



Complaints Procedure Policy

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Our Mission Statement

At St Anne's RC Primary School, we work together, learn together, play and care together in God's love to enable each unique person to achieve their full potential.

We aim to meet the needs of every child through a challenging, enriched curriculum, where everyone feels valued and respected.

Providing a safe, secure and stimulating learning environment through an inclusive partnership between children, parents, our school, our church and the wider community.

1. Introduction

Our school is committed to developing a strong sense of partnership with parents/carers and other members of the local community. This provides a good basis for understanding and resolution when things appear to go wrong.

This policy describes the procedure to be followed when complaints are made by parents/carers and others about the conduct of the school or the actions of any member of staff or Governing Body. It is in line with the DfE Best Practice Advice for School Complaints Procedures 2016 and our obligations and duties in relation to Section 29 of the Education Act 2002 and The Equality Act 2010.

2. The difference between a concern and a complaint and what Constitutes a Complaint in Our Procedure

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 the standard of service, actions taken or a lack of actions, by a school or its staff affecting an individual or a group.'

Members of the public, parents/carers and pupils/students may legitimately express dissatisfaction about aspects of our work.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. St Anne's will take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

3. Why Have We Adopted a General Complaints Procedure?

There are occasions when complainants would like to raise their concerns formally. In those cases, our formal procedure will be invoked through the stages outlined within this policy.

We hope that our policy will help to ensure that most concerns/complaints are resolved quickly and smoothly and as close to the source of the misunderstanding or problem as possible. In this way complainants can feel assured from the outset of a fair hearing in line with a defined procedure for dealing with issues that have not immediately been resolved. We also hope that a staged framework, together with an opportunity for mediation/conciliation where possible might prevent an early and unnecessary escalation of the problem. In addition, by reviewing lessons learned from the investigation of complaints we hope to improve the school's policy and practice.

4. Who can make a complaint?

Any person, including members of the general public, may make a complaint about any provision of facilities or services that our school provides, unless separate statutory procedures apply (such as exclusions or admissions – see Appendix A)

5. The Policies Guiding Principles

Our Complaints Procedure:

- 5.1 Is simple to understand and use, with straightforward, well-publicised stages;
- 5.2 Encourages resolution of problems by informal means wherever possible;
- 5.3 Provides opportunity/opportunities for mediation/conciliation where possible;
- 5.4 Is easily accessible and publicised, with complainants knowing exactly where, how and to whom they should complain;
- 5.5 Enables swift handling within establishments time-limits, with complaints being dealt with promptly, effectively and professionally within stated time limits at as early a stage as possible and with complainants being kept informed of progress;
- 5.6 Enables effective action - with action being agreed and reviewed and complainants being kept informed of progress throughout each stage of the procedure;
- 5.7 Is impartial, ensuring a full and fair investigation by an independent person where necessary, with an assurance that, beyond the first informal stage response to a concern raised against an individual, the subject of the complaint will not deal with it but will instead refer it to his or her manager or Chair of Governors as appropriate.
- 5.8 Is non-adversarial., with opportunities provided for resolution without conflict;
- 5.9 Is confidential, with respect for people's desire for confidentiality;
- 5.10 Addresses all the points at issue, with provision of an effective response
- 5.11 Provides information and enables development, providing information, where appropriate, to the school's Leadership Team/Governing Body and giving opportunities for the School to consider changes to current practice on the basis of what complainants are saying.

Those involved in the complaints process will ensure that it takes place in the context of the requirements of Child Protection, Special Educational Needs, employment legislation and other relevant procedures.

6. 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:

- 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 with a particular complaint, we need written consent to that effect. Where we have this authority, we will endeavour to take all possible steps to keep the third party informed of progress on the complaint.

7. Our Procedure for Handling Complaints

7.1 Response Standards

We believe that most concerns/complaints can be resolved satisfactorily by informal discussion whether over the telephone or through a meeting involving the key people involved.

In the case of a lengthy investigation complainants will be kept informed of progress.

The main aim throughout the procedure is to resolve the matter as quickly and effectively as possible, to everybody's satisfaction.

7.2 Stage One: Informal Concerns

Parents/carers and others should raise concerns with the child's class teacher. If a parent believes that the complaint or concern is serious or sensitive s/he should talk to the Phase Leader who will investigate, and then report back either in writing or, more usually at this informal stage, through a discussion with the complainant. If still dissatisfied, the concern will be referred to the Deputy Head, followed by the Head if the complaint remains unresolved. Complaints should be raised within 6 months of the issue or incident.

