



Holy Rood Catholic Primary School, Swindon



Concerns and Complaints Policy



School Vision:

Belong

At Holy Rood Catholic Primary School, we aim to provide a nurturing and inclusive environment enthused by the Spirit of Christ to enable everyone to make a positive contribution, both to the school and the wider community. We will show love, compassion and respect for others.

A sense of unity will be created by forming relationships that are based on trust, loyalty, forgiveness and acceptance; we will endeavour to act justly and be peacemakers as Christ's disciples, inspired by the Gospel values.

We will encourage a sense of responsibility and help children learn to appreciate God's world around them through reflection, mission, prayer, healing and peace.

Learn

We resolve to develop a sense of awe and wonder at God's creation for our children - where creativity flourishes and everyone is inspired to learn, demonstrating a curiosity about the world around them.

We will strive to ensure that all of our learners are able to face new challenges with confidence, in a Christian learning environment where informed risk taking and a resilient attitude are welcomed, encouraged and achieved.

Our positive and enthusiastic approach to teaching and learning will motivate every person. Each will know that they are uniquely loved by God. We will continue to enjoy our learning and reflect on our efforts and achievements, inspiring us to always try our best.

Achieve

The children will be determined in their daily challenges, gaining confidence in their own ability, imagining what they could achieve with continued effort and commitment and working to fulfil the exclusive plan God has for each of them.

By fully engaging in all aspects of school, children will have had the opportunity to go on to become ambitious and competent individuals, always striving to achieve their full potential and positively participating in God's world.

Children's Mission Statement:





Holy Rood Catholic Primary School Concerns and Complaints Procedure

Introduction:

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. Holy Rood Catholic Primary School is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint, you may wish or be asked to follow the school's formal complaints procedure. For the school to be able to investigate a complaint, it needs to be made within one year of the incident occurring. If a complaint is older than a year it will not normally be investigated.

The prime aim of our complaints policy is to resolve concerns or complaints fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious and vexatious complaints may incur appropriate action by the school.

Significant complaints will be logged with the complaints coordinator by the school including the outcomes at each stage. The complaints coordinator is the Headteacher for Stages 1 and 2. At Stage 3, the complaints coordinator is the Clerk to the Board of Governors.

The following details outline the three stages that can be used to resolve complaints, (see Appendix 2 for a summary).

Scope of this complaint's procedure:

This procedure covers all complaints about any provision of community facilities or services by Holy Rood 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 Swindon Borough 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).</p> <p>Children and Families Contact Swindon: 01793 464646 – contactchildrenandfamilies@swindon.gov.uk LADO: 01793 463854 – LADO@swindon.gov.uk</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.</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. Further information can be found here: How ESFA handles whistleblowing disclosures - GOV.UK</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 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> National Curriculum - content 	<p>Please contact the Department for Education at: Complaints procedure - Department for Education - GOV.UK</p>

Stage 1 – Raising a concern informally with a staff member and/or Headteacher

Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern. The school requests that concerns are initially raised with the appropriate member of staff, e.g., child's Class Teacher or the Headteacher. The person raising the concern may request it is recorded or the staff member may decide the concern is recorded, in which case the staff member will make a log of the concern and the outcomes with the school complaints coordinator.

On some occasions, the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within a day or two. The vast majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at stage 1, please write or call the school within 10 school working days and state what you would like the school to do. The Headteacher will then look at your complaint under Stage 2 of the procedure.

Stage 2 – Formal Complaint heard by the Headteacher

Formal complaints shall be put in writing and addressed to the Headteacher (see Appendix 3). The complaint will be logged, including the date it was received. The school will normally acknowledge receipt of the complaint within two school working days of receiving it.

The Headteacher will investigate the complaint and respond in writing. The Headteacher may delegate the



task of collating the information to another staff member but not the decision on the action to be taken. In many cases, this response will also report on the action the school has taken to resolve the issue. Additionally, a meeting may be convened to discuss the matter further. This meeting will normally take place within ten school working days of the Headteacher receiving the written complaint. The Headteacher (or other person appointed by the Headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within fifteen days.

If you are not satisfied with the result at Stage 2, please move to Stage 3 of the Policy within ten school working days of receiving the school's formal response from Stage 2

Complaint about the Headteacher

Complaints against the Headteacher will need to be raised with the Chair of Governors, initially informally as in Stage 1, and then, if necessary, formally as in Stage 2. The Chair of the Governing Body will make arrangements for your complaint to be investigated. Following the investigation, the Chair will give a written response within ten school working days. If the matter is not resolved, the complaint can be heard by the Governors' Complaints Panel, which is Stage 3, outlined below.

Stage 3 – Formal Complaint heard by the Governing Body Complaints Appeal Panel (see Appendix 1)

Please note: complaints cannot proceed to Stage 3 without having first been through Stages 1 and 2. The only exception to this is if the complaint is against the Headteacher.

The Complaints Coordinator for Stage 3 is the Clerk to the Board of Governors. Please send an updated Complaints Form to the Clerk, giving details of the complaint and actions to date. The Clerk will then convene a panel. You will be invited to attend the hearing, accompanied if you wish. The hearing will normally take place within 15 school working days of the receipt of the written request for a Stage 3 investigation.

The panel will comprise three members and must include one member who is independent of the management and running of the school.

The remit of the Appeal Panel hearing is to 'hear' from all relevant parties in relation to the complaint raised. 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.

Complainants attending an appeal will not be present when a decision is reached. All parties will be notified of the Panel's decision in writing within three school working days after the date of the hearing. The letter will also contain what you need to do if you wish to take the matter further.

The Governors' appeal hearing is the last school-based stage of the complaints process.

