



**ST. THERESA'S CATHOLIC PRIMARY SCHOOL**

# Complaints Policy

**Our Mission Statement**

At St. Theresa's School  
We learn together  
We play together  
We pray together  
We grow together in the love of God.

Date of policy review: January 2020  
Next review: January 2022

Policy written by: Headteacher  
Policy reviewed and approved by: Governing Body  
Key person responsible: Headteacher

## ST THERESA’S CATHOLIC PRIMARY SCHOOL COMPLAINTS POLICY

### Introduction

In a Catholic school, parental/carers’ concerns are of particular importance. As the first educators of their children, parents/carers have a duty to take an active interest in their school. “Since parents have given children their life, they are bound by the most serious obligation to educate their offspring.” (*Gravissimum Educationis*). To this end, “there must be the closest co-operation between parents and the teachers to whom they entrust their children to be educated. In fulfilling their task, teachers are to collaborate closely with the parents and willingly listen to them.” (Can.796). In a Catholic School, therefore, dealing with parental/carers’ concerns will be an intrinsic part of the school’s ethos and mission.

No-one likes criticism but an open organisation will always be willing to listen to **concerns** and anxieties and be ready to learn from them if appropriate. In a school, most concerns are likely to be expressed by the parents or carers of its pupils, though some may come from pupils themselves, former pupils, parishioners, or from other interested parties such as neighbours or users of the premises. It is appropriate for a concern to be processed from wherever it arises.

Nearly all concerns or questions can be resolved very quickly and **informally** if parents/carers feel able to voice them as soon as they arise.

Occasionally, however, a concern will be too serious to be handled informally, perhaps needing greater investigation; or the person concerned may not feel that the answers given so far have been acceptable or adequate.

In such circumstances, the concern will become a **complaint** and a **formal** procedure should be rigorously followed. Even in these cases, every effort should be made to resolve the issue at the lowest possible level of the formal procedure. It should be very rare indeed that a complaint needs to be decided at the Appeal Stage by a Complaints Appeals Panel (as described below).

### Statement of intent

St Theresa’s Catholic Primary School (the **school**) aims to resolve all concerns and complaints (as defined below) at the earliest possible stage and is dedicated to continuing to provide the highest quality of education possible throughout any informal or formal process.

### Legal framework

The purpose of this policy is to establish a procedure for dealing with complaints relating to the school as required by section 29 of the Education Act 2002 (the **Complaints Policy**).

This Complaints Policy has due regard to statutory legislation, including, but not limited to, the following:

- The Education Act 2002
- The Data Protection Act 2018
- The Freedom of Information Act 2000
- The Immigration Act 2016
- The Equality Act 2010

## Definitions

For the purpose of this Complaints Policy:

- a **concern** can be defined as '*an expression of worry or doubt*' for which reassurance is sought;
- a **complaint** can be defined as '*an expression of dissatisfaction*' which can be regarding actions taken or perceived lack of action;
- unless otherwise stated, concerns will be classed and addressed as complaints and any references to complaints will include concerns; and
- any person, including a member of the public, making a complaint is referred to as a **complainant**.

## Scope of the Complaints Policy

The Complaints Policy relates to all matters relating to the actions of staff and the application of school procedures where they affect the individual pupils concerned.

This Complaints Policy is intended to set out the procedure to allow a complainant to raise a complaint against:

- a member of staff;
- the school as a whole;
- the Headteacher;
- the Chair of Governors; or
- the governing body (including an individual governor),

relating to any aspects of the school, or the provision of facilities or services that the school provides.

Notwithstanding the foregoing, this Complaints Policy:

- should not be used by members of staff with respect to complaints regarding staffing issues;
- does not apply to procedures with their own appeal structure (e.g. admissions, exclusions and Special Educational Needs (**SEN**) assessments);
- does not apply to concerns about the delivery of the National Curriculum and about collective worship;
- is separate from any disciplinary, capability or whistle blowing procedures which are in place and may run concurrently (as the case may be) with the formal complaints procedure set out below (the **Complaints Procedure**); and
- should not be used if the investigation of any complaint leads to concerns on the part of the Headteacher or governors about the capability or conduct of a member of staff.

