

St John Henry Newman Catholic Primary School



Complaints Procedure

Approved: May 2025

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Complaints Procedure

Who can make a complaint?

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

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 complaints procedure. We take 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, the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher 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, we will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

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

Complaints against school staff (except the Headteacher) should be made in writing to the Headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors c/o the Clerk, via the school office. Please mark them as Private and Confidential.

Please use the **Complaints Form (Appendix 1)**. If you require help in completing the form, please contact the school office. You can also ask a third-party organisation, for example 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. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

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.

Timescales

We will aim to consider complaints as quickly and efficiently as possible. Any deviation from our published process will be resolved and communicated to the complainant. 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 only consider complaints made outside of this time frame if exceptional circumstances apply. This time limit has been established because investigation is more difficult after a period of time: memories may not be as clear as they would have been earlier, records may not be as readily available, and witnesses may no longer be employed at the school.

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.

Scope of this complaints procedure

This procedure covers all complaints about any provision of community facilities or services by the school, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> Admissions to schools 	<p>Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.</p>
<ul style="list-style-type: none"> Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</p>

<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*Complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against a school in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, we want 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 in light of the complaint
- an apology
- a decision that no action is necessary or justified, with a full explanation

Withdrawal of a complaint

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

Stage 1 – Informal concerns

It is to be hoped that most concerns can be expressed and resolved on an informal basis. Every effort will be made to resolve matters informally.

Concerns should be raised with either the class teacher, phase leader, Assistant Headteacher or Headteacher. 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 3 of the procedure.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide a written response within **10 school days** of the date of receipt of the complaint.

If the issue remains unresolved, the next step is to make a formal complaint.

Stage 2 – Formal complaints

If matters are not resolved through discussion at the informal stage, the complainant may decide to submit a formal complaint. Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This must be done in writing on the **Complaint Form (Appendix 1)**.

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 **3 school days**.

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

The Headteacher will investigate the matter.

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:

- investigate the matters raised thoroughly
- 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.

Occasionally the complaint may be too complex to investigate within this time frame. 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 the school 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 2.

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 2.

Complaints about the Headteacher or member of the Governing Body must be made to the Clerk, via the school office. This must be done in writing on the **Complaint Form (Appendix 1)**.

It is important to note that the decision that the Headteacher has made as a result of the complaint does not become a new complaint about the Headteacher. Therefore, any subsequent referral to a Stage 3 Panel Hearing is to review the original complaint and does not form a complaint against the Headteacher.

Stage 3 – Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing - consisting of at least three governors who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school (this may be a governor of another school). This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the School Clerk, via the school office, within **10 school days** of receipt of the Stage 2 response. This must be done in writing on the **Complaint Form (Appendix 1)**. Please mark it as Private and Confidential.

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 3 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 on the basis of written submissions from both parties.

If the complaint is:

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

Stage 3 will be heard by the Governors and an independent panel member (this may be a governor from another school). A Clerk will take notes of the meeting.

A complainant may bring someone along to the panel meeting 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 complaints 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 **5 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. Covert recordings will not be accepted as evidence.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint. 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 for recording in such circumstances before meetings or conversations take place. Consent will be recorded in any minutes taken.

The complainant and the Headteacher (or their representative) should present all the relevant information they wish, and the complaints panel members should clarify any points.

The complainant will be invited to give a verbal statement in support of his or her written complaint and why s/he feels that the issue has not been resolved. The Headteacher (or their representative) will be asked to provide a verbal statement in support of his or her written account of the complaint and the steps taken to resolve the issue.

Panel members will ask questions to clarify any points and to make sure they fully understand the issue from the complainant's point of view and from the Headteacher's point of view.

After the Headteacher (or their representative) has provided all the information they wish, the chair will ask all parties to leave except the panel members and the clerk.

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

(In the event of an evenly split vote, the chair has the casting vote.) 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 the school 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 Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by the school.

The response will detail any actions taken to investigate the complaint and provide an explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the school will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by email or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the Headteacher.

A written record will be kept of all formal complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

If a complainant is not satisfied that the complaint has been properly dealt with by the school, they may contact the Local Authority who will review the Governor Complaints panel decision. Only if there are exceptional circumstances, such as undue delay or failure to follow the complaint procedures above correctly, would the stage three of the complaints procedure be rerun.

Appendix 1

Complaint Form

Please complete and return to Headteacher (for Stage 2) or Clerk (for Stage 3) who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name & school (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number: Email address:
Please give details of your complaint.

