



The Federation of Sacred Heart and St Mary's RC Primary Schools, Battersea

COMPLAINTS PROCEDURE POLICY

Approved By	Governors
Reviewed On	September 2023
Review Due	September 2024
Review Cycle	Annually

Introduction

This document sets out the Federation's procedure for addressing complaints. It should be used only when informal attempts to resolve problems have been unsuccessful. If you have any concerns about the Federation, or the education provided, you are encouraged to discuss the matter first with your child's class teacher at the earliest opportunity. The Federation takes any concerns very seriously and most problems can be resolved at this stage.

This complaints procedure is not limited to parents or carers of children that are registered at the school.

Any person, including members of the public, may make a complaint to The Federation of Sacred heart and St Mary's RC Primary Schools about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures, (see appendix 2 'Exceptions to the Procedure'), such as appeals relating to exclusions or admissions, we will use this complaints procedure.

Complaints are handled by the Federation according to the arrangements set out below.

Aims and Objectives

The Federation will carefully consider all complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed and aim to resolve it through open dialogue and mutual understanding.

Our Policy Aims to:

- Be easily accessible and publicised.
- Be simple to use and understand.
- Be impartial.
- Be non-adversarial.
- Allow swift handling with established time-limits for action and keeping people informed of the progress.
- Ensure a full and fair investigation by an independent person where necessary.
- Respect people's desire for confidentiality, wherever possible (some information sharing may be necessary to carry out a thorough investigation).
- Address all points of issue, providing an effective response and appropriate redress, where necessary.
- Provide information to the relevant school's, and the Federation's, senior leadership team so that services can be improved.

Stage 1

If you feel that a concern has not been addressed through informal discussion with the Class Teacher, and you wish to have the matter formally investigated, this process begins with the completion of a **Complaint Form**, which you will find at **Appendix 1**.

You can ask for a copy of the Complaints Form from the relevant school. When you receive a copy of the Complaints Form, the relevant school will also provide you with a copy of the Federation's Complaints Procedure.

If you would like help completing the form, the relevant school will be happy to provide the assistance of someone unconnected with the complaint.

The completed form should be returned to:

Complaints against school staff (except the Headteacher) should be made in the first instance, to Mrs Byrne (Associate Headteacher at Sacred Heart) Mrs Mitchell (Associate Headteacher at St Mary's) and/or Mr Brading (Executive Headteacher), via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to Mr Cooper and Mr Wickham (the Co-Chairs of Governors), via the school office. Please mark them as Private and Confidential.

Complaints about the Co-Chairs of Governors, any individual Governor or the whole Governing Body should be addressed to Ms Sue Burke (the Clerk to the Governing Body) via the school office. Please mark them as Private and Confidential.

The Headteacher or Co-Chairs of Governors will acknowledge, in writing, receipt of the Complaint Form within **3 working days** after receiving it.

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

During the Investigation, the Headteacher (or Investigator) will:

- If necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- Keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher will provide a formal written response within 10 school days of the date of receipt of the complaint.

If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions The Federation of Sacred Heart and St Mary's RC Catholic Schools will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of **Stage 1**.

If the complaint is about the Headteacher, or a member of the Governing Body (including the Chair or Vice-Chair), a suitably skilled Governor will be appointed to complete all the actions at **Stage 1**.

Complaints about the Headteacher or member of the Governing Body must be made to the Clerk, via the school office.

If the Complaint is:

- Jointly about the Chair and Vice Chair or
- The entire Governing Body or
- The majority of the Governing Body.

Stage 1 will be considered by an independent investigator appointed by the Governing Body or Archdiocese of Southwark. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 2 - If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the Governing Body's Complaints Committee, which will be formed of the first three, impartial, Governors available.

This is the **final stage** of the complaints procedure.

A Request to Escalate to Stage 2 must be made to the Clerk, via the school office, within 10 school days of receipt of the **Stage 1** response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 10 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the Complainant to inform them of the date of the meeting. They will aim to convene a meeting within 14 school days of receipt of the **Stage 2** request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The Complaints Committee will consist of at least three Governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. Alternatively, an entirely independent committee may be convened to hear the complaint at **Stage 2**.

The Committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the Complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Clerk will:

- Confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- Request copies of any further written material to be submitted to the committee at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The Committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from **Stage 1** of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The Committee will consider the complaint and all the evidence presented.

The Committee can:

- Uphold the complaint in whole or in part.
- Dismiss the complaint in whole or in part.

If the Complaint is upheld in whole or in part, the Committee will:

- Decide on the appropriate action to be taken to resolve the complaint.
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and The Federation of Sacred Heart and St Mary's RC Catholic Schools with a full explanation of their decision and the reason(s) for it, in writing, within 14 school days.

The letter to the Complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by The Federation of Sacred Heart and St Mary's RC Catholic Schools.

If the Complaint is:

- Jointly about the Chair and Vice Chair or

- The entire Governing Body or

- The majority of the Governing Body.

Stage 2 will be heard by a Committee of Independent Governors.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions The Federation of Sacred Heart and St Mary's RC Primary Schools will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed **Stage 2**.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by The Federation of Sacred Heart and St Mary's RC Primary Schools They will consider whether The Federation of Sacred Heart and St Mary's RC Primary Schools has adhered to education legislation and any statutory policies connected with the complaint.

The Complainant can refer their Complaint to the Department for Education online at:

www.education.gov.uk/contactus,

By Telephone on: 0370 000 2288 or

By Writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Monitoring and Review

The Governing Body monitors this Complaints Policy to ensure that all complaints are handled properly. The Associate Headteachers, or Executive Headteacher, log all formal complaints received by the relevant school, and the Federation, and records how they were resolved.

Governors examine this log on an annual basis and consider the need for any changes to the Complaints Policy.

Availability

A copy of this Policy is available to all parents on request and is also available on the relevant school's website.

Roles and Responsibilities

Complainant

The Complainant will receive a more effective response to the Complaint if they:

- Explain the complaint in full as early as possible.
- Co-operate with the school in seeking a solution to the complaint.
- Respond promptly to requests for information or meetings or in agreeing the details of the complaint.
- Ask for assistance as needed.
- Treat all those involved in the complaint with respect.
- Refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The Investigator's role is to establish the facts relevant to the complaint by:

- **Providing a comprehensive, open, transparent and fair consideration of the complaint through:**
 - Sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved.
 - Interviewing staff and children/young people and other people relevant to the complaint.
 - Consideration of records and other relevant information.
 - Analysing information.
- Liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The Investigator should:

- Conduct interviews with an open mind and be prepared to persist in the questioning.
- Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.
- Ensure that any papers produced during the investigation are kept securely pending any appeal.
- Be mindful of the timescales to respond.
- Prepare a comprehensive report for the Headteacher or Complaints Committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher or Complaints Committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (this could be the Headteacher / designated complaints Governor or other staff member providing administrative support)

The Complaints Co-ordinator should:

- Ensure that the complainant is fully updated at each stage of the procedure.
- Liaise with staff members, Headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure.
- **Be Aware of Issues regarding:**
 - Sharing third party information.
 - Additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person.
- Keep records.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR).
- Set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible.
- Collate any written material relevant to the complaint (for e.g. **Stage 1** paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale.
- Record the proceedings.
- Circulate the minutes of the meeting.
- Notify all parties of the committee's decision.

Committee Chair

The Committee's Chair, who is nominated in advance of the Complaint meeting, should ensure that:

- Both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting.
- The meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy.
- Complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person.
- The remit of the committee is explained to the complainant.
- Written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting.
- Both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself.
- The issues are addressed.
- Key findings of fact are made.
- The committee is open-minded and acts independently.
- No member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- The meeting is minuted.
- They liaise with the Clerk (and complaints co-ordinator, if the school has one).

Committee Member

Committee Members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so.
- No Governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant.
- We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- Many complainants will feel nervous and inhibited in a formal setting.
- Parents/carers often feel emotional when discussing an issue that affects their child.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting.

- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The committee should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
- The welfare of the child/young person is paramount.

Appendix 1 - Complaint Form

Please complete and return to the School Office, marked for the confidential attention of the Headteacher or Chair of Governors.

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)?

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 whom:

Complaint referred to: Date:

Appendix 2 - Exceptions to the Procedure

This procedure covers all complaints about any provision of community facilities or services by The Federation of Sacred Heart and St Mary's RC Primary Schools 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 Wandsworth local authority.</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>
<ul style="list-style-type: none"> ○ Exclusion of children from school* 	<p><u>Further information about raising concerns about exclusion can be found at:</u> www.gov.uk/school-discipline-exclusions/exclusions.</p> <p>*Complaints about the application of the Behaviour Policy can be made through the school's complaints procedure. See school websites to access the Behaviour Policy.</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.</p> <p><u>Referrals can be made at:</u> www.education.gov.uk/contactus.</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><u>Please contact the Department for Education at:</u> www.education.gov.uk/contactus</p>