## General Principles

- An anonymous complaint will not be investigated under this Complaints Policy, unless there are exceptional circumstances. This would include serious concerns such as child protection issues or bullying allegations, where the school would either involve external agencies or else conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation.
- To enable a proper investigation, complaints should be brought to the attention of the school as soon as possible. In general, **any matter raised more than 3 months after the event**, being complained of, **will not be considered**.
- Once a complaint has been made, it can be **resolved or withdrawn at any stage**.

- Complaints against a third party provider need to be referred to the third party (and not the school) who will deal with the complaint according to its procedures.

### **Informal Stage - Raising a concern**

- Nearly all **concerns** or questions can be resolved very quickly and **informally** if parents/carers feel able to voice them as soon as they arise. The more information the school gives to parents/carers the less scope there is for misunderstanding.
- Parents/carers should be told that feedback is always welcome and that, therefore, they are warmly encouraged to voice any concerns straightaway. It is normally appropriate for parents/carers to communicate directly with the member of staff concerned and in the case of serious concerns it may be appropriate to communicate directly with the Headteacher. This may be by letter, by telephone or in person by appointment (as requested via the school office).
- In most cases, discussion, explanation, further information – or an apology, if appropriate – will resolve the issue. **Every effort should be made to allay concerns at this level and with the least possible formality. The ideal is that no concern should ever become a formal complaint.**
- An unreasonable refusal to attempt an informal resolution will result in the Informal Stage of the complaints procedure being immediately terminated by the school. Any dispute in relation to ‘reasonableness’ may be determined through the Formal Stage review process set out below.

### **Formal Stage - Complaints Procedure**

- Occasionally, however, a concern will be too serious to be handled informally (as described in the preceding section), perhaps needing greater investigation; or the person concerned may not feel that the answers given so far have been acceptable or adequate. In such circumstances, the concern will become a **complaint** and the formal **Complaints Procedure** will be rigorously followed.
- At every stage of the Complaints Procedure, the handling of the complaint will be:
  - non-adversarial;
  - swift (using agreed time limits);
  - fair (using independent investigation where necessary); and
  - confidential.
- Throughout the process, the school will be willing to:
  - listen;
  - learn;
  - admit mistakes;
  - apologise if appropriate;
  - address any issues raised; and
  - change school practice if appropriate.
- In using the Complaints Procedure:
  - staff are asked to be aware that complainants may feel intimidated by the school as an institution and unsure whether they will be treated fairly; and
  - complainants are asked to be aware that those complained about, especially individual members of staff, may feel very vulnerable during this process.

- Throughout the Complaints Procedure, the aim of all parties should be not only to resolve the complaint, but also to develop and sustain good relationships between all members of the school community. However formal or serious the complaint, or in instances where the complainant may be dissatisfied with the outcome, the aim will always be reconciliation between all parties and a renewed commitment to work together amicably. The gospel values of justice and forgiveness should always underpin the entire process.

