



Holy Family Catholic Primary School **Complaints Policy 2016-17**

Following review, this policy was agreed for adoption

on: 7th March 2017

by: the Board of Governors

This policy statement sets out the school's approach for dealing with concerns and complaints.

We value good home /school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, to the satisfaction of all concerned, where this can possibly be achieved.

We welcome feedback on what parents / carers believe we do well, or not so well, as a school. We will consider carefully all feedback, positive or negative, and will review our policies and procedures accordingly.

We will treat all concerns and complaints seriously and courteously and will advise parents / carers and others of our procedures for dealing with their concerns. In return, we expect complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or openly, eg, via social media, or in front of pupils.

In order for the school to investigate a complaint fairly and effectively, it is expected that complaints will be raised within four weeks of an event and certainly within three months. Due consideration will be given to circumstances that do not allow this to occur.

All school staff, teaching and non-teaching, along with members of the Board of Governors, will know the location of this policy document and will be familiar with the school's procedures for dealing with concerns and complaints.

The school's procedures will be reviewed regularly and updated as necessary.

Staff and Governors will receive guidance on handling concerns and complaints as appropriate. This may be on an individual basis; or as a group activity for all staff; or for specific groups, such as office staff or Governors.

Whilst we seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case.

The school is committed to dealing with all complaints fairly and impartially, but does not expect complainants to act unreasonably. Unreasonable complaints are dealt with in this policy and at Appendix 1.

The Government advocates resolution of concerns and complaints at school level, wherever possible, in the interests of maintaining good home / school relations.

This policy covers all aspects of our provision or facilities except where other statutory regulations or procedures apply; for example, school admissions.

Policy / Procedures Summary

1. Compliments

These are always welcome and very encouraging to teachers and staff. The school encourages feedback or opinions from pupils and parents. In practice this dialogue is continuous, sometimes directly but also indirectly, for example, through the main Office or casual conversations with other parents . It may not always be possible to act immediately but pupils and the school always benefit so please don't hold back.

2. Concerns

It is natural that parents may, occasionally, be concerned about an aspect of their child's education or welfare at school. This could include issues concerning the school's approach to aspects of the curriculum, homework, behavioural problems or any other issue.

The school welcomes enquiries from parents about any matter. Teachers and staff will explain the school practices, policies, and how they affect the pupils. The vast majority of concerns will be handled by the class teacher or by the subject co-ordinator if this is more helpful. If in doubt, keep asking until you are completely satisfied as all staff are eager to help.

The usual format is to speak to the child's class teacher in the first instance. If you are still concerned, or unhappy with the response you receive, you may contact the school office to arrange an appointment to discuss your concern with whoever you wish. At all times the staff will help to resolve a problem. If occasionally parents feel they must state their concern formally, this too is not a problem. The school has defined procedures for handling complaints so don't be embarrassed if you feel an issue warrants more attention.

3. Complaints

The procedure is again to speak to the child's class teacher in the first instance. If you remain unhappy with the response you receive, you may contact the school office to arrange an appointment to discuss your complaint with whoever you wish.

The school's policy is to follow Local Authority (Essex County Council) guidelines when handling concerns and complaints. It would be unusual to deviate from these procedures but the school always retains discretion in these matters.

In summary, the nationally accepted procedure is divided into four stages:

Stage 1 aims to resolve the concern through informal contact at the appropriate level in school.

Stage 2 and 3 are the formal stages where written complaints are considered by the Headteacher or a designated governor (usually the Chair of Governors), who has responsibility for dealing with complaints.

Stage 4 is the next step once Stage 2 and 3 are complete. It involves an impartial complaints review Panel of Governors.

If you are unhappy with the outcome or your complaint, or the way it has been handled at school level, you can contact the Secretary of State at the following address:

The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
LONDON
SW1P
3BT

You should enclose a copy of any correspondence with the school or Board of Governors. You should note, however, that they will not judge a school on the decisions it has made but, rather, will determine if it has acted appropriately, in line with published policies and statutory regulations and legislation. They will not overturn any decision that has been made, unless the school has acted unlawfully in some way.

If you should need to refer to the full procedures, please ask at the school office. All staff are familiar with the guidelines and have a duty to help parents needing advice. Please don't feel you are making a fuss. These procedures have been carefully compiled and their reference, however rare, is routine to help pupils, parents and the school.

Procedures for dealing with general concerns

The majority of concerns from parents, carers and others are handled under the following general procedures.

The procedure is divided into four stages:

Stage 1 aims to resolve the concern through informal contact at the appropriate level in school (as described on pages 2 and 3 of this guidance).

Stage 2 is the first formal stage at which written complaints are considered by the Headteacher

Stage 3 is the second formal stage when written complaints are considered by the Chair of Governors (once stage 2 has been completed and the Headteacher has responded)

Stage 4 is the next stage once Stage 3 has been worked through. It involves a complaints review panel of Governors.

How each of these stages operates is explained below:

Stage 1 – Your initial contact with the school

1. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's class teacher.
2. We will see you, or contact you by telephone or in writing, as soon as possible after your concern is made known to us. All members of staff know how to refer, if necessary, to the appropriate person with responsibility for particular issues raised by you, who may be but does not necessarily have to be more senior than the person dealing with your complaint. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.
3. We will ensure that you are clear what action or monitoring of the situation, if any, has been agreed. We will confirm this in writing to you.
4. We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into your concern.
5. We will discuss with you (normally within ten working days) the progress of our enquiries. You will have the opportunity of asking for the matter to be considered further, once we have responded to your concern.
6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

Stage 2 - Formal consideration of your complaint

This stage in our procedures deals with written complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined under Stage 1 above.

1. Normally, your written complaint should be addressed to the Headteacher. If, however, your complaint concerns the Headteacher personally, it should be sent to the school marked "For the attention of the Chair of Governors". Should your complaint concern the Chair of Governors, or any other individual Governor, you should address your complaint to the Clerk to the Board of Governors.
2. You should include all of the details of your complaint in this letter. Further correspondence with the school whilst a complaint is being progressed, (be it by letter, email, text, phone or in person) is unhelpful and is likely to delay the outcome being reached. If communication is repeated, it could result in the complaint being deemed unreasonable.
3. We will acknowledge your complaint in writing as soon as possible after receiving it. This will be within three school term working days.
4. We will enclose a copy of these procedures with the acknowledgement.
5. Normally we would expect to respond in full within ten working days but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
6. 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.
7. The Headteacher, or Chair of Governors, may also be accompanied by a suitable person if they wish.
8. Following the meeting, the Headteacher or Chair of Governors will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
9. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
10. 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.

11. The Headteacher or Chair of Governors will keep written / typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
12. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give a full explanation of the Headteacher's / Chair of Governors' decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.

Stage 3 – Review by the Chair of Governors

1. If you are not satisfied with the outcome of the Stage 2 investigation and the schools findings, you may escalate your complaint to the Chair of Governors (as long as they have not investigated a complaint against the Headteacher).
2. If you escalate a complaint to the Chair, it is important to note that they will not be judging the school's decision on any matter or seeking to overturn it. They will simply ascertain the facts of the matter, talk to relevant parties and check that the school has complied with its own published procedures and policies and statutory regulations that may apply. Upon conclusion of their investigation, they will write to confirm their decision to you.
3. If you write directly to the Chair of Governors, having omitted to go through Stage 2, they will write back to you and advise that until such time as the school has been given the opportunity for the Headteacher to investigate and respond to your complaint, they will be unable to progress your complaint any further.
4. If, after review by the Chair of Governors, you remain unhappy with their decision, you may wish to proceed to Stage 4, as described below.

Stage 4 - Consideration by a complaints review Panel

If your concern has already been through Stages 1, 2 and 3 and you are not happy with the outcome, the Chair of Governors will instruct the Clerk to set up a complaints review Panel to consider it. This is a formal process, and your ultimate recourse at school level.

The purpose of this arrangement is to give your complaint a hearing in front of a Panel of Governors who have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice.

The aim of a complaints review Panel is to resolve the complaint and to achieve reconciliation between the school and the parent.

We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously, rather than achieve the outcome you actually desire.

The complaints review Panel operates according to the following formal procedures:

1. The Clerk to the Board of Governors will aim to arrange for the Panel meeting to take place within **20 working days** of the Chair instructing them to convene a Panel.
2. The Clerk will ask you whether you wish to provide any **further written documentation** in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.
3. The Headteacher will be asked to prepare a **written report** for the Panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
4. The Clerk will inform you, the Headteacher, any relevant witnesses and members of the Panel by letter, at least **five working days** in advance, of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place in the school; but we will do what we can to make alternative arrangements if you prefer.
5. With the letter, the Clerk will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit **further written evidence** to the Panel.
6. The letter will explain what will happen at the panel meeting and the clerk will also inform you that **you are entitled to be accompanied** to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
7. With the agreement of the Chair of the Panel, the Headteacher may invite **members of staff** directly involved in matters raised by you to attend the meeting,
8. The Chair of the Panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to **put you at your ease**.
9. As a general rule, no evidence or witnesses **previously undisclosed** should be introduced into the meeting by any of the participants.

