement Sent: YES / NO | Date: | Signed: |
| Complaint referred to: | Date: | Signed: |
| STAGE 1 (Informal) | | |
| Action taken: | Date: | Signed: |
| STAGE 2 (Headteacher) | | |
| Complaints form received: YES / NO | Date: | |
| Acknowledgement Sent: YES / NO | Date: | |
| Meeting: Phone Call: YES / NO | Date: | |
| Written response sent: YES / NO | Date: | |
| STAGE 3 (Chair of Governors) | | |
| Complaints form received: YES / NO | Date: | |
| Acknowledgement Sent: YES / NO | Date: | |
| Meeting: Phone Call: YES / NO | Date: | |
| Written response sent: YES / NO | Date: | |
| STAGE 4 | | |



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| Complaints form received: | YES / NO | Date: |
|----------------------------------|-----------------|--------------|
| Acknowledgement Sent: | YES / NO | Date: |
| Meeting: | YES / NO | Date: |
| Written response sent: | YES / NO | Date: |