St Bernadette's Catholic Primary School Policy and Procedures for the Handling of Complaints

Introduction and Scope?

We care about what you think

The Policy of this school is to work in partnership with parents/carers and the wider community. Therefore, any person, including members of the public, can make a complaint. We try hard to do our best for all our pupils/students. Your views help us plan for the future. We like to know when things are going well. We also want parents/carers to tell us about their worries, concerns or complaints as soon as possible. It is much easier for the school to sort out a recent problem than something that happened some time ago. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), the school will use this complaints procedure.

Our commitment to you

•We will deal with your concern or complaint in a professional manner.
•It will be looked into thoroughly, fairly and as quickly as possible.
•We will keep you up-to-date with what we are doing.
•We will apologise if the school has made a mistake.
•We will tell you what we are going to do to put things right.

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 opportunity. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. At St Bernadette's 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, Mrs Maudsley, in the school office will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern they will refer you to another staff member. The member of staff may be more senior, but that does **not** have to be the case. 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 Bernadette's Catholic Primary School will attempt to resolve the issue through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

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

You should raise any concerns with either the class teacher or Headteacher. Please remember that the

beginning or end of the school day can be a very busy time for class teachers. If you talk to a teacher at these times, for practical reasons, it may not be possible to sort things out there and then. Be prepared for them to make an appointment to see you/to ring you at a more convenient time.

Most concerns or complaints will be sorted out quickly either by putting things right or by explaining the school's actions to you.

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 a formal stage of the procedure.

The school will seek to resolve complaints informally by email, telephone call or a brief meeting as appropriate. If the complaint is unable to be resolved at this stage, the school will ask you to put your concerns or complaint in writing and the 'Formal Stage' procedures will commence from the date that the letter is received by the school. The written complaint should include: details of the complaint, what action you have already taken to try to resolve your complaint, what action you feel might resolve the problem at this stage and details of any attached paperwork.

If the school has not heard from you within 20 school days, it will assume that you do not want to take things any further and the complaint will be closed.

For concerns or complaints regarding the Headteacher, the complainant should put the complaint in a sealed envelope marked 'private and confidential' and addressed to the Chair of Governors via the School. Under Data Protection legislation, the school is not permitted to provide the personal details of the Chair of Governors, but the school will forward the envelope to Chair as soon as possible.

Complaints against school staff (except the head teacher) should be made in the first instance, to Mrs Shoulder (the Headteacher) via the school office. Please mark the sealed envelope as 'private and confidential'.

Complaints that involve or are about the head teacher or a governor should be addressed to The Chair of Governors, via the school office. Please mark the sealed envelope as 'private and confidential'.

Complaints about the Chair of Governors or the whole governing body should be addressed to The Clerk to the Governing Body via the school office. Please mark the sealed envelope as 'private and confidential'.

For ease of use, a template complaint form is 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, such as 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

The school will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Complaint campaigns

If we receive what we consider to be a large volume of complaints, all based on the same subject and possibly from complainants not connected to the school, then we will treat these complaints as being part of a campaign and respond in one of the following two ways, depending on the nature and scale of the complaint:

1. Send the same response to all complainants
2. Publish a single response on the school's website.

Timescales

Complainants must raise the complaint within three months of the incident, or where a series of associated incidents occur, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

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 St Bernadette's Catholic Primary School, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
• Admissions to schools • The school's re-organisation proposals.	You should raise concerns about admissions, statutory assessments of special educational needs or the school's reorganisation proposals with Pupil Access - Area Education Office North White Cross Neighbourhood Centre Quarry Road Lancaster LA1 3SE **Email**: pupilaccessteam.north@lancashire.gov.uk
• Statutory assessments of special educational needs and disabilities	Concerns about Special Educational Needs and Disabilities, should be raised with Lancashire County Council Tel: 0300 123 6706 Email: enquiries@lancashire.gov.uk
• Matters that are likely to require a child protection investigation.	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) 01772 536 694 who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). Room D39 & D40 County Hall, Preston, PR1 OLD **Tel**: (0)1772 530283 /(0)1772 530329 **Email**: **lscb@cyp.lancscc.gov.uk** **Website**: **Lancashire Safeguarding Children**
• Exclusion of children from school*.	You can find further information about raising concerns about exclusion at www.gov.uk/school-discipline-exclusions/exclusions.