All colleagues involved in informal concerns will keep written records, and will record the date on which the informal concern was raised.

- Every effort will always be made to resolve the problem at this informal stage, including possibly, the offer of a conciliation meeting.
- Complainants who remain dissatisfied at this stage will be informed that they have the opportunity to make a formal complaint.
- Individual complaints will not, at any stage, be heard by, or referred to, the whole Governing Body, as this could compromise the impartiality of any appeal or any disciplinary hearing against a member of staff following a serious complaint.

7.3 Stage Two: Formal Complaints

- We expect complaints to be made as soon as possible after the incident arises. Complaints should be raised within 6 months of the issue or incident.
- When a complainant has expressed an interest in making a formal complaint, they will be given a copy of the complaints procedures policy and reminded of the ten school working day time limits included in the process.
- Formal complaints should be made in writing (Appendix B), should state clearly that a formal complaint is being made and will normally be investigated, in the first instance by the Headteacher who will provide a response.
- If a complainant may have difficulties in the writing of a formal complaint s/he will be offered support.
- Any other governors in receipt of complaints will refer them to the Headteacher or the Chair of Governors as appropriate, and will not, themselves, become further involved.
- If the complainant is dissatisfied with the Head Teacher's response, s/he will contact the Chair of Governors.
- The Chair of Governors will determine a method of further investigation and provide a formal response to the complainant using the template in Appendix E.
- If the Head Teacher/Chair of Governors considers that the complaint is complex – for example, if it contains many different elements or may have a legal dimension – s/he will refer it to the schools HR Advisor or other appropriate officer for possible support.
- If the Chair of Governors feels that it would not be appropriate for him/her to investigate the complaint, s/he may delegate the Vice-Chair of the Governing Body or another governor to carry out the task and report confidentially to him/her. In exceptional circumstances the Chair of Governors might request that an Education Officer carry out the investigation. The complainant will receive a written response to his/her complaint using the template in Appendix E. A meeting may also be arranged.
- If an Education Officer has carried out an investigation on behalf of the Chair of Governors, s/he will report in writing confidentially to the Chair of Governors using the template in Appendix E. The Chair will normally share the whole response with the complainant, bearing in mind data protection requirements.
- Individuals investigating complaints will not visit complainants' homes. Alternative venues will be agreed.
- A written response following a formal complaint will be checked to ensure its factual accuracy and appropriateness before it is made available to the complainant.

- In some cases, a complaint may lead to disciplinary action against an individual, for which there are separate procedures. If this is the case the complainant will be informed that the complaint will be pursued through disciplinary action. Under the Governing Body's disciplinary procedures, the outcome of these procedures is confidential.
- We will investigate a complaint and aim to respond within ten working school days. If we cannot provide a full response within ten working school days then we will write to the complainant explaining this and giving a date by which we will endeavour to provide a full response.
- When receiving the results of an investigation into a formal complaint carried out by/on behalf of the Chair of Governors, complainants will be informed of their right to request a review by a Panel of the Governing Body and reminded that the time limit for requesting a review hearing is ten working school days from the date of receiving feedback from the investigation.

7.4 Stage Three Review

- If complainants are not satisfied with our response they may ask for the complaint to be reviewed by the Grievance Panel/Hearing Committee of the Governing Body. The school will seek guidance on this process from our HR Advisor. This panel will be composed of at least three members of the School's Governing Body who have no connection with the issues under review. The Committee will decide if the complaint has merit by reviewing the written information and any written submissions provided by any party, and will make any recommendations it feels appropriate to enable resolution of the matter. The outcomes of this panel review will be communicated in writing to both sides by the Chair of the Panel within ten working school days of the review, with reasons for the outcomes.
- The proposed date for the Panel to provide a response following the review will be communicated to the complainant within ten working school days of receipt of the request for the Review.
- Under this complaints procedure there is no provision for further appeal beyond Stage Three.
- If at any point, a complainant requests to proceed to the next stage of the complaints procedure at a time past the ten working school day time limit, s/he will normally be told in writing that the complaint has expired and is closed; however the school will consider exceptions.
- Complaints should be raised within 6 months of the issue or incident.

8. Complaints Against the Head Teacher

- If the complaint directly concerns the Head Teacher, complainants will contact, in writing as above, the Chair of Governors, who will investigate the complaint. Complaints should be raised within 6 months of the issue or incident.

9. Complaints Against Chairs of Governors

- In the event of a formal complaint being made against the Chair of Governors, the complaint should be made in writing to the Clerk of the Governing Body (Appendix B).
- The complaint will be reviewed by the Grievance Panel/Hearing Committee of the Governing Body. The School will seek guidance on this process from a Management Support Officer. The Committee will decide if the complaint has merit by reviewing the written information and will make any recommendations it feels appropriate to enable resolution of the matter. The outcomes will be communicated in writing within ten working school days to both sides by the Chair of the Panel, with reasons for the outcomes given.
- The Review will normally take place within ten working school days of receipt of the request. If this is not possible, the complainant will be informed of the review date.
- Under this complaints procedure there is no further stage for a complaint against the Chair of Governors.
- Complaints should be raised within 6 months of the issue or incident.

10. Complaints Against Governors

- A formal complaint against a governor other than the Chair will be referred to the Chair, who will investigate and then decide on any appropriate action. In extreme cases this might include making a recommendation to the Governing Body about possible suspension (*See A Governor's Guide to the Law*).
- Complaints should be raised within 6 months of the issue or incident.

11. Unreasonable Complainants

St Anne's 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.

St Anne's 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 cooperate 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 number 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 St Anne's 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. This may include banning an individual from St Anne's Primary School.

12. Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. St Anne's will therefore act to ensure our school remains a safe place for pupils, staff and other members of our community.

If a parent's behaviour is a cause for concern, St Anne's can ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied license to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. We would always give the parent the opportunity to formally express their views on the decision to bar in writing. The decision to bar will then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent will be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

13. Additional Points

- Whilst the formal Complaints Procedure is in process, efforts will be made, where possible, to resolve the issues by the use of negotiation/conciliation/mediation outside of the Complaints Procedure itself, on the understanding that any such process will not, in any way affect the rights of any individual within the Complaints Procedure.
- Reports will be made to the Governing Body on the number/nature of formal complaints lodged, but only after such complaints are fully closed.

APPENDIX A

Complaints not in scope of the policy

Our policy covers all complaints about any provision of facilities or services that we provide with the exceptions listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
<ul style="list-style-type: none">• Admissions to schools (Reception to Year 6)• Statutory assessments of Special Educational Needs (SEN)• School re-organisation proposals• Matters likely to require a Child Protection Investigation	Concerns should be raised directly with local authorities (LA). For school admissions, Manchester City Council. Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.
<ul style="list-style-type: none">• Exclusion of children from school	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions .
<ul style="list-style-type: none">• Whistleblowing	Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised directly with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.
<ul style="list-style-type: none">• Staff grievances and disciplinary procedures	These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.
<ul style="list-style-type: none">• Complaints about services provided by other providers who may use school premises or facilities.	Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.

APPENDIX C

Letter of acknowledgement of Complaint

St Anne's RC Primary School
Moss Bank
Crumpsall
Manchester
M8 5AB

Date:

Dear

I acknowledge receipt of your letter/form of complaint dated *****

Your complaint will be dealt with by ***** in accordance with school procedures.

The School and Governing Body take any complaint most seriously. Therefore ***** would like to meet with you, as soon as possible, so that she/he may understand the details of your concerns more clearly.

***** will contact you within the next **** days to agree with you a mutually convenient date for us to meet.

Yours faithfully,

APPENDIX D

GUIDANCE FOR CHAIRS OF GOVERNORS/OFFICERS CONDUCTING COMPLAINTS INVESTIGATIONS

1. Many complaints are detailed and complex. It is recommended that the complainant be interviewed as the first step of the investigation. This interview could take place by telephone. The objects will be a) to enable the complainant to clarify the nature of the complaint and what remains unresolved b) to enable the complainant to explain details and c) to enable the investigator to clarify/separate issues. The separation of individual issues should enable each area to be addressed separately and appropriately.
2. During this interview, the investigator will a) ask the complainant what they think might resolve the issue (an acknowledgement that the school could have handled the situation better is not the same as an admission of unlawful or negligent action); b) ask the complainant what would bring closure to the issue for him/her; c) clarify exactly what the possible outcomes of the complaints procedure could and could not be; d) inform the complainant of the expected timescale for the whole process; e) conduct the interview with an open mind and be prepared to persist in the questioning; f) keep notes of the interview.
3. At the end of this interview, the investigator will agree in writing with the complainant the issues that have been raised in the complaint. It is recommended that the investigator ask the complainant to sign to confirm/amend the document.
4. The investigator will ask the complainant to confirm in writing that the written complaint may be copied to those about whom the complaint has been made, bearing in mind any relevant issues of confidentiality.
5. If an officer or another governor is carrying out the investigation, s/he will inform the Chair of Governors of the expected timescale.
6. The investigator will carry out the inquiry as quickly as possible keeping written, dated records of interviews and other processes. Those involved in the matter and those complained of, will be interviewed. All involved will be allowed to be accompanied (if they wish).
7. All parties involved in the complaint will be kept informed of progress.
8. If the complaint is against a member of staff or Head teacher, the investigator will interview him/her as soon as possible after the interview with the complainant.
9. An initial response will be provided to the complainant within ten working school days of the receipt of the complaint. If it is not possible to provide a full written response by that time, the investigator should write to the complainant explaining this and giving a date by which s/he will endeavour to provide a full response.
10. If undertaking the inquiry on behalf of the Chair of Governors, the investigator will respond confidentially in writing to the Chair and discuss the most appropriate method of sharing the results with the complainant.
11. The investigator will bear in mind data protection requirements and ensure that individuals are not named in the response or identified in any other way.

12. The investigator will consider making positive recommendations.
13. The written response will be in the format as seen in Appendix E.
14. It is essential that the written response be checked for factual accuracy and appropriateness before it is made available to the complainant.
15. Normally, the entire response will be shared with the complainant. If the investigation leads to recommendations of any disciplinary procedures, no details of these will be given to the complainant. No personal information about a third party can be disclosed without that person's consent.
16. Sometimes the initial sharing of the response is best achieved in a meeting with the complainant. If a Management Support Officer or other officer has carried out the investigation, s/he will make every effort to be available for this meeting if requested by both sides. Sometimes the more appropriate time for a meeting is a short period after the complainant has received the report. On most occasions, no such meeting will be necessary at all.
17. It is recommended that investigators' do not visit complainants' homes, and that suitable alternative venues be agreed.

APPENDIX E

TEMPLATE FOR WRITTEN RESPONSE TO COMPLAINANT AT STAGE 2 (by Headteacher/senior manager/Chair of Governors)

Dear

Thank you for your letter of

Your complaint is being handled via the School's 3-stage complaints procedure and has been forwarded to me to investigate at stage 2. I have now concluded my investigation and my findings are outlined below:

Your complaint:

The following is an overview of your complaint.

Please find a history of correspondence between you and the School on this matter attached as Appendix A.

My investigation:

I have investigated your complaint by:

- o
- o
- o

I found the following

- o
- o
- o

Further action:

- o
- o
- o

I hope this brings your complaint to a satisfactory conclusion. If you are not satisfied with this response, you have the right to progress to stage 3 of our complaints procedure. This would involve a review by a panel of governors of the written information concerning the complaint, together with any written submissions. The Chair of the Panel would then respond within ten working school days. If you would like such a review, you should contact the Chair of Governors within ten working school days of receiving this letter.

Thank you for the time you have taken in conveying your concerns to the School. We value your comments.

Yours sincerely

APPENDIX F

St Anne's RC Primary School: Parent/Guardian Complaints Procedure

Key Points when making a complaint

1. St Anne's is committed to providing a valuable learning environment to its pupils and so will treat all complaints seriously in order that it too may develop and improve.
2. All complaints should be raised as close to time as possible to the incident prompting the complaint.
3. St Anne's will attempt to address complaints promptly and satisfactorily, depending on the issues raised.
4. Please follow the stages detailed in this Procedure to help avoid confusion or conflict.
5. Please be assured that complaints will be treated in a confidential manner insofar as possible e.g. an investigation may require input from another source.
6. All formal complaints involving the Assistant/ Deputy Head and above, (excluding anonymous complaints), will receive a written response.

You may be able to find the answers to certain queries through our website:
<https://www.stannescrumpsall.co.uk>



Making a complaint against a member of staff

A complaint should not be raised directly with the member of staff about whom the complaint relates to. If it is a person mentioned below then they will not be involved in the complaints process.

Talk to the appropriate **Phase Leader**.
If they are unable to address the complaint in person or a written response is needed it will be passed to the **Assistant/Deputy Head**.

Depending on the issues raised the Assistant/Deputy Head may pass the complaint to the Head. The Head may require a meeting with the parties involved. A written response will then be sent.

Following the Head's response, a complaint may be sent in writing to St Anne's **Chair of Governors (or delegated nominee)**, who will then investigate and provide a response. There will be an opportunity to appeal the Chair's decision to a **Governor Appeal Panel** who will then conduct a review and respond.



Making a complaint about an issue concerning your child

Please raise any concerns as promptly as possible with the **Class Teacher**. The **Class Teacher** may decide that the issue is more appropriately responded to be the **Phase Leader** or **SEN Co-ordinator**.

If a written response is required the matter will be progressed to the **Assistant/Deputy Head**.