



POLICY – COMPLAINTS POLICY

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NOTE CHANGES	UPDATED TO INCORPORATE DFE MODEL POLICY – COMPLAINT STAGES REMAIN AS PREVIOUS		

Office use only:

This document sets out the policy and procedures for dealing with concerns and complaints. The content complies with Best Practice Guidance for School Complaints Procedures 2020 (Department for Education Updated January 2021). Further information can be found here if required: <https://www.gov.uk/government/publications/school-complaints-procedures/best-practice-advice-for-school-complaints-procedures-2019>

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

Definitions

A 'concern' is defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'. The school takes informal concerns seriously and makes every effort to resolve the matter as quickly as possible.

A complaint is generally defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'. There are occasions when complainants would like to raise their concerns formally. In those cases, the school's formal procedure should be used - through the stages outlined within the procedure.

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. St Paul's Catholic School takes 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, St Paul's Catholic Primary School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

The Procedure

This procedure should be used for:

- Complaints relating to the schooling of your child.
- Complaints about the education and care provided to pupils at the school.
- Complaints about the school's operational arrangements

This procedure covers all complaints about any provision of community facilities or services by St Paul's Catholic Primary 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 • Statutory assessments of Special Educational Needs • School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with West Berkshire Council.></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). They can be contacted via the West Berkshire Contact, Advice and Assessment Service (CAAS), on 01635 503090.</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. https://www.stpauls.w-berks.sch.uk/attachments/download.asp?file=5450&type=pdf</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 whistleblowers 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>

<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. Please contact them direct.
<ul style="list-style-type: none"> National Curriculum - content 	Please contact the Department for Education at: www.education.gov.uk/contactus

A concern or 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.

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

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 2 and/or 3 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, 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 via the Clerk to Governors rgonzalez@stpauls.w-berks.sch.uk

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to Clerk to Governor rgonzalez@stpauls.w-berks.sch.uk

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like 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.

Timeliness

This procedure is limited to matters which can reasonably be investigated. We expect complaints to be made as soon as possible after an incident arises (three months is generally considered to be an acceptable

time frame in which to lodge a complaint); **However**, we will consider exceptions if there are special circumstances which have led to a delay in making the complaint.

Status

Section 29 of the Education Act 2002 states the need to have in place a procedure to deal with complaints relating to the school and to any community facilities or services the school provides. The law also requires the complaints procedure to be publicised.

Purpose

The school and the governing body believe that feedback is an important ingredient in self-evaluation and raising standards. All stakeholders should feel that their concerns or complaints can be voiced and will be considered seriously.

The school takes informal concerns seriously and aims to resolve them at the earliest stage in order to reduce the number that develop into formal complaints. The underlying principle is that concerns will be handled, if possible, without the need for formal procedures. The requirement to have a complaints procedure will not in any way undermine efforts to resolve the concern informally. Staff will endeavour to resolve issues on the spot.

Formal procedures will be used when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

Investigating Complaints

At each stage the person investigating the complaint will ensure that they:

- establish what has happened so far, and who has been involved.
- clarify the nature of the complaint and what remains unresolved.
- meet with the complainant or contact them (if further information is necessary).
- clarify what the complainant feels would put things right.
- interview those involved in the matter and/or those complained about, allowing them to be accompanied if they wish.
- conduct the interview with an open mind and be prepared to persist with questioning.
- keep notes of any interview or meeting.
- communicate with the complainant at each stage over discussions and agreements reached.

Resolving Complaints

At each stage in the procedure, successful resolution of the complaint will take priority. If appropriate, one or more of the following may be offered:

- an apology

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure that the event complained of will not recur
- an explanation of the steps that have been taken or will be taken to ensure that it will not happen again
- an undertaking to review school policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage.

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 a complainant commences legal action against St Paul's Catholic Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Withdrawal of a Complaint

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

Time Limits

Complaints will be considered and resolved as quickly and efficiently as possible. Realistic time limits will be set for each action within each stage. However, where further investigations are necessary, new time limits may need to be set and the complainant sent details of the new deadline and an explanation for the delay.

On occasion, the school may need to extend the time to respond to a complaint. This may be because of resource or capacity issues, or because additional information needs to be obtained to investigate the complaint. In such cases, the school will provide a holding letter, explaining the reason for the delay, and providing a date by which a response will be supplied.

Response times given refer to Monday to Friday inclusive, term time only.

A dissatisfied complainant can always take a complaint to the next stage.

Record Keeping

We will comply with our obligations under the Equality Act 2010.

All formal complaints should receive a written response.

A copy of all written communication should be retained for reference. Complainants have a right to see copies of these records under the Freedom of Information and Data Protection Acts.

Only complaints relating to the schooling of a specific child will be kept within the child's files. Other issues will be filed separately in a secure location and will be retained for a period of 7 years.

Governing Body Review

If the whole Governing Body is aware of the substance of a complaint before the final stage has been completed, then the Governing Body may arrange for an independent panel to hear the complaint.

Complainants have the right to request an independent panel, if they believe there is likely to be bias in the proceedings. The School will consider the request but ultimately, the decision on whether to use an independent panel will be made by the Governing Body.

PROCEDURE

We will comply with the obligations under the Equality Act 2010. It is common practice to ask for complaints to be made using a complaint form or in writing, but we recognise that a complainant may have communication preferences due to disability or learning difficulties. Therefore, a complaint may be made in person, by telephone, or in writing (including email).

STAGE ONE (informal):

Where a complainant is unhappy with an issue in school, they should contact their child's class teacher in the first instance.