	*You can lodge a complaint about the application of the behaviour policy through the school's complaints procedure.
• Whistleblowing.	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. 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 directly with their employer. Referrals can be made at www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain directly to the local authority or the Department for Education (DfE) (see link above), depending on the substance of your complaint.
• Staff members' grievances.	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff members' conduct.	Complaints about staff will be dealt with under the school's internal disciplinary procedures if appropriate. 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.
• Complaints about services provided by others who use the school's premises or facilities.	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.
• National curriculum – content.	Please contact the DfE at www.education.gov.uk/contactus.
• Unauthorised absence fines	Please contact Lancashire County Council Tel: 0300 123 701
• Freedom of Information Data Protection (GDPR)	Data Protection Officer at the school and if this remains unresolved the Information Commission Office Tel: 0303 123 1113 Email: dataprotectionfee@ico.org.uk
• Functions of the County Council	Complaints and Appeals Team Legal and Democratic Services County Hall Preston PR1 8XJ Tel: 0300 1236701 Email: Complaintsandfeedback@lancashire.gov.uk

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 in 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 Bernadette'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.

Resolving complaints

At each stage in the procedure, St Bernadette's Catholic Primary School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or 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 it will not happen again and an indication of the timescales in which any changes will be made
- An undertaking to review the school's policies in light of the complaint
- An apology.

Formal Stage One

This stage will commence when the:

- Informal complaint has not been resolved to the satisfaction of the complainant.
  Or
- Complainant has indicated they wish to go straight to the formal stage.
  Or
- School feels that the complaint is inappropriate for an informal resolution.

Note**:** It is acceptable for someone else to submit the complaint on behalf of the complainant with their knowledge and consent.
Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team, but not the decision to be taken.

A Complaints Form is on the school website. In addition to contact details, the complainant is asked to outline:

- Details of the complaint
- What action you have already taken to try to resolve your complaint
- What actions do you feel might resolve the problem at this stage?
- Details of any attached paperwork

The person responsible for investigating the complaint will:

- Following receipt of the written complaint, formally acknowledge receipt of the complaint within 5 school days and ensure the complainant has access to the School's Complaints Policy and Procedures. It should be clarified what the complainant feels would put things right if it is not clear in the correspondence.
- Seek advice, as appropriate. (Dependent on the nature of the complaint, this could include: The Clerk to the Governing Board; Legal Services; Schools' HR Team; the School's Adviser; the Schools' Finance Officer; Pupil Access Officer or other appropriate Lancashire County Council Officer.)
- Inform the member of staff (or governor) if the complaint concerns them and provide them with a copy of the complaint and the School's Policy and Procedures.
- Arrange and complete a full investigation of the complaint.
- If necessary, interview those involved in the matter or those complained about, allowing them to be

accompanied if they wish
- Keep a written record of any meetings/interviews in relation to their investigation.
- Prepare a report following the investigation; consider whether the complaint is substantiated or unsubstantiated and consider what actions may need to be taken.
- Advise the complainant, in writing, of the outcome of the investigation within 20 school days of the date of receipt of the complaint. If unable to meet this deadline, they will provide the complainant with an update and a 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 of St Bernadette's Catholic Primary School will take to resolve the complaint.

The Headteacher will advise the complainant how to escalate their complaint should they remain dissatisfied with the outcome of stage one. 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 one.

If the complaint is jointly about the chair and vice-chair, or the entire governing body, or the majority of the governing body, stage one will be considered by an independent investigator appointed by the governing body. At the conclusion of its investigation, the independent investigator will provide a formal written response.

Formal Stage Two

When a complaint remains unresolved, the complainant can request a review by the Complaints Review Committee to be arranged. This request must be received by the Clerk to the Governing Board within 10 school days of receipt of the stage 1 response. The request must be in writing, set out the grounds as to which matters remain unresolved and include any relevant documentation.

Note: If the Clerk to the Review Committee does not hear from the complainant within 10 school days of the notification of the outcome of the investigation, the complaint will be closed.

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. The Headteacher/Chair of Governors should make a record in the Complaints Register of the complaint and its outcome. This record may need to be updated by the Chair of the Review Committee in due course. The Complaints Register should be available for Ofsted Inspection purposes.

The clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 25 school days of receipt of the stage two 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.

The Committee will:
- Consist of 3 governors who have no prior knowledge of the complaint.
- With the Clerk, prepare an Agenda and invite the Headteacher and/or Chair of Governors, (as appropriate) and the complainant to the meeting.
- Consider the written materials;
- Consider the complaint and the Headteacher's (or Chair of Governor's) action.
- Seek advice and support as necessary.
- Consider the oral evidence provided at the meeting.

It is the responsibility of the Headteacher/Chair of Governors and the complainant to secure their own witnesses and neither party can dictate who the other party brings.

If the complainant is invited to attend the meeting, they may bring someone along 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.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the clerk will do the following:

- 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 the venue and proceedings are accessible
- Request copies of any further written material to be submitted to the committee at least 7 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. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from stage one of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented.