If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.

10. The Chair of the Panel will ensure that the meeting is properly **minuted**. Please understand that any decision to share the minutes with you, the complainant, is a matter for the Panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.
11. Normally, the written outcome of the Panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a **copy of the minutes** it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the clerk can then be asked maintain confidentiality in the minutes.
12. During the meeting, you can expect there to be opportunities for:
 - you to explain your complaint;
 - you to hear the school's response from the Headteacher;
 - you to question the Headteacher about the complaint;
 - you to be questioned by the Headteacher about the complaint;
 - the Panel members to be able to question you and the Headteacher;
 - any party to have the right to call witnesses (subject to the Chair's approval) and all parties to have the right to question all witnesses;
 - you and the Headteacher to make a final statement.
13. In closing the meeting, the Chair will explain that the Panel will now consider its decision and that written notice of the decision will be sent to the Headteacher and yourself **within two weeks**. All participants other than the Panel and the Clerk will then leave.
14. The Panel will then consider the complaint and all the evidence presented in order to:
 - reach a unanimous, or at least a majority, decision on the complaint;
 - decide on the appropriate action to be taken to resolve the complaint;
 - recommend, where appropriate, to the Board of Governors, changes to the school's systems or procedures to ensure that similar problems do not happen again.

15. The Clerk will send you and the Headteacher a written statement outlining the decision of the panel **within two weeks**. The letter will explain what further recourse, beyond the Board of Governors, is available to you.

Closure of complaints

Very occasionally, the school may feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.

We will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".

If a complainant persists in making representations to the school – to the Headteacher, Chair of Governors or anyone else - this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.

For this reason, we are entitled to close 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.

In exceptional circumstances, the Chair of Governors may close a complaint before it reaches Stage 4 of the procedures detailed in this document. This is because a complaints Panel takes considerable time and effort to set up and we must be confident that it is likely to assist the process of investigating the complaint.

The Chair of Governors may decide, therefore, that every reasonable action has been taken to resolve the complaint and that a complaints review Panel would not help in moving things forward.

The 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 others complaints"

Examples of things that may constitute unreasonable complaints are detailed in Appendix 1

Where it is felt that concerns regarding unreasonable complaints persist, or in response to any incidence of violence, aggression or threatening behaviour (physical or verbal), the school will consider this as vexatious and refer to the information detailed in its "Unreasonable / vexatious / abusive complaints" policy.

Wherever possible, the Headteacher / Chair of Governors will contact the complainant informally before deeming a complaint "unreasonable"

Record Keeping

We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

The findings and recommendations from a complaint will be stored and this will include:

- Whether a complaint was resolved following a formal procedure, or proceeded to a Panel hearing
- The action taken by the school as a result of any complaint (regardless of whether or not it was upheld). The school will not provide details of actions taken with regards to specific staff or children other than those for whom the complainant has parental responsibility. The school will follow DfE guidelines regarding parental responsibility.

These records may be provided to:

- The complainant and, where relevant, the person complained about; and
- Are available for inspection on school premises by the Board of Governors and the Headteacher

Other sources of information and advice

If your concern is about an aspect of **special needs provision**, which might include information about relevant voluntary organisations and support groups in Essex, you might like to talk to the **Parent Partnership** team on their helpline: **0333 013 8913** or email send.iass@essex.gov.uk.

Appendix 1 – Unreasonable / Vexatious Complaints

Unreasonable / vexatious complaints include, but are not restricted to, the following whereby the complainant:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcome sought by raising a complaint, despite offers of assistance;
- Refuses to cooperate with the complaints investigation process whilst still wishing or insisting that the complaint is resolved;
- Refuses to accept that certain issues are not within the scope of the complaints investigation process;
- Insists on a complaint being dealt with in a way which is inconsistent or incompatible with the adopted complaints procedure or good practice;
- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, 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 often seeks to have the member of staff replaced;
- Changes the basis of the complaint as the investigation proceeds;
- Repeatedly makes the same complaint (despite previous investigations concluding that the complaint is groundless or has been addressed);
- Refuses to accept the findings of an investigation into that complaint where the school's complaints procedure has been fully and properly implemented including referral to the Department for Education;
- Seeks an unrealistic outcome;
- Makes excessive demands on school time, including frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and / or by telephone, whilst the complaint is being investigated.

A complaint may also be considered unreasonable or vexatious 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 using a variety of media, including but not limited to social media websites, blogs, and / or newspapers

The school reserves the right to pursue legal action against those who unjustifiably defame the character or reputation of the school, or engage in slanderous or libelous activity in relation to the school or its staff.