What actions, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)

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

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

Signature:
Date:
Official use
Date acknowledgement sent:
By whom:
Complaint referred to:
Action taken:
Date:

Appendix 2

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

(Generally, complaints are coordinated by the Headteacher)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, Chair of Governors and to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Panel Chair

The panel's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly

important if the complainant is a child/young person

- the remit of the panel is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator if the school has one).

Panel Member

Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
(No governor / director may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.)
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant
(We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.)
- many complainants will feel nervous and inhibited in a formal setting
(Parents/carers often feel emotional when discussing an issue that affects their child.)
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
(Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated. The panel should respect the views of the child/young person and give them equal consideration to those of adults. If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.)
- the welfare of the child/young person is paramount.

Appendix 3

Serial and Persistent Complaints

St John Henry Newman 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 our schools. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behavior, including that which is abusive, offensive or threatening.

Once the school has followed all the stage of the complaints procedure, we will inform the complainant that the matter is closed. There may be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. If the complainant contacts us again to try and re-open the same issue, this can be classed as a persistent or 'serial' complaint and we may choose not to respond.

We may receive complaints we consider to be unreasonable, 'frivolous' or 'vexatious', including

- complaints that have been dealt with before
- out of the scope of the complaints procedure (e.g. staff conduct)
- complaints which are obsessive, persistent, harassing, prolific, defamatory or repetitious
- insistence upon pursuing unmeritorious or unfounded complaints and/or unrealistic outcomes
- valid complaints but pursued in an unreasonable manner – e.g. refuses to articulate the complaint, refuses to follow with the complaints procedure and the timeframes it sets out
- demands for redress that lack any serious purpose or value
- makes some complaints about staff who are trying to deal with the issues and seeks to have them replaced.
- uses abusive, offensive, or discriminatory language or violence
- contacts the school repeatedly and/or we believe their intention is to cause disruption, annoyance, inconvenience or excessive demands on staff time

(This list is not exhaustive)

Where we deem a complaint unreasonable, and we believe we have taken all reasonable steps to help address the complainants' concerns, we may stop responding. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. Where we stop responding, we will inform the individual that we intend to do so. The decision to close complaints or to stop responding will not be taken lightly.

The case to stop responding will be stronger if one or more of these statements applies:

- the complainant's letters, emails, or telephone calls are often or always abusive or aggressive
- they make insulting personal comments about or threats towards staff
- we have reason to believe the individual is contacting us with the intention of causing disruption or inconvenience

Once we have decided that it is appropriate to stop responding, we will inform the individual. We will not stop responding just because an individual is difficult to deal with or asks complex questions.

If an individual's behaviour is causing a significant level of disruption, regardless of whether or not they have raised a complaint, schools can implement a tailored communication strategy. For example, they can:

- restrict the individual to a single point of contact via an email address
- limit the number of times they can make contact, such as a fixed number of contacts per term
- advise the complainant to engage a third party to act on their behalf, such as Citizens Advice
- seek legal advice if an individual persists to the point that may constitute harassment
- contact the police in response to any serious incident of aggression or violence.
- put any other strategy in place as necessary

Duplicate Complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject, e.g. from a partner, family member or other individuals, we will assess whether there are aspects that we have not previously considered or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will let the complainant know that we have already investigated and responded to this issue, and that the process is complete. If appropriate, we will provide an excerpt of the outcome already concluded.

If there are new aspects to the complaint, we will follow this procedure again.

Appendix 4

Summary of Complaints Procedure

Stage 1 - Informal Stage

School staff seek to resolve the complaint through discussion with the complainant.

If required, the complainant should submit a formal complaint within 3 months of the cause of the complaint. If the complaint is received outside of term time, the calendar day timings for managing the complaint will start on the first school day after the holiday period.

Stage 2 - Formal Stage

Formal complaint to the Headteacher:

- complaint received by the Headteacher on the Complaints Form*
- acknowledgement within 3 days
- investigation (including any discussion with the complainant)
- formal written response from the Headteacher within 15 days of date of receipt of complaint (*If

the complaint is about the Headteacher the complaint will be directed to the Chair of Governors)

Stage 3 – Panel Hearing

Request to escalate to a governors' Panel Hearing:

- received by the clerk within 10 school days of receipt of the Stage 2 response
- acknowledgement from the clerk within 5 days
- panel meets within 20 school days of receipt of the Stage 3 request
- formal written response within 10 days of the panel hearing

If the complainant believes a 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 ESFA after they have completed Stage 3.