At the end of their review, the Complaints Review Committee will:

- Determine whether to dismiss or uphold the appeal in whole or part.
- Where upheld, decide on recommendations that should be reported to the Governing Board by the Chair of the Review Committee.
- Advise the Headteacher/Chair of Governors (as appropriate) and complainant of their findings, in writing within 15 school days.
- Advise the complainant of any further action they may wish to take if they remain dissatisfied.

Following the review, the Chair of the Committee will arrange for the School's Complaints Register to be amended to include a brief summary of the complaint and the findings of the Complaints Review Committee. In addition, the Chair of the Committee will ensure that the matter in general terms and any recommendations be reported to the Governing Board.

This concludes the school's complaints procedure.

Social Media – Whilst the school accepts that complainants have a right to an opinion and make it public through the use of social media, complainants are reminded that they are not entitled to use social media to defame or harass individual staff or governors.

Next steps

After closing a complaint, should the school receive a duplicate complaint, (e.g. from a spouse; partner, a grandparent, child etc), about the same subject the school will inform the new complainant that the school has already considered that complaint and the local process is complete. The complainant can contact the Department for Education (DfE) if they are dissatisfied with the school's handling of the original complaint.

However, if there are any new aspects to the complaint, the school will investigate and deal with this under the complaints procedure.

If the original 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 2.

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
School Complaints Unit
Piccadilly Gate, Store Street
Manchester. M1 2WD

Roles and responsibilities

Complainant

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

- Explain the complaint in full as early as possible
- Cooperate with the school in seeking a solution to the complaint
- Respond promptly to requests for information or meetings or in agreeing on 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 doing the following:

- 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 and analysis of records and other relevant information.
- Liaising with the complainant and the complaint's coordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should do the following:

- 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 head teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The head teacher 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 coordinator

This could be the head teacher/designated complaints governor or other staff member providing administrative support. The complaints coordinator should do the following:

- Ensure that the complainant is fully updated at each stage of the procedure
- Liaise with staff members, the head teacher, chair of governors, clerk and local authorities (if appropriate) to ensure the smooth running of the complaints procedure
- Be aware of issues regarding the following:
    - Sharing third-party information
    - Additional support – this may be needed by complainants when making a complaint, including interpretation support
- Keep records.

Clerk to the governing body

The clerk is the contact point for the complainant and the committee, and they should do the following:

- 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 one 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.

Committee chair

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

- 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
- That complainants, who may not be used to speaking at such a meeting, are put at ease
- The remit of the committee is explained to the complainant
- That the 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 allow everyone to consider and comment on it; this may require a short adjournment of the meeting
- That both the complainant and the school are allowed to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- That the issues are addressed
- That key findings of fact are made
- That the committee is open-minded and acts independently
- That no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- That the meeting is minuted
- That they liaise with the clerk (and complaints coordinator if the school has one).

Committee member

Committee members should be aware of the following:

- The meeting must be independent and impartial, and it should be seen to be so. No governor may sit on the committee if they have had prior involvement in the complaint or 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 if a child/young person is present during all or part of the meeting. Careful consideration of the atmosphere and proceedings should ensure that any child/young person present does not feel intimidated. The committee should respect the views of the child/young person and give them equal consideration to those of adults. Where the child/young person's parent is the complainant, the committee should allow the parent 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.

Policy for managing serial and unreasonable complaints

St Bernadette'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. We will not normally limit the contact complainants have with our 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 Bernadette's Catholic Primary School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant does the following:

- 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
- Refuses to accept that certain issues are not within the scope of the complaints procedure
- Insists on the complaint being dealt with in ways that are incompatible with the complaints procedure or with good practice
- Introduces trivial or irrelevant information that they expect 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 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 DfE
- Seeks an unrealistic outcome
- Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- Uses threats to intimidate
- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums.

The Office of the Independent Adjudicators defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner

• complaints which are designed to cause disruption or annoyance
• demands for redress that lack any serious purpose or value.

Complainants should try to limit their communication with the school that relates to their complaint while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) because 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 ask them to change it. For complainants who excessively contact St Bernadette'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 be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from St Bernadette's Catholic Primary School.

Persistent correspondence

If complainants frequently contact the school, causing a significant level of disruption, but refuse to engage with the complaints procedure, St Bernadette's Catholic Primary School can do the following:

- Restrict the complainant to a single point of contact via an email address
- Limit the number of times the complainant can make contact.

This restriction will be limited to the complainant's capacity to complain. For all other issues, the complainant can contact the school as normal.

Approved by Governors: Autumn 2026 To be reviewed: Autumn 2027