### **Stage 1 – Complaint heard by the Complaints Co-ordinator/other staff member**

- 1.1 If a complaint is not resolved at the Informal Stage, the complainant should formally address the complaint to the **Deputy Head Teacher, Mr Troy**, who is responsible for co-ordinating complaints at the school (the **Complaints Co-ordinator**). This may be done in person, by telephone or in writing e.g. letter, email or text. In all instances **the school's complaints form** which is available from the school office (see **Appendix 1**) (the **Complaint Form**) should be completed by the complainant and handed to the Deputy Head Teacher direct (or via the school office in a sealed envelope). In completing the Complaint Form, the complainant must include details which might assist any investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. A complaint may, in some cases, be made by a third party on behalf of the complainant.
- 1.2 If the complaint relates to:
  - 1.2.1 the **Headteacher**, the Complaints Co-ordinator will refer the complaint to the **Chair of Governors**;
  - 1.2.2 the **Chair of Governors**, the Complaints Co-ordinator will refer the complaint to the **Vice Chair of Governors**;
  - 1.2.3 **any other member of the governing body**, the Complaints Co-ordinator will refer the complaint to the **Chair of Governors**, or
  - 1.2.4 **the whole governing body**, the Complaints Co-ordinator will refer the complaint to **the Diocesan Education Service**,  
and **Stage 3 of the Complaints Process (as set out below) shall be immediately implemented**, as appropriate.
- 1.3 The Complaints Co-ordinator will log all complaints (using the form set out in **Appendix 2**) and either investigate the complaint personally or refer it to an appropriate member of staff to investigate (the **Investigator**). In making this decision, the Complaints Co-ordinator will be sensitive to any indication that the complainant would have difficulty discussing the complaint with a particular member of staff.
- 1.4 Subject to section 1.2, the Investigator will carry out an investigation **within 10 school days** of receiving the completed Complaint Form (not including the day on which the Complaint Form is received). Within this period (the **Stage 1 Investigation Period**) the Investigator will:
  - 1.4.1 establish the facts which are the subject of the complaint and the parties involved in the matter which has resulted in the complaint being made;
  - 1.4.2 arrange and meet with the complainant (or otherwise make contact with them by telephone) as soon as possible to advise them that the complaint is being investigated and to explain the next steps with respect to the investigation;
  - 1.4.3 clarify with the claimant the nature of the complaint (to ensure that there is a clear understanding of the complaint) and the issues which need to be resolved;
  - 1.4.4 clarify what the complainant feels would be needed to put things right, clearing up any areas of misunderstanding, identifying areas of agreement and discussing possible outcomes;
  - 1.4.5 interview those involved in the issues raised in the complaint and/or those who are the subject of the complaint, allowing the relevant interviewees to be accompanied if they wish (this should include adults and pupils, as appropriate, whether the person being complained about or witnesses);

- 1.4.6 conduct each interview with an open mind and be prepared to persist with relevant lines of questioning to ensure that a clear and accurate understanding of the facts is obtained; and
- 1.4.7 conduct the investigation discreetly and keep all records securely and confidentially. The Investigator will keep (in a timely manner following any interviews) comprehensive, secure and confidential notes of all interviews.

### **Timescales**

- 1.5 Within the Stage 1 Investigation Period, the Investigator will carry out and complete the investigation (as described in section 1.4 above).
- 1.6 At any point during the Stage 1 Investigation Period, the Complaints Co-ordinator has the discretion to commission a further investigation, whether by a member of staff or an independent person. If this occurs, the Stage 1 Investigation Period may be extended by a reasonable period (as determined at the discretion of the Complaints Co-ordinator) and the complainant must be notified of the extension as soon as possible together with an explanation as to why a further period of investigation is necessary.

### **Stage 1 Outcomes Meeting**

- 1.7 Before the end of the Stage 1 Investigation Period (and any extension period, as described in section 1.6), the Complaints Co-ordinator shall contact the complainant to arrange a meeting to discuss the outcome of the investigation (the **Stage 1 Outcomes Meeting**). The Stage 1 Outcomes Meeting may take place after the end of Stage 1 Investigation Period.
- 1.8 The Complaints Co-ordinator and Investigator (as appropriate) will attend the Stage 1 Outcomes Meeting and meet the complainant to explain the outcome of the investigation and to try to resolve the complaint. **Every effort will be made to try to resolve the complaint at the Stage 1 Outcomes Meeting.**
- 1.9 Any of the following outcomes may be appropriate at this point:
  - 1.9.1 an acknowledgement that the complaint is valid in whole or in part (some details may be given of action the school may be taking to review procedures etc, but details of the investigation or of any disciplinary procedures will not be released);
  - 1.9.2 an apology;
  - 1.9.3 an explanation with respect to the matters relating to the complaint;
  - 1.9.4 a clarification of any misunderstandings in relation to the complaint;
  - 1.9.5 an admission that the situation could have been handled differently or better;
  - 1.9.6 an explanation that the matter has been fully investigated and that appropriate procedures are being followed (which may be confidential);
  - 1.9.7 an explanation of the steps that have been (or will be) taken to mitigate the risk of the event happening again;
  - 1.9.8 an explanation that the complaint cannot be upheld due to lack of evidence;
  - 1.9.9 an explanation that the complaint is not substantiated by evidence; or
  - 1.9.10 an undertaking to review school policies in light of the complaint (as appropriate).
- 1.10. If the complaint cannot be resolved, the complainant will be advised that they may refer it to the Headteacher for investigation (**Stage 2**).

