

# St. John Bosco RC Primary School



# Complaints Policy

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# Complaints Policy

## 1 Introduction

We welcome any feedback that we receive from parents, pupils and third parties, and we accept that not all of this will be positive. Where concerns are raised the school intends for these to be dealt with: fairly, openly, promptly and without prejudice

We strive to provide a good education for all our children. The headteacher and staff work very hard to build positive relationships with all parents and carers. However, the school is obliged to have procedures in place in case there are complaints by parents or guardians. The following policy sets out the procedures that the school follows in such cases.

If any parents or carers are unhappy with the education that their child is receiving, or have any concerns relating to the school, we encourage them to talk to the child's class teacher immediately.

We deal with all complaints in accordance with procedures laid down by the LA. If the school itself cannot resolve a complaint, those concerned can refer the matter to the LA. (See Appendix 1 LA Complaints Procedure). All parents and carers have the right, as a last resort, to appeal to the Secretary of State for Education and Skills, if they still feel that their complaint has not been properly addressed.

## 2 Aims and objectives

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints, and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. In all cases, we put the interests of the child above all else. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved. The majority of concerns can be dealt with without resorting to the procedure. Where you have a concern about any aspect of the school or your child's education or wellbeing, raise this with your child's class teacher via the phone or in person. Ideally, they will be able to address your concerns on the spot, or can arrange a meeting with you to discuss the issue. All concerns will be dealt with confidentially, although the staff member may need to take notes if they feel that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of the Data Protection Act 1998. However, such notes would be able to be used to as evidence if further investigation was required, or if the concern became a formal complaint.

## 3 The complaints process

3.1 If a parent is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher (Stage 1). In our experience, most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress.

3.2 Where parents or carers feel that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the headteacher (Stage 2). The headteacher considers any such complaint very seriously, and investigates each case thoroughly. The Headteacher will consider all relevant evidence; this may include but is not limited to:

- a statement from the complainant,
- where relevant a statement from an individual who is the subject of the complaint
- any previous correspondence regarding the complaint
- any supporting documents in either case

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- interview with anyone related to the complaint.

The Headteacher may decide to have a meeting with the complainant (and where relevant, the subject of the complaint) if they feel that it would be appropriate for the investigation.

After considering the available evidence, the Head Teacher can:

- Uphold the complaint and direct that certain action be taken to resolve it
- Reject the complaint and provide the complainant with details of the stage three appeals process
- Uphold the complaint in part: in other words, the Headteacher may find one aspect of the complaint to be valid, but not another aspect. They may direct for certain action to be taken to resolve the aspect that they find in favour of the complainant.

The Headteacher must inform the complainant of their decision in writing within 15 working days (excluding those that fall in the school holidays) of having issued written acknowledgement of the receipt of the complaint. They must explain clearly why they have come to the decision that they made. They must detail any agreed actions as a result of the complaint. Finally, they must provide the complainant with details of how to progress the complaint to stage three if they are not satisfied, providing them with the contact details of the clerk to the governors (see the end of the procedure for these). Most complaints are normally resolved by this stage, however a complaints form may be submitted (see Appendix 1).

- 3.3 Should any parents or carers have a complaint about the headteacher, they should contact the Chair of Governors or Governors Clerking Unit who will then implement the agreed procedures.
- 3.4 If the complainant wishes to appeal a decision by the Headteacher at stage 2 of the procedure, or they are not satisfied with the action that the Headteacher took in relation to the complaint, the complainant is able to appeal this decision. They must write to the Governing Body as soon as possible after receiving notice of the Headteacher's decision. This complaint must be made in writing, stating the nature of the complaint, and how the school has handled it so far. The parent should send this written complaint to the chair of governors. The complainant must request an appeal panel within 4 weeks of receiving the Headteacher's decision or it will not be considered, except in exceptional circumstances.
- 3.5 The governing body must consider all written complaints within three weeks of receipt. It will arrange a meeting to discuss the complaint, and will invite the person making it to attend the meeting, so that s/he can explain the complaint in more detail. The school gives the complainant at least three days' notice of the meeting.
- 3.6 In addition to the panel, the following parties will be invited, where applicable:
- the complainant
  - the Headteacher who dealt with the complaint at Stage 2
  - where the complaint regards a member of staff, the staff member who is the subject of the complaint.

The complainant is also able to bring a companion with them to the hearing if they wish. Where the subject of the complaint is a member of staff, that staff member is also able to bring a companion with them. The companion will be a friend or a colleague. Neither party is able to bring legal representation with them. If after the hearing any party feels that legal action is necessary, please see the contact details at the end of the procedure.

- Where the complaint is about a governor/trustee, the complainant may request that the appeal is heard by an entirely independent panel. It is at the discretion of the governing board who will notify the clerk of their decision. Where an entirely independent panel is required, timescales may be affected while the school source appropriate individuals for the review.

- 3.6 After hearing all the evidence, the governors will consider their decision and inform the parent about it in writing. They can make the following decisions:
- 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

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- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

The governors do all they can at this stage to resolve the complaint to the parent's satisfaction. All parties who attended the meeting will be informed in writing of the outcome of the appeal within 5 working days (excluding those which fall in the school holidays).

This is the final stage at which the school will consider the complaint. If the complainant remains dissatisfied and wishes to take the complaint further, please see the contact details at the end of the document. The school will not consider the complaint beyond this.

#### 4. Unreasonable Complaints

Where a complainant raises an issue that has already been dealt with via the school's complaints procedure, and that procedure has been exhausted, the school will not reinvestigate the complaint except in exceptional circumstances, for example where new evidence has come to light. If a complainant persists in raising the same issue, the Headteacher will write to them explaining that the matter has been dealt with fully in line with the school complaints procedure, and therefore the case is now closed. The complainant will be provided with the contact details of the Department for Education (see the end of this document) if they wish to take the matter further.

*Unreasonable complaints include the following scenarios:*

- The complainant refuses to co-operate with the school's relevant procedures.
- The complainant changes the basis of the complaint as the complaint progresses.
- The complainant seeks an unrealistic outcome.
- Excessive demands are made on the time of staff and school governors and it is clearly intended to aggravate.
- The complainant acts in a way that is abusive or offensive.

The Headteacher will use their discretion to choose not to investigate these complaints. Where they decide to take this course of action, they must inform the chair of governors that they have done so, explaining the nature of the complaint and why they have chosen not to investigate. If the chair deems it appropriate to, they can redirect the Headteacher to investigate the complaint. The full complaints procedure will commence from stage one on this direction. If the chair upholds the Headteacher's decision not to look into the complaint and the complainant deems this decision to be so unreasonable that no other rational body in the same position would have made that decision, then the complainant may write to the Department for Education.

*Contact details for external organisations if not satisfied with the outcomes of the complaints procedure in full.*

If the complainant feels that the governing board acted 'unreasonably' in the handling of the complaint, they can complain to the Department for Education after the complaints procedure has been exhausted. Please note that unreasonable is used in a legal sense and means acting in a way that no reasonable school or authority would act in the same circumstances.

#### 4 Safeguarding

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the school is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the school's safeguarding policy which can be found on the school's website.

#### 5 Monitoring and review

- 5.1 The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The headteacher logs all complaints received by the school, and records how they were resolved. Governors examine this log on an annual basis.

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- 5.2 Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents and carers, so that they can be properly informed about the complaints process.
- 5.3 This policy will be reviewed every two years, or before if necessary.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Review Date: \_\_\_\_\_

### Contact Details

Mrs D. Prayle (Acting Headteacher)  
St John Bosco RC Primary School  
Bradford Avenue  
Sunderland  
SR5 4JW

### **Chair of Governing Body**

C/O St John Bosco RC Primary School  
Bradford Avenue  
Sunderland  
SR5 4JW

### **Department for Education (DfE)**

School Complaints Unit  
2<sup>nd</sup> Floor Piccadilly Gate  
Store Street Manchester  
M1 2WD

### **Relevant legislation and guidance**

The Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/contents>  
The Data Protection Act 1998 <http://www.legislation.gov.uk/ukpga/1998/29/contents>  
The Education (Independent School Standards) Regulations 2014  
<http://www.legislation.gov.uk/uksi/2014/3283/contents/made> Education Act 2002  
<http://www.legislation.gov.uk/ukpga/2002/32/contents>  
The Department for Education Best Practice advice for school complaints procedures  
<https://www.gov.uk/government/publications/school-complaints-procedures>



ST. JOHN BOSCO RC PRIMARY SCHOOL  
COMPLAINT FORM

Please complete and return to Mrs Prayle (Acting 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:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint.  
(Who did you speak to and what was the response)?

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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:

Complaint referred to:

Date: