



**Good Shepherd Catholic
Primary & Nursery School**

COMPLAINTS PROCEDURE

Last Review Date: September 2023

Next Review Date: September 2026

Contents

1. Aims & Principles for investigation
 2. Legislation and Guidance
 3. Definitions & Scope
 4. Complaints about the fulfilment of the Early Years requirements
 5. Raising a concern
 6. Raising a complaint
 7. Referral of complaints on completion of the school's procedures
 8. Unreasonable complaints
 9. Complaint campaigns
 10. Record keeping
 11. Monitoring and review
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1. Aims

Good Shepherd believes in a partnership between home, school and the wider community. We would hope that persons who have concerns would feel able to talk with either a class teacher, the Headteacher or the Chair of Governors to resolve their anxieties as quickly and amicably as possible. This policy outlines the stages which may be followed if a parent or carer wishes to raise a concern, or make a formal complaint if they feel that their concerns have developed into grounds for a complaint.

When responding to concerns or complaints, we aim to:

- Be impartial and non-adversarial;
- Facilitate a full and fair investigation;
- Address all the points at issue and provide an effective and prompt response;
- Respect parents'/carers' desire for confidentiality;
- Treat parents/carers with respect and courtesy;
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law;
- Keep parents/carers informed of the progress of the investigation into any concern or complaint they may raise;
- Consider how parents/carers can feed into school improvement evaluation processes.

We try to resolve concerns by informal means. Where this is not possible, a formal complaints procedure will be followed.

The school will aim to give the parent or carer the opportunity to complete the complaints procedure in full.

To support this, we will make sure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right.

2. Legislation and guidance

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

3. Definitions and Scope

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”
- A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

A concern or complaint can be made in person, in writing or by telephone and should be raised within three months of the incident. We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

We will not normally investigate anonymous complaints.

The school intends to resolve concerns informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover those aspects of school life for which there are specific statutory requirements or procedures. It does not cover complaints relating to:

- Admissions;
- Statutory assessments of special educational needs (SEND);
- Safeguarding matters;
- Suspension and permanent exclusion;
- Whistle-blowing;
- Staff grievances;
- Staff discipline;
- Complaints about services provided by other providers who use school premises or facilities.

Persons wishing to raise complaints in relation to any of these issues should refer to the Headteacher for information.

4. Complaints about our fulfillment of early years requirements

We will investigate all written complaints relating to the school's fulfillment of the Early Years foundation Stage requirements and notify the complainant of the outcome within 28 school days of receiving the complaint. The school will keep a record of the complaint and make this available to Ofsted on request.

5. Raising a concern

Stage 1 – discussion with class teacher

Individuals must feel able to raise concerns informally with any member of staff either in person, by telephone or in writing. The vast majority of concerns can be resolved through the class teacher. The member of staff will endeavour to meet with the parent straight away, but if this is not possible, will meet within 2 school days.

Parents/carers may also discuss their concerns with an appropriate member of staff who will reassure them that the school wants to hear about their concerns. The member of staff may explain to the person how the situation happened and will try to identify with them the sort of outcome that the person is looking for.

The member of staff dealing with the concern should make sure that the parent/carer is clear what action (if any) has been agreed. If the member of staff initially approached feels unable to deal with the concern, or is the subject of the concern, s/he should refer it immediately to the Headteacher.

Where the first approach is made to a governor, the governor should refer the person raising the concern to the appropriate staff member and advise them about the procedure.

Stage 2 - Referral to the Headteacher

Where a parent/carer does not feel that their concern has been fully addressed, they should speak informally to the Headteacher to share their concern.

The Headteacher should give an opportunity for the parent/carer to meet with her within 3 school days. The parent/carer may be accompanied by a friend, relative or supporter. The Headteacher may also be accompanied by another member of staff.

If there is no resolution of the concern at this stage, or if it relates to the Headteacher, the parent/carer should make clear that they wish to move their concern to a complaint.

6. Raising a complaint

Stage 1 – Referral to the Headteacher

If a parent wishes to escalate their informal concern to a formal complaint, they should inform the Headteacher who will acknowledge this within 2 school days. Once a concern has moved to a complaint, the Headteacher will meet again with the parent within 2 school days if needed and then formally investigate the complaint. They will report back to the parent within 10 school days of acknowledging receipt of the escalation of the concern or within 10 school days of the meeting if one has been held.

Stage 2 - Referral to the Chair of Governors

If the complaint is not resolved or relates to the Headteacher, it should be referred to the Chair of Governors. Acknowledgement of receiving the complaint will be made within 2 school days. A meeting will be arranged between the parent/carer, the Chair of Governors and may include another Governor within 5 school days of receiving the complaint. The parent/carer may be accompanied by a friend, relative or supporter. The Chair of Governors may undertake further investigation and will report back to the parent/carer in writing within 10 school days of the meeting.

If the complaint is against the Chair of Governors, a suitably skilled governor will meet with the complainant.

Stage 3 - Complaints panel

In the unlikely event that the matter has not been resolved at this point, the parent/carer will be asked to complete a complaint form (Appendix A) and submit it to the Chair of Governors within 5 school days of meeting with the Chair of Governors for the purpose of arranging a formal hearing. The complaints form will be acknowledged within 2 school days. At this stage the Chair may take advice from the Local Authority or the Diocese. Where the Chair has any previous involvement in the complaint, the panel will be convened by the Vice-Chair or nominated Governor.

On receipt of the complaint form, the Chair of the Panel will arrange a formal hearing by a panel of 3 members of the Governing Body. The Chair of the Panel must ensure that 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.

The Chair of the Panel will ensure that the complaint is heard by the Panel within 20 school days of receiving the complaint form. All relevant correspondence regarding the complaint should be given to each Panel member as soon as the composition of the Panel is confirmed.

The school will inform the complainant, the Headteacher and any relevant witnesses of the date, time and place of the meeting at least 5 school days in advance of the meeting. The letter will also inform the complainant of their right to be accompanied by a friend, relative or supporter.

The Chair of the Panel will invite the Headteacher to attend the Panel meeting and to prepare a written report for the Panel in response to the complaint. The Head may also invite members of staff directly involved to respond in writing or in person to the complaint. The Governors take the wellbeing of all staff seriously and will offer pastoral care and

support as needed, although Governors who will sit on the Panel must not be involved in this support. All relevant documents must be received by all concerned at least 5 school days prior to the meeting.

The involvement of staff other than the Headteacher is at the discretion of the Chair of the Panel.

It is the responsibility of the Chair of the Panel to ensure that the meeting is properly minuted. The clerk to the panel will be impartial and have no prior involvement with the complaint.

The aim of the meeting is to resolve the complaint and to achieve a reconciliation between the complainant and the school. It must be recognised, however, that sometimes it may only be possible to establish facts and make recommendations.

If the complainant fails to attend the hearing without good reason the complaint will be deemed to have been withdrawn and the procedure will be at an end.

The Hearing

The hearing will be a formal occasion and will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless all consent to this. The hearing will take place in person unless the parent requests it is done virtually and the panel and witnesses can all access it.

The complainant and the headteacher may both bring a companion to the hearing but neither may bring legal representation.

Witnesses are only required to attend for the part of the hearing in which they give their evidence.

After introductions, the Chair will invite the complainant to explain their complaint, and call their witnesses.

The Headteacher may question both the complainant and the witnesses after each has spoken.

The Headteacher will then be invited to explain the school's actions and will be followed by the school's witnesses.

The complainant may question both the Headteacher and the witnesses after each has spoken.

The panel may ask questions at any point.

The complainant will then sum up their complaint.

The Headteacher will then be invited to sum up the school's actions and response to the complaint.

The Chair of the Panel will explain to the complainant and the Headteacher that the Panel will now consider its decision, and a written decision will be sent to both parties within 15 school days. The complainant and the Headteacher will then leave the meeting.

The Panel will then consider the complaint and all the evidence presented in order to reach a unanimous, or at least a majority, decision on the complaint and decide upon the appropriate action to be taken to resolve the complaint. If it is appropriate, the Panel may suggest changes to the school's system or procedures to ensure that problems of a similar nature do not happen again.

A written statement outlining the decision of the Panel will be sent to the complainant and the Headteacher.

The school will ensure that a copy of all correspondence and notes are kept securely, only for as long as necessary and in line with data protection law.

7. Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the Education and Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint, but will intervene if a school or trust has:

- Breached a clause in its funding agreement;
- Failed to act in line with its duties under education law;
- Acted (or is proposing to act) unreasonably when exercising its functions.

If the school's complaints procedure is found not to meet regulations, the school will be asked to correct its procedure accordingly.

More information can be found on the following webpage:

<https://www.gov.uk/complain-about-school>

8. Unreasonable complaints

A complaint may be considered to be unreasonable if the person:

- Has made the same complaint before, and it has already been resolved by following the school's complaints procedure (including duplicate complaints from partners, family members or other individuals);
- Makes a complaint 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;
- 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.

In such cases the school will take every reasonable step to address the complainant's concerns, and give them a clear statement of the school's position. If the complainant contacts 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;
- Put any other strategy in place as necessary, including no longer responding.

9. 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.

10. Record keeping

The school will record the progress of all complaints and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential, will be held centrally, and will be viewed only by those involved in investigating the complaint or the review panel.

This is except where the Secretary of State (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act 2018, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary, and in line with data protection law.

11. Monitoring and Review

The Full Governing Body (FGB) will monitor the effectiveness of the complaints procedure. They will track the number and nature of complaints, and review underlying issues.

The complaints records are logged and managed by the Headteacher.

This policy will be reviewed by the FGB every 3 years.

At each review, the policy will be approved by the FGB.

Complaints Timeline 2023-2026

	Acknowledge receipt (no. of school days after receiving the complaint)	Meet with complainant (no. of school days after receiving the complaint)	Outcome letter (no. of school days after the meeting)
Raising a concern Stage 1 Discussion with class teacher	Concerns are normally raised verbally with the person but if this is not the case, then 2 school days	Endeavour to meet with the parent straight away, but if this is not possible, will meet within 2 school days.	N/A
Raising a concern Stage 2 Referral to the Headteacher	Concerns are normally raised verbally with the person but if this is not the case, then 2 school days	3 school days	N/A
Raising a complaint Stage 1 Referral to the Headteacher	2 school days	2 school days	10 school days
Raising a complaint Stage 2 Referral to the Chair of Governors	2 school days	5 school days	10 school days
Raising a complaint Stage 3 Complaints panel	2 school days	20 school days	15 school days

Appendix A – Formal Complaint Form

Please complete and return to the School who will acknowledge receipt and explain what action will be taken.

Your Name:	Pupil's Name:
Your Relationship to Student:	Pupil's DOB and Year Group:
Address and Postcode:	Daytime Telephone Number:
	Evening Telephone Number:
Full details of complaint (including the names of all persons involved and the dates of incidents referred to):	
What action, if any, have you already taken to try and resolve your complaint (for example, who did you speak to and what was the response)?	
What actions do you feel might resolve the problem?	
Are you attaching any paperwork? If so, please give details.	
Signature:	Date:
<i>For Official Use:</i>	
<i>Date Acknowledgement Sent:</i>	
<i>Name of Person Complaint Referred To:</i>	
<i>Signature:</i>	<i>Date:</i>