In the event that the issue is connected with the child's class teacher they should contact the key stage team leader to raise the initial concern.

Contact can be made via the school office office@stpauls.w-berks.sch.uk who will direct the concern to the correct person.

The teacher/key stage lead receiving the complaint will either:

- Provide a response to the complainant (after discussions with relevant colleagues if necessary) or
- Refer the complaint to the appropriate person within the school.

Where the complaint concerns the Headteacher, the complainant should proceed to Stage 2b.

The member of staff handling the complaint will give a response within five school days and normally much more quickly. Normally that response will be verbal, either face to face or by phone.

If the complainant wishes to move to Stage 2, a written request must be submitted to the school *within 15 school days*. Otherwise, the matter is considered closed and will not be considered further. The letter must explain why the complainant is dissatisfied with the outcome of Stage 1.

Complaints must not be referred to individual governors. Where the first approach *is* made to a governor, the complainant should be referred to the appropriate person above and advised of the correct procedure. Governors must not act on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

STAGE TWO (formal):

If the complaint is about the headteacher, the complainant should move to Stage 2b.

2a) Concern/Complaint heard by Headteacher.

If dissatisfied with the outcome at Stage One, the complainant should contact the Headteacher about the issue. (At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint.) The Headteacher will provide a response to the complainant (after discussions with relevant colleagues, if necessary).

The school will respond in writing ***within 15 school days***, with a summary of the complaint and a response.

If the complainant wishes to move to Stage 3a, a request must be submitted to the school in writing ***within 15 school days*** of receiving the response from the school otherwise, the matter is considered closed and will not be considered further. The letter must explain why the complainant is dissatisfied with the outcome of Stage 2a.

2b) Concern/Complaint heard by Chair of the Governing Body

If the complaint is about the Headteacher, the complainant should contact the Chair of the Governing Body about the issue. The Chair can be contacted by letter addressed to the school. The Chair of the Governing Body will discuss the concerns with the Headteacher and provide a response to the complainant.

Under Law, where the Chair of the Governing Body is absent, the Vice Chair (or a representative nominated by the full Governing Body) will assume the responsibilities outlined in this procedure.

The Chair will respond in writing ***within 15 school days***, with a summary of the complaint and a response.

If the complainant wishes to move to Stage 3b (see below), a request must be submitted to the Chair of Governors, in writing, ***within 15 school days***. Otherwise, the matter is considered closed and will not be considered further. The letter must explain why the complainant is dissatisfied with the outcome of Stage 2b.

STAFF THREE (review):

3a) Complaint heard by Chair of the Governing Body (if not heard at 2b)

If dissatisfied with the outcome of Stage 2a) the complainant should contact the Chair of the Governing Body about the issue. The Chair can be contacted by letter addressed to the school. The Chair of the Governing Body will discuss the concerns with the Headteacher and provide a response to the complainant.

Under Law, where the Chair of the Governing Body is absent, the Vice Chair (or a representative nominated by the full Governing Body) will assume the responsibilities outlined in this procedure.

The Chair will respond in writing **within 15 school days**, with a summary of the complaint and a response.

If the complainant wishes to move to Stage 3b, a request must be submitted to the Chair of Governors, in writing, **within 15 school days**. Otherwise, the matter is considered closed and will not be considered further. The letter must explain why the complainant is dissatisfied with the outcome of Stage 3a.

3b) Complaint heard by the Governing Body's Complaints Panel

If dissatisfied with the outcome at Stage 2b or 3a, the complainant may write to the Chair of the Governing Body about the complaint, and the Chair will convene the Governing Body's Complaints Panel to review the handling of the complaint at Stage 2b or 3a and to examine the decision reached. The complainant should explain why they are requesting a review, and why they consider the response they have received to be unsatisfactory.

The Governing Body will determine which governors sit on the Governing Body Complaints Panel. The membership of the Panel will not include the Chair as s/he will have considered the complaint under Stage 2b or 3a. Staff governors and the Headteacher are also excluded, as are any governors who have a prior involvement in the case.

Individual complaints will not be heard by the whole governing body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint. It is not appropriate for the details of complaints to be shared widely amongst the Governing Body.

The Remit of the Complaints Panel

The governor chairing the Panel will acknowledge receipt of the complaint **within five school days**.

The Panel will convene to examine the complaint **within 15 school days** of receipt of the complaint. The Complaints Panel is not convened to merely rubber-stamp previous decisions. It will investigate the complaint promptly and impartially.

If the matter is complex and requires more time to investigate, a letter may be sent to the complainant outlining the reasons for any delay and the subsequent timescale for the complaint. Every effort must be made to respond to complaints in a timely manner.

The Complaints Panel will decide on the method of investigation depending on the nature of the complaint. The Complaints Panel can:

- dismiss the complaint in whole or in part.
- uphold the complaint in whole or in part.
- decide on the appropriate action to be taken to resolve the complaint.
- recommend changes to the school's systems, policies or procedures to ensure that problems of a similar nature do not recur.

Panel members must not have a conflict of interest and must not have been involved in the matters under review.

Outcome of the Complaints Panel meeting

The complainant will receive a written explanation of the outcome and action taken ***within five school days*** of the Panel's meeting.

WHEN THE SCHOOL'S PROCEDURE HAS BEEN COMPLETED

If the complainant believes the 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 Department for Education after they have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

COMPLAINT FORM

Your name:

Pupil's name (if relevant):

Your relationship to the pupil (if relevant):

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint, including whether you have spoken to anybody at the school about it.

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 who:

Complaint referred to:

Date: