

# St John Vianney Catholic Primary School



*"Seeking Growth Together"*

## Complaints Policy

**Date Reviewed: July 2016**

**Reviewed by Full Governing Body and Headteacher**

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## 1. Introduction

St John Vianney Catholic Primary School aims to provide a service to pupils and parents / carers in which there is a high quality of teaching, learning and pastoral care.

It is recognised that parents / carers will, from time to time, have normal and legitimate concerns about the progress, achievement, behaviour or welfare of their child. Parents / carers are encouraged to make those concerns known to staff in the school so that they can be addressed in partnership with the school. The sooner such concerns are raised, the easier it is for an appropriate resolution to be found.

Any person, including a member of the public, is able to make a complaint about the provision of facilities or services that the school provides. This document outlines the procedure that the complainant and school will follow.

## 2. General Principles

This procedure is intended to allow you to raise a concern or complaint relating to the school, or the services that it provides.

An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.

To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event being complained of will not be considered.

## 3. Scope

This policy should be used for:

- Complaints relating to the schooling of your child
- Complaints about the education and care provided to pupils at the school
- Complaints about the school's operational arrangements

What this policy should not be used for:

<i>Type of complaint:</i>	<i>These matters will be dealt with by:</i>
Complaints about the actions of a governor	This should be reported to the Clerk to the Governing Body in the first instance
Complaints about the actions of another parent	This should be reported to the Headteacher who will investigate whether action can be taken by the school
Complaints by staff relating to grievances about their employment	Refer to the school's staff grievance procedure
Concerns by staff relating to the running of the school	Refer to the school's whistleblowing policy

Complaints relating to the exclusion of children from school	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-disciplineexclusions/exclusions">www.gov.uk/school-disciplineexclusions/exclusions</a>
<ul style="list-style-type: none"> <li>• Statutory assessments of Special Educational Needs (SEN)</li> <li>• School reorganisation proposals</li> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	Concerns relating to these matters should be raised direct with Blackpool Council
Admissions appeals	Complaints about admissions appeals are dealt with by the Local Government Ombudsman
Complaints about services provided by other providers who use the school premises	Providers should have their own complaints procedure so should be contacted direct

#### **4. Raising a concern or complaint**

##### **a) Informal Stage**

It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment, requested via the school office. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

In the case of serious concerns, it may be appropriate to address them directly to the Headteacher (or to the Chair of the Governing Body, if the complaint is about the Headteacher).

If you are uncertain about who to contact, please seek advice from the school office or the Clerk to the Governing Body. The Clerk can be contacted at the following

address:

- Governor Services
- Blackpool Council
- PO Box 4
- Municipal Buildings
- Blackpool
- FY1 1NA

##### **b) Formal Stage**

If your concern or complaint is not resolved at the informal stage you may choose to move to the formal stage. Progression from the informal to the formal stage should take place within 10 school working days. If we do not hear from you within this period of time, we will assume that you have accepted the outcome at the informal stage as satisfactory and the case will be closed.

A formal complaint should be put in writing to the Headteacher, who will be responsible for ensuring that it is investigated appropriately. If the complaint is about the Headteacher, your complaint should be passed to the Clerk to the Governing Body, for the attention of the Chair of the Governing Body.

A complaint form is provided to accompany this formal stage (see Appendix 1). If you wish to move to the formal stage this is the form that you must complete and without it, it will not be considered as a formal complaint under the provisions of this policy. If you cannot use this form for reasons relating to a disability, please contact the school office for further advice.

You should specify the date of the original complaint at the informal stage, and explain why you consider the situation to remain unresolved. You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed.

Please pass the completed form, in a sealed envelope, to the school office. The envelope should be addressed to the Headteacher, or to the Clerk to the Governing Body, as appropriate. The Headteacher (or Chair) will acknowledge receipt of the complaint within 5 school working days.

The Headteacher (or Chair) may invite you to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns. The Headteacher (or Chair) may also be accompanied by a suitable person if s/he wishes.

Following the meeting, the Headteacher (or Chair) will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, s/he will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.

The Headteacher (or Chair) will keep written records of all aspects of the investigation.

When all the relevant facts have been established, you will be sent a written response to your complaint. This will give an explanation of the Headteacher's (or Chair's) decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do.

If you are not satisfied with the manner in which the process has been followed, you may request that the Governing Body reviews the process followed by the school in handling the complaint. Any such request must be made in writing to the Clerk to the Governing Body, within 10 school working days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow this procedure.

**At this point, recourse to the Governing Body can only be made where you believe this policy has not been followed, and the Governing Body will review for this purpose only.**

The procedure described below will be followed. A review request form is provided for your convenience (see Appendix 2).

## **5. Review Process**

Any review of the process followed by the school will be conducted by a panel of 3 members of the Governing Body who have not been previously involved in the matter. This will usually take place within 10 school days of receipt of your request. The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

A response will be given to the complainant in writing within 5 working days of the review meeting unless further investigation is required, in which case an extension of the timescales would be agreed.

Following this review, there will be no further right of appeal to the school's Governing Body.

## **6. Serial or Persistent Complainants**

There may be occasions when an individual consistently makes the same or similar complaints, or continuously asks the school to reconsider their position on a particular matter.

If a complainant attempts to re-open a complaint which has previously followed the complaints policy to its conclusion, the Chair of the Governing Body will inform the complainant that the matter is now closed.

If the complainant contacts the school regarding the same issue again, the complaint may be classed as 'serial' or 'persistent' and the school does not have an obligation to respond.

The decision of the school, to stop responding to an individual's complaint will not be taken lightly.

Before the school ceases to respond, the school will ensure that:

- The complainant meets the criteria for a serial or persistent complaint which is typified by contacting the school repeatedly with the same complaint;
- The school have previously taken every reasonable step to address the problem;
- The school have provided the complainant with a written statement of their position.

## 7. Unreasonable Complainants

The school 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.

This school 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 the specifics of their complaint, or specify the grounds for a complaint, or the desired 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 from the school advising 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, incompatible with the facts of the complaint investigation;
- 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 or information which cannot be verified;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or any other means) as it could delay the outcome being reached. Complaints are confidential to the complainant and the investigating officer. There must be no discussion with parties beyond these individuals whilst the complaint is ongoing.

Whenever possible, the Headteacher (or Chair) will discuss any concerns with the complainant informally before deeming him/her (the complainant) to be 'unreasonable'.

If the behaviour continues the Headteacher (or Chair) will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school, 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 barring an individual from the school premises under trespass laws.

## **8. Barring from the School Premises**

Although fulfilling a public function, school premises are private property and therefore any individual can be barred from entering the premises. Schools are asked to make arrangements for parents to access the site legitimately under licence, so that they can discharge the role of parents, working with school to enhance the quality of education for their children.

However if an individual's behaviour is a cause for concern, the school can ask him/her to leave the premises.

In serious cases, the Headteacher or the local authority can notify them in writing that their implied licence to be on the school premises has been temporarily revoked subject to any representations that the individual wishes to make.

The individual involved will be given the opportunity to formally express in writing his/her views on the decision to bar them.

The decision to bar will then be reviewed, taking into account any representations made by the individual, and either confirmed or lifted. If the decision is confirmed the individual will be notified in writing, informing them how long the bar will be in place.

Anyone wishing to make a complaint about being barred can do so in writing, including by email, to the Headteacher or Chair of the Governing Body. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

## Appendix 1 – St John Vianney Catholic Primary School Formal Complaint Form

Please complete this form and return it, via the school office, to the Headteacher (or Clerk to the Governing Body) who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Your relationship to the school (e.g. a parent of a pupil on the school roll):

Pupil's name (if relevant to your complaint):

Your address:

Postcode:

Day time telephone number:

Evening telephone number:

Email address:

Please give date of when original informal complaint was made to the school:

Please give concise details of your complaint (including dates, names of witnesses, etc.) to allow the matter to be fully investigated:

You may continue on separate paper or attach additional documents if you wish.

Number of pages attached =

What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

What actions do you feel might resolve the problem at this stage?

Signature:

Date:

**School use:**

Date form received:

Received by:

Date acknowledgement sent:

Sent by:

Complaint referred to:

Date:

## Appendix 2 – St John Vianney Catholic Primary School Complaint Review Request Form

Please complete this form and return it, via the school office, to the Headteacher (or Clerk to the Governing Body) who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Your address:

Postcode:

Day time telephone number:

Evening telephone number:

Email address:

Dear Sir / Madam

I submitted a formal complaint to the school on ..... and do not believe that the policy has been followed, because:

My complaint was submitted to ..... and I received a response from ..... on .....

I have attached copies of my formal complaint and of the response(s) from the school.

You may continue on separate paper or attach additional documents if you wish.  
Number of pages attached =

### Appendix 3 - Flowchart