If you consider that the governing body has not acted properly in carrying out its investigation into your complaint, you have a right to inform the Education Skills Funding Agency (ESFA) via the school complaints form: [Complain about a school to the Department for Education - GOV.UK](#).

What is the Education Skills Funding Agency's role?



As the school is an academy, it is the responsibility of the proprietors to make sure that their complaints procedure is fully compliant.

The ESFA will check whether the complaint has been dealt with properly by the academy. The ESFA has a responsibility to ensure academies comply with their funding agreements and will consider complaints about academies that fall into any of the following three areas:

- a. where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint.
- b. where the academy is in breach of its funding agreement with the Secretary of State.
- c. where an academy has failed to comply with any other legal obligation.

The EFSA will not overturn an academy's decision about a complaint. However, if they find that an academy did not deal with a complaint properly, they will request the complaint is looked at again from the appropriate stage, following a process which meets the requirements set out in the regulations. If the academy's complaints procedure does not meet the regulations, the EFSA will ask the academy to put this right. The EFSA may, on behalf of the Secretary of State if appropriate, seek to enforce the decision under the terms of the funding agreement.

Complaints against a member of the Board of Directors (Governors)

(Who is not a staff member and/or Headteacher)

Complaints should be made in writing to the Clerk to the Governing Board by email

clerk@holyroodprimary.co.uk

Complaints about governors are managed by the Chair of Governors.

Complaints about the Chair of Governors are managed by the Vice Chair of Governors.

The Chair or Vice Chair of the Governing Body will make arrangements for your complaint to be investigated. Following the investigation, the Chair will give a written response within ten school working days.

Process and Possible Outcomes:

- The chair informs the governor against whom the complaint is made of the content of the complaint and how it will be managed
- The governing board is informed of the date of the complaint and which governor it was made against, but nothing more.
- The Chair arranges a meeting with the complainant to determine the nature of the complaint. The complainant should be able to supply evidence to substantiate their complaint. Where appropriate, the complaint can be resolved at this initial meeting. In this case, no further action needs to be taken.
- Where the complaint cannot be resolved at the initial meeting, the Chair meets the governor concerned and explains the complaint to them to allow them to respond
- The chair writes a letter to the complainant informing them of the outcome of their complaint.

Outcomes of the complaint could include:

- The complaint being dismissed;
- The complaint being partially upheld;
- The governor being invited to resign, or being suspended or removed from the governing board.



Persistent complaints

Unreasonably persistent complaints

Most complaints raised will be valid; therefore, we will treat them seriously. However, a complaint may become unreasonable if the person:

- has made the same complaint before, and it's already been resolved by following the school's complaints procedure;
- makes a complaint three times or more that is obsessive, persistent, harassing, prolific, defamatory or repetitive;
- insists on pursuing a complaint that is unfounded, or out of scope of the complaints' procedure, beyond all reason;
- pursues a valid complaint, but in an unreasonable manner e.g., refuses to articulate the complaint, refuses to co-operate with this Complaints Procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out;
- makes a complaint designed to cause disruption, annoyance or excessive demands on school time;
- seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.

Steps we will take

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our Complaints Procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- give the complainant a single point of contact via an email address;
- limit the number of times the complainant can make contact, such as a fixed number per term;
- ask the complainant to engage a third party to act on their behalf, such as Citizens Advice;
- put any other strategy in place as necessary.

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns.
- We have provided a clear statement of our position and their options.
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience.

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

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 our school site.



Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account. If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete.
- Direct them to the ESFA if they are dissatisfied with our original handling of the complaint.

If there are new aspects, we will follow this procedure again.

Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- publishing a single response on the school website;
- sending a template response to all of the complainants.

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

Appendix 1 - 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.

There are several points which any governor sitting on a complaints panel needs to remember:

- It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel Chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- The governors sitting on the panel need to be aware of the complaint's procedure.

Roles and Responsibilities

The Role of the Clerk

The DfE strongly recommends that any panel or group of governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties five days 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 in writing summarising the discussion.

The Role of the Chair of the Governing Body or the nominated governor

The nominated governor's role is to check the correct procedure has been followed.

The Role of the Chair of the Panel

The Chair of the panel has a key role, ensuring 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 fact are made;
- parents and others who may not be used to speaking at such a hearing are put at 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. If a new issue arises, it would be useful to give all parties the opportunity to consider and comment on it.
- ensure that the complainant is notified of the panel's decision, in writing, with the panel's response (including the reasons for the decision); The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Headteacher may question both the complainant and the witnesses after ~~at~~ has spoken.
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher and the witnesses after ~~at~~ has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher is then invited to sum up the school's actions and response to ~~te~~ complaint.
- Both parties leave together while the panel decides on the issues.
- The Chair explains that both parties will hear from the panel within a set timescale.

Appendix 2

Summary of Dealing with Complaints

FLOWCHART

Stage 1 – Raising a concern informally

Raise your concern with the class teacher. Ensure complaints coordinator informed of outcome

Issue resolved

Issue not resolved

Stage 2 – Raising a concern formally

Complaint heard by Headteacher
(by the Chair of Governors if the complaint is against the Headteacher)
Acknowledge receipt of complaint

Issue resolved

Issue not resolved

Stage 3 – Formal Complaint heard by the Governing Body Complaints Appeal Panel

- Governors' complaints panel meeting arranged
- Issue letter inviting complainant to meeting
- Issue letter confirming panel decision
- Ensure complaints coordinator informed of outcome

Appendix 3 – Concerns and Complaints Form

Please complete and return to Headteacher, who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Email Address:

Please give details of your concern/complaint.

What action, if any, have you already taken to try and resolve your concern/complaint?

(Who did you speak to and what was the response?)

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:

Concern/Complaint referred to:

Date: