

St. Joseph's Catholic Primary School

*Protect with love all of God's gifts*



# Concerns & Complaints Policy

## **Listening to Parents, Pupils and the Community**

We aim to make our school a happy and caring place so that pupils may benefit from the best possible education.

We work in partnership with parents and seek to improve our school by paying close attention to their concerns.

## **Difference Between a Concern and a Complaint**

A 'concern' may be a worry or doubt for which reassurance or additional information is sought. A 'complaint' is when you are dissatisfied about the actions that have been taken or at a lack of action.

### **Concerns**

If you have a concern it is important that you tell us as soon as possible, as it is difficult for us to investigate an incident or problem properly if it took place some time ago.

You should first discuss your concerns with the class teacher. This usually enables the problem to be sorted out swiftly and to everyone's satisfaction.

If your concern involves another child, do not involve them or their parents. Speak to the class teacher and they will address the issue with the child and parents as appropriate.

If following discussion with the class teacher you are still not satisfied, make an appointment to discuss it the Deputy Headteacher. Most concerns are normally resolved at this stage.

Expressions of concerns at this stage may be verbal or in writing.

### **Complaints**

Where concerns cannot be resolved informally the matter may then be considered to be the subject of a formal complaint. In the event of a complaint being made the stages below will be followed:

#### **Stage 1**

- The formal complaint should be made in writing using the format provided in Appendix A. This ensures that the relevant information is provided and means that the issue can more quickly be resolved.
- The form should be addressed to the Headteacher.
- If the complaint is about the Headteacher, the form should be addressed to the Chair of Governors.
- Acknowledgement of receipt of this complaint will be made within **5 school days**.
- As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint
- The Headteacher, (or Chair of Governors) may also be accompanied by a suitable person if they wish.
- The Headteacher will investigate further, interviewing witnesses as appropriate.

- If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
- The Headteacher will keep written records of meetings, telephone conversations and other documentation.
- All details of a complaint will be kept confidential except in so far as they need to be shared with people who might contribute to their resolution
- Once all relevant facts have been established, the Headteacher will respond within **15 school days** of receiving the written complaint.
- Staff will be given the same level of support as the complainant.

If the complaint is made against the Headteacher, the Stage 1 procedures are carried out by the Chair of Governors.

Where complaints cannot be resolved by the Headteacher, the matter may then be considered to be the subject of a formal complaint to the Governing Body.

### **Stage 2: Governors**

- The complaint form should be addressed to the Chair of the Governors and posted/handed in to the school office.
- The Chair will acknowledge receipt of the written complaint within **10 days** of the school office receiving the complaint.
- The complaint will be heard by a committee of three members of the school's governing body within **20 working days**.
- The Chair will convene a review panel elected from members of the governing body. The members will have no prior involvement with the complaint and they will elect a Chair for the committee. All relevant documentation regarding the complaint will be given to the members of the committee as soon as possible.
- If necessary, and at the discretion of the Chair of Governors, an independent person will be appointed to conduct the investigation.
- The Chair of the Committee will write and inform all concerned of the date, time and place of the meeting at least **5 working days** in advance. The notification to the complainant will also inform him/her of the right to be accompanied to the meeting by a friend and the right to submit further written evidence.
- The Committee will consider how your initial complaint has been investigated. They will not reopen the investigation.
- It is the responsibility of the Chair of the Committee to ensure that the meeting is properly recorded.
- After the meeting, the committee will consider the evidence and a written decision will be sent to the Headteacher and the complainant within **15 working days**.

Very rarely the Governors may need to close a complaint when the complainant is still dissatisfied. The Governors will do all they can to resolve a complaint against the school, but sometimes it is not possible to meet all of the complainants wishes. If you still remain dissatisfied, and believe the Governors have behaved unreasonably or unlawfully, you will

then need to take your complaint to Stage 3.

### **Persistent and/or Vexatious Complainants**

If a complainant persists in making representations to the school this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.

The school is entitled to stop correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and the Chair of Governors has informed the complainant that the matter is now closed.

### **Stage 3: Secretary of State for Education**

The Role of the School Complaints Unit (SCU)

If a complaint has completed the procedures and the complainant remains dissatisfied, they have a right to refer their complaint to the Secretary of State. The Secretary of State 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 considers complaints in relation to LA maintained schools in England on behalf of the Secretary of State.

Further information can be obtained from SCU online at: [www.education.gov.uk](http://www.education.gov.uk), by calling 0370 000 2288 or by writing to:

Department for Education  
School Complaints Unit  
2nd Floor, Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

### **Monitoring and Review of Policy**

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

This policy is reviewed annually, or before if any local or national decisions make any modifications necessary to this policy.

April 2020



# Complaint Form

## Appendix A

Name:	
Pupil's Name:	
Relationship to Pupil:	
Address	
Postcode:	
Day time Telephone:	
Evening Phone:	
Please give details of your complaint:	
What action, if any, have you taken to try and resolve your complaint? (i.e. 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 Form Received:

Date acknowledgement  
sent by school:

Acknowledgement sent  
by:

## Policy for Unreasonable Complainants

St Joseph'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. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour. A complaint may be considered unreasonable if the person making the complaint does so either face-to-face, by telephone, 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.

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 Joseph's Catholic Primary School.

St Joseph'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 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.

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 Joseph'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.