

Complaints Policy



This policy is a statement of the aims, principles and strategies for the implementing of Complaints throughout the whole of Holy Rosary School. Complaints will be dealt with within our Catholic ethos. The policy will be reviewed in line with the priorities set in the School Development Plan.

Aim

When a concern is raised, the aim should always be to resolve this informally without the need to engage the formal complaint process. In the first instance parents should be encouraged to discuss any concerns with the child's class teacher, and most matters can usually be resolved in this way.

The formal complaints process can be used where all attempts to informally resolve the complaint or concern have been unsuccessful, and the person raising the concern remains dissatisfied and wishes to take the matter further.

The Headteacher is responsible for the operation and management of the school's complaints procedure. The Headteacher should ensure that staff are made aware of the procedures so that they know what to do when they receive a complaint.

Individual complaints should not be heard by the whole Governing Body at any stage in order to avoid compromising their impartiality.

THE FORMAL COMPLAINTS PROCEDURE

(This should follow attempts to resolve the initial concern informally)

Stage 1. Complaint Heard by Head teacher

(Where the complaint concerns the Headteacher, the complaint should be referred to the Chair of Governors)

Investigating Complaints

- Parents should arrange to discuss initial concerns with Mrs Green (Pupil and family support) to discuss concerns and attempt to find a solution or series of actions.
- If the complaint is not resolved after discussion with Mrs Green, parents will need to arrange an appointment to meet with the Head Teacher, or put their complaint in writing via the school Parentapp to the Head Teacher.
- Establish what has happened so far, and who has been involved. If appropriate, ask the complainant to complete and return a Complaint Form via the school Parentapp.
- Clarify the nature of the complaint and what remains unresolved
- Ceet with the complainant or contact them (if unsure or further information is necessary)

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- Clarify what the complainant feels would put things right
- Give the complainant timescales within which they may expect an update.
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- Keep notes of any meetings or interview on CPOMS.

Once the Head Teacher has investigated the complaint the Head Teacher will meet with the complainant regarding the outcome and will ensure they receive a written response to the complaint.

Recording Complaints

Schools must ensure that they meet the Public Sector Equality Duty. It is common practice to ask for complaints to be made by using a complaint form or in writing, however the complainant may have communication preferences due to disability or learning difficulties and schools must allow alternative methods of contact:

- A complaint may be made in person, by telephone, or in writing;
- In order to prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls should be kept and a copy of any written response added to the record (CPOMS). Where there are communication difficulties, schools may wish to use recording devices to ensure the complainant is able to access and review the discussions at a later point; This can also be stored on CPOMS.
- Schools should record the progress of the complaint and the final outcome. The headteacher or complaints co-ordinator should be responsible for these records and hold them centrally.
- Schools should be aware that complainants have a right to copies of these records under the Freedom of Information and Data Protection Acts.

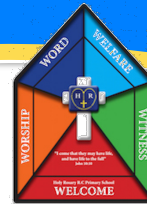
Time Limits

Complaints need to be considered and resolved as quickly and efficiently as possible. Realistic time limits should be set for each action within each stage. An initial complaint should be acknowledged immediately (this can be verbally if it is impractical to send an immediate written reply). When further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for any delay.

Resolving Complaints

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

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Having listened to the complaint, and considered the circumstances surrounding it, it might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better (An admission that the school could have handled the situation better is not the same as an admission of negligence.)
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review school policies in light of the complaint

Stage 2: Complaint escalated to The Chair of Governors

If the complaint cannot be resolved at stage 1 then the complainant may write to the Chair of Governors enclosing the complaint details and the stage 1 response from the Head Teacher. The Chair of Governors will then acknowledge receipt of the complaint and may need to meet with the complainant. The Chair will look into the complaint to see if there is anything further that can be done to provide for a resolution. The Chair will provide the complainant with a written response.

Stage 3: Complaint Heard by Governing Body Complaints Appeal Panel

Following the investigation and response from the Chair of Governors if the complainant remains dissatisfied with the outcome and matters are still not resolved, they can write to the Chair of Governors to request that they arrange for a Governing Body Complaints Appeal Panel to hear the complaint.

The Remit of the Complaints Appeal Panel

The 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 or procedures to ensure that problems of a similar nature do not recur.

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The Hearing

1. The appeal hearing must be independent and impartial. No governor may sit on the panel if they have a prior involvement in the complaint
2. The aim of the hearing is to resolve the complaint and achieve reconciliation between the school and the complainant. If the complainant is not satisfied with the outcome it may only be possible to establish the facts and make recommendations.
3. It must be acknowledged that the complainant may feel nervous and inhibited in a formal setting. The panel chair will ensure that the proceedings are as welcoming as possible, being informal and not adversarial

Roles and Responsibilities

The Role of the Clerk

All Panel meetings should be clerked. The clerk will be the contact point for the complainant and will:

- Set the time, date and venue of the hearing
- Collate any written material and send to all parties in advance of the hearing
- Meet and welcome the parties as they arrive at the hearing
- Record the proceedings
- Notify all parties of the panel's decision.

The Role of the Chair of the Panel

The Chair of the Panel should ensure that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption
- The issues are addressed
- Key findings of facts are made
- Participants are put at their ease
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- The panel is open minded and acting independently
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- Each side is given the opportunity to state their case and ask questions
- Written material is seen by all parties.

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Notification of the Panel's Decision

The Chair will ensure that the complainant is notified of the panel's decision in writing with the panel's response. This is the end of the school complaints procedure and following the conclusion of the Governors Complaint Appeal Panel the school will consider the matter closed.

If the complainant feels that the school have not dealt reasonably in investigating their complaint they have the right to contact the Secretary of State or Education and information about how to do this can be found on the Department for Education website.

Vexatious complaints and unacceptable behaviour

If properly followed, the complaints procedure will aid the speedy resolution of most complaints, however, there may be occasions where an agreed resolution cannot be reached and it is only possible to agree an acceptable way forward.

It should be noted that once a complaint reaches the end of the school complaints procedure it cannot be reopened and reinvestigated. If the complainant tries to reopen the same issues, the chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

A complaint will be considered by the school to be vexatious when:

- Repeatedly and obsessively pursued
- An unrealistic or unreasonable outcome is sought
- A complaint is reasonable, but is pursued in an unreasonable manner.

The school will not tolerate behaviour from complainants that is deemed to be offensive or threatening, or which is considered to pose a risk to either staff or pupils. The school will take such steps as necessary to manage behaviour of this kind and may seek legal advice. Where the complainants contact with the school is unreasonably demanding, or the frequency of contact is judged to impede the day to day running of the school, then the complainants contact with the school may be subject to a management plan to aid in the resolution of the complaint.

Serial or Persistent Complaints

Holy Rosary 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 the 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.

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Holy Rosary defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

A complaint may be regarded as unreasonable when the person making the complaint:-

- refuses to 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 while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

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Complainants should limit the numbers of communications with a school while a 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 asking them to change it. For complainants who excessively contact Holy Rosary causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Holy Rosary school.

Banning from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure it remains a safe place for pupils, staff and other members of their community.

If an individual's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to an appeal hearing. If this decision is taken, schools are advised to always put it in writing and explain how the decision can be appealed. Schools should also give the individual the opportunity to formally express their views on the decision to ban in writing.

The decision should then be reviewed and either confirmed or lifted. If the decision is confirmed the individual should be notified in writing, explaining how long the ban will be in place.

Anyone wishing to complain about being banned can do so, by letter or email, to the headteacher or Chair of Governors. However complaints about banning cannot be escalated to the Department for Education. Once the school procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

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Data Protection Statement

The procedures and practice created by this policy have been reviewed in the light of our Data Protection Policy.

All data will be handled in accordance with the school's Data Protection Policy.

Data Audit For This Policy					
What?	Probable Content	Why?	Who?	Where?	When?
Complaint records Incident reports	Name D.O.B. Telephone Details	Details for investigating and reporting incidents	SLT and Governors	Recorded electronically on school cloud based storage Letters and records on paper scanned and shredded	Held on File

As such, our assessment is that this policy:

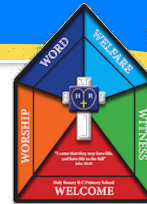
Has Few / No Data Compliance Requirements	Has A Moderate Level of Data Compliance Requirements	Has a High Level of Data Compliance Requirements
✓		

Revised and adopted by the Governing Body on: 14th June 2023

Signed: *P.Devine*

Date to be reviewed: June 2026

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Complaints not in scope of a procedure

A complaints procedure should cover all complaints about any provision of facilities or services that a school provides with the **exceptions** listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs (SEN) • School re-organisation proposals • Matters likely to require a Child Protection Investigation 	<p>Concerns should be raised directly with local authorities.</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>
<ul style="list-style-type: none"> • Whistleblowing 	<p>Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised directly with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to:</p> <p>WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD.</p> <p>The Department for Education is also a prescribed body for whistleblowing in education.</p>
<ul style="list-style-type: none"> • Staff grievances and disciplinary procedures 	<p>These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.</p>
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use school premises or facilities. 	<p>Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.</p>