### **Stage 2 – Complaint heard by Headteacher**

- 2.1 Where a complaint has not been resolved at Stage 1, or if the complainant is not satisfied that the Stage 1 process has been correctly followed, or if the complainant considers that the Stage 1 outcome is perverse, or that the Complaints Co-ordinator and/or Investigator has acted unreasonably in considering the

complaint, it should be referred by the complainant in writing to the Headteacher for investigation. In all instances the **school's referral form** which is available from the school office (see **Appendix 3**) (the **Referral Form**) should be completed. The Referral Form must be completed by the complainant and submitted to the Headteacher direct (or via the school office in a sealed envelope) **within one month** of the Stage 1 Outcomes Meeting (see section **1.7**) not including the date of the Stage 1 Outcomes Meeting.

- 2.2** The Headteacher will review the completed Referral Form and will either investigate the complaint personally or refer it to another senior member of staff (who has not, so far, been involved in Stage 1) or arrange for an independent investigation, if appropriate. Where the complaint has escalated to also include a complaint concerning process and the manner in which the original complaint has been handled, both parts of the complaint will be investigated.

### **Time scales**

- 2.3** Within ten school days of the Headteacher receiving the completed Referral Form (not including the day on which the Referral Form is received by the Headteacher), the Headteacher (or other appointed Investigator) will conduct an investigation as described in section **1.4** (the **Stage 2 Investigation Period**).
- 2.4** At any point during the Stage 2 Investigation Period, the Headteacher may decide or agree to commission a further investigation, whether by another senior member of staff, a governor or an independent person (as appropriate). If this occurs, the Stage 2 Investigation Period may be extended by a reasonable period (as determined at the discretion of the Headteacher) and the complainant must be notified of the extension as soon as possible together with an explanation as to why a further investigation is necessary.

### **Stage 2 Outcomes Meeting**

- 2.5** Before the end of the Stage 2 Investigation Period (and any extension period, as described in section **2.4**), the Complaints Co-ordinator shall contact the complainant to arrange a meeting to discuss the outcome of the investigation (the **Stage 2 Outcomes Meeting**). The Stage 2 Outcomes Meeting may take place after the Stage 2 Investigation Period.
- 2.6** The Complaints Co-ordinator, Headteacher and Investigator (as appropriate) will meet the complainant to explain the outcome of the investigation and to try to resolve the complaint. **Every effort will be made to resolve the complaint at this meeting.** Any of the suggestions in section **1.9** may be appropriate at this point.
- 2.7** If the complaint cannot be resolved, the complainant will be advised that they may refer it to Stage 3. This should be done within one month of the Stage 2 Outcomes Meeting (see section **2.5**) not including the date of the Stage 2 Outcomes Meeting.

### **Stage 3 - Complaints heard by Governing Body's Complaints Appeal Panel**

- 3.1** If:
- 3.1.1** a complaint cannot be resolved at Stage 2;
  - 3.1.2** the complainant is not satisfied that the Stage 1 and Stage 2 process(es) have been correctly followed; or
  - 3.1.3** the complainant considers that the Stage 2 outcome is perverse or that the Headteacher has acted unreasonably in considering the Stage 2 complaint,
- it should be referred in writing (and must include a statement specifying any perceived failures to follow the procedure, as appropriate) by the complainant to the Chair of Governors. This referral must be received **within one month** of the Stage 2 Outcomes Meeting (see section **2.5**), not including the date of the Stage 2 Outcomes Meeting.

- 3.2** Where the Chair of Governors receives a written referral from the complainant (as described in section **3.1**), or the Chair of Governors or Vice Chair of Governors receives a referral from the Complaints Co-ordinator in accordance with section **1.2** (each a **Stage 3 Referral**), s/he will within 5 school days establish what has happened so far and investigate if the Complaints Procedure has been properly followed. If it is appropriate to move to Stage 3, the Chair of Governors or Vice Chair of Governors as appropriate will, via the clerk, convene a Complaints Appeal Panel (the **Panel**).
- 3.3** The Panel shall consist of three governors. This Panel will have delegated power to hear and finally determine complaints. Any governor who has prior involvement in or detailed knowledge of a particular complaint or its investigation may not sit on the Panel hearing that complaint. In the event that there are insufficient numbers of governors available to participate in a Panel, the Chair of Governors or Vice-Chair of Governors as appropriate may appoint associate members, on the recommendation of the Diocese, to participate solely in the relevant Panel.
- 3.4** A review by the Panel is the final stage of the school Complaints Procedure. It is, therefore, vital that, in the spirit of the procedure, the Panel should:
- 3.4.1** be prepared to hear complaints without preconceptions;
  - 3.4.2** examine and discuss the matter fully so that they ensure that they have every piece of information or evidence that they require;
  - 3.4.3** be prepared to commission, organise or conduct further investigations if necessary;
  - 3.4.4** give the complainant the opportunity to express their dissatisfaction and worries and to suggest what might put things right; and
  - 3.4.5** be prepared to take whatever action is required.

### **Timescales**

- 3.5** The date of the Panel meeting should be agreed by all parties within 5 school days of the receipt of the Stage 3 Referral. The Panel meeting should be held within 15 school days of receipt of the Stage 3 Referral.
- 3.6** If the complainant or the Headteacher wishes to submit information in writing to the Panel, they should send it to the clerk at least 5 school days before the date of the Panel meeting.
- 3.7** As far as possible, the Panel meeting should not be delayed if the Stage 3 Referral comes at the end of a term, especially at the end of the summer term. Since the aim of the procedure is to resolve the issue and effect reconciliation if necessary, it will be best if the matter can come to the Panel as quickly as possible, especially as the complainant will already have been engaged over a protracted period in attempts to put things right.
- 3.8** If the complainant fails to agree to attend a Panel meeting having been offered 2 or more alternative dates, within the 20 school day period, in an effort to accommodate their attendance, then the Panel may decide the meeting should, in any event, take place on the date last offered to the complainant. This is particularly the case where the complaint will not be heard within the school term or if the event giving rise to the complaint extends back sometime before the complaint was made. The complainant will be notified in writing of the time and date the Panel has agreed to meet to consider the complaint.

### **Failure to Attend**

- 3.9** If the complainant fails to attend or give reasonable prior notice to the clerk and/or Panel that s/he has a valid reason for being unable to attend the scheduled Panel meeting, then the Panel will consider whether it is appropriate either to:
- 3.9.1** dismiss the complaint summarily for absence of the complainant, or



- 3.9.2** proceed to conduct the Panel meeting in the absence of the complainant using such evidence as was already before it on paper and as is available orally from the other party.

### **Before the Panel meeting**

- 3.10** Members of the Panel should consider carefully any documentation from the Headteacher or the complainant but **should not discuss the matter with anyone, including the other members of the Panel, before the Panel meeting.** This is in the interest of fairness and natural justice. The Panel must operate scrupulously as an independent arbiter of the complaint. The Panel may however, liaise before the meeting in order to decide whether or not it is appropriate to exercise the powers set out in section **3.8 and 3.9** above.

### **Conduct of the Panel meeting**

- 3.11** The Panel meeting shall be conducted as follows:

- 3.11.1** one of the Panel must act as Chair and where reasonably practicable there should be a clerk for the meeting;
- 3.11.2** a member of the Diocesan Education Service may be invited to advise and support the Panel;
- 3.11.3** the meeting room should be private and as informally laid out as possible in order to encourage a spirit of partnership. It is very important that there should be nothing adversarial about the proceedings. The tone of the whole meeting will be set by the atmosphere of the room in which it is set and by the way people are greeted. Panel members should be sensitive to the vulnerabilities and sensitivities of all concerned. Parents/carers may be emotional when talking about their child; the Headteacher and others involved in the earlier investigations may fear that their professionalism could be under attack. Everyone needs to remember that the aim and purpose of the meeting is to resolve the complaint and find ways of going forward together. It is possible that the complainant may not be satisfied with the outcome if the Panel does not find in their favour, but the conduct of the meeting can go a long way towards smoothing such dissatisfaction. At the very least, every complainant should feel at the end that their complaint has been taken seriously and examined impartially;
- 3.11.4** very special care should be taken if the complainant is a child or if there are child witnesses. Children's views should be given equal consideration to those of adults. If a parent/carer has complained on behalf of a child, the parent/carer should be given the opportunity to say which parts of the meeting the child needs to attend; and
- 3.11.5** the parent/carer must be told that they are permitted to bring a friend or representative to the meeting.

### **Role of the clerk**

- 3.12** The clerk will:

- 3.12.1** confirm to all parties in writing the date, time and venue of the Panel meeting;
- 3.12.2** receive and distribute any documentation to be read before the Panel meeting;
- 3.12.3** meet and welcome all parties as they arrive at the Panel meeting;
- 3.12.4** record the proceedings and maintain secure and confidential records; and
- 3.12.5** notify all parties of the Panel's decision within 3 school days (or as decided by Panel). The wording of any letters will be agreed with the Chair of the Panel.

### **Role of the Chair of the Panel**

- 3.13** The Chair will ensure:

- 3.13.1** that the procedure is properly followed (with the support of the Diocesan Education Service, if requested);

- 3.13.2** that the procedure for the hearing of the complaint is explained to all parties and that all parties have the opportunity to put their case without undue interruption;
- 3.13.3** that the issues are addressed;
- 3.13.4** that all parties are put at their ease, especially any who may not be accustomed to speaking at such a hearing;
- 3.13.5** that the proceedings are kept as informal as possible and that everyone treats each other with respect and courtesy;
- 3.13.6** that the Panel operates in an open-minded and independent way; and
- 3.13.7** that time is given for all parties to consider any 'new' evidence.

#### **Role of the Diocesan and Local Authority Representatives**

- 3.14** The Diocesan and Local Authority officers are there in an advisory capacity only. They do not have a vote and do not participate in the Panel's decision-making process. Their role is to advise the Panel on procedure.

#### **Order of Proceedings for the Panel meeting**

- 3.15** All parties will be provided with an advance copy of the Order of Proceedings as set out in **Appendix 4**.

#### **Options open to the Panel**

- 3.16** On completion of the Panel meeting, the Panel may:
  - 3.16.1** dismiss the complaint in whole or in part;
  - 3.16.2** uphold the complaint in whole or in part;
  - 3.16.3** decide on the appropriate action to be taken to resolve the complaint; or
  - 3.16.4** recommend changes to the school's systems or procedures to mitigate the risk that problems of a similar nature do not recur.

#### **After the Panel meeting**

- 3.17** After the Panel meeting the following action will be taken:
  - 3.17.1** the Chair of the Panel will agree with the clerk the wording of a letter to be sent to all parties. This must include reasons for the decision being taken by the Panel. It must also explain that appeals on points of law or procedure may be referred to the Secretary of State for Education at: The School Complaints Unit, Department for Education, Piccadilly Gate, Manchester M1 2WD. The clerk must ensure that the letter is sent out in accordance with the agreed timescale.
  - 3.17.2** The clerk will write up the notes of the Panel meeting and give a copy to the Chair of the Panel. It is recommended that these notes are also sent to the complainant and the school (redacted as appropriate).
  - 3.17.3** The clerk will ensure that any recommendation to change school procedures is put on the agenda for the next governing body meeting.

#### **Legal Representation**

The Panel meeting is intended to be a non-adversarial meeting. It is not part of legal proceedings and it is intended that the complaint should be heard, that the complainant and the school should be reconciled and any mistakes rectified. It is not therefore appropriate for the complainant or the school to be legally represented. **Legal representatives/advisers will only be admitted in exceptional circumstances and with written permission obtained in advance from the Panel.**

#### **Confidentiality**

All records of complaints must be kept strictly confidential, except where a legitimate subject access request is made under the Data Protection Act 2018. Complainants are entitled to a copy of the records of a complaint, including notes and outcomes. Records of complaints should be retained for three years following completion of the complaints process and then destroyed.

### **Serial or Persistent Complaints**

In the case where the school is contacted repeatedly by an individual making the same point, or asking the school to reconsider its position, despite all stages of the complaints procedure having been followed, the Chair of Governors will inform the complainant that the Complaints Procedure has been completed and that the matter is closed. The procedure for dealing with serial and persistent complaints is attached as **Appendix 5**.

### **Complaints to Ofsted**

The Education and Inspections Act 2006 at s.160 provides a procedure for Ofsted to investigate parents' complaints about a school. A complaint cannot be investigated unless the school's Complaints Procedure has been exhausted, subject to the Chief Inspector's discretion to waive this requirement.

### **Complaints to the Secretary of State for Education– The School Complaints Unit**

If a complaint has completed the school Complaints Procedures and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State for Education. 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 School Complaints Unit (the **SCU**) considers complaints relating to Local Authority maintained schools in England on behalf of the Secretary of State. The SCU will look at whether the Complaints Policy and any other relevant statutory policies were adhered to. The SCU also looks at whether statutory policies adhere to education legislation. However, the SCU will not normally re-investigate the substance of the complaint. This remains the responsibility of schools. The SCU will not overturn a school's decision about a complaint except in exceptional circumstances where it is clear the school has acted unlawfully or unreasonably. If the SCU finds that the school has not handled a complaint in accordance with its procedure, they may request that the complaint is looked at again.

Further information can be obtained from the SCU by calling the National Helpline on 0370 000 2288 or going online at: [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus) or by writing to:

Department for Education  
School Complaints Unit  
2nd Floor,  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD 15

Reviewed: January 2020. To be reviewed: January 2022.

## APPENDIX 1

### ST. THERESA'S CATHOLIC PRIMARY SCHOOL STAGE 1 FORMAL COMPLAINT FORM

Please complete this form and return it, via the school office, to the **Deputy Head, Mr Troy** (the **Complaints Co-ordinator**), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with School (e.g. parent of a pupil on the school roll):

Pupil's name (if relevant to your complaint):

Your address:

Telephone numbers

Daytime:

Evening:

e-mail address:

Please give concise details of your complaint, (including dates, names of witnesses etc.) to allow the matter to be fully investigated:

You may continue on separate paper, or attach additional documents, if you wish.

Number of additional pages attached =

What action, if any, have you already taken to try to resolve your complaint? (I.e. who have you spoken with or written to and what was the outcome?)

What actions do you feel might resolve the problem at this stage?

Signed ..... Date.....

School use:

Date form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to  
:

Date:

**APPENDIX 2**  
**EXAMPLE OF A COMPLAINT RECORD FORM (Stage 1 and Stage 2)**

**PART A - RECORD OF COMPLAINT**

**Complainant's Name:**

**Address:**

**Telephone:**

**Details of the Complaint:**

**Date Complaint Made:**

**Action Already Taken to Resolve the Matter:**

**Complainant's View of what might resolve the issue:**

**PART B - ACTION TAKEN IN ACCORDANCE WITH THE COMPLAINTS PROCEDURE**

**Complaint Investigated by:**

**Action (with dates):**

**Date of formal meeting with complainant:**

**Outcome of the Meeting:**

**APPENDIX 3**  
**ST. THERESA'S CATHOLIC PRIMARY SCHOOL COMPLAINT REFERRAL FORM**

Please complete this form and return it to the Head Teacher who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name: .....

Your Address:

Telephone numbers:

Daytime:

Evening:

E-mail address:

Dear Sir / Madam

I submitted a formal complaint to the school on ..... and am dissatisfied by the procedure that has been followed.

My complaint was submitted to ..... and I received a response from ..... on ..... .

I have attached copies of my formal complaint and of the response(s) from the school.

I am dissatisfied with the way in which the procedure was carried out, because:



You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What actions do you feel might resolve the problem at this stage?

Date:

**School use**

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Request referred to:			
Date:			

## **APPENDIX 4**

### **ORDER OF PANEL MEETING PROCEEDINGS**

- Welcome, introductions and explanation of proceedings by the Chair;
- The complainant (or representative) is invited to explain the complaint;
- The Headteacher (or representative) may question the complainant;
- The Panel may ask questions at any time;
- If there are any witnesses for the complainant they are invited individually into the room to make their points, the Headteacher and the Panel may question them and then the witness is invited to leave;
- The Headteacher is invited to explain the school's actions;
- The complainant and the Panel may ask questions;
- Any witnesses for the school are invited in and treated in the same way as the complainant's witnesses;
- The Chair checks that all parties have asked all they need to, then the complainant, followed by the Headteacher is invited to sum up;
- The Chair explains that the decision will be issued within 3 school days and all parties leave together;
- The Panel makes its decision (advised on law and procedure by member of Diocesan Education Service, if present.)

## **APPENDIX 5 POLICY FOR MANAGING SERIAL AND UNREASONABLE COMPLAINTS**

St Theresa's 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 Theresa's 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:

- 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 co-operate 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 which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which 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 Department for Education
- 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.

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), 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 ask them to change it. For complainants who excessively contact St Theresa'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 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 Theresa's.