St Mary's RC Primary School

Complaints Policy

1.Who can make a complaint?

This complaints policy is not limited to complaints made by parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to St Mary's RC Primary school about any provision of facilities or services that are provided by the school. Complaints that are dealt with under separate statutory procedures, such as appeals relating to exclusions or admissions are listed under 2 below.

2. The Scope of the Complaints Policy

This policy and the related procedure covers all complaints about any provision of community facilities or services by St Mary's RC Primary school other than complaints that are dealt with under other statutory procedures or school policies which are not included in the scope of this policy. For complaints not included under this policy and who to contact see the list below:

- Admissions to schools
- Statutory assessments of Special Educational Needs
- School re-organisation proposals

(Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the Lambeth Local Authority.)

- Matters likely to require a Child Protection Investigation

Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. *https://st-marys-roman-catholic-primary-school-london.secure-primarysite.net/policies/*

Please note: If *you have serious concerns about child protection contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). Local Authority Designated Officer (LADO): Andrew Zachariades, Telephone: 0207 926 4579 / 0772 082 8700 Email: lado@lambeth.gcsx.gov.uk*

- Exclusion of children from school

Information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions

- Whistleblowing

The whistleblowing policy and procedure for all our employees, including temporary staff and contractors can be requested. Please contact sbm@st-marys.lambet.sc.uk

Please note:

The Secretary of State for Education is the prescribed person for matters relating to education. For whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus).

Volunteer staff who have concerns about our school should complain through the school's complaints procedure https://st-marys-roman-catholic-primary-school-london.secure-primarysite.net/policies/

- Staff grievances

Complaints from staff will be dealt with under the school's internal grievance procedures. Please request this policy from the school sbm@st-marys.lambet.sc.uk

- Staff conduct

Complaints about staff conduct will be dealt with under the school's internal disciplinary procedures, Please request this policy from the school sbm@st-marys.lambet.sc.uk

Please note: Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. The complainant will be notified only that the matter is being addressed.

• Complaints about services provided by other providers who may use school premises or facilities
Providers have their own complaints procedure to deal with complaints about service. Please contact them direct or contact Please request this policy from the school sbm@st-marys.lambet.sc.uk for the contact information

• National Curriculum - content
Please contact the Department for Education at: www.education.gov.uk/contactus

4. Anonymous complaints
St Mary's RC Primary school will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

5. Raising a concern or complaint informally
The following explains the difference between a concern and a complaint:
- A concern may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

- A complaint may be defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

St Mary's RC Primary school takes any concerns and complaints very seriously and will make every effort to resolve matters as quickly as possible via the school's complaints procedure. There is a summary of the complaints procedure https://st-marys-roman-catholic-primary-school-london.secure-primarysite.net/policies/ that explains 'WHAT DO I DO IF I HAVE A CONCEN OR COMPLAINT'

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the school's complaints procedure. Concerns should be raised with the class teacher informally first, if the concern still remains unresolved the concern should be raised with the Headteacher informally.

Governors should not be approached with concerns or complaints. They have no power to act on an individual basis.

St Mary's RC Primary school understand that a complainant may not be satisfied with the outcome after raising their concerns informally and there are occasions when people would like to raise their concerns formally if the informal process has not resolved their concern. St Mary's RC Primary school will attempt to resolve the issue internally, through the formal stages of the school's complaints procedure (https://st-marys-roman-catholic-primary-school-london.secure-primarysite.net/policies/) and after the informal procedure the next step is to make a Formal Stage 1 complaint to the Headteacher.

Please note:

Any complaints about the application of the behaviour policy should also be made through the school's complaints policy and procedure (*https://st-marys-roman-catholic-primary-school-london.secure-primarysite.net/policies/*)

6. How to make a formal complaint
The formal complaint procedure has two stages : Formal Stage 1 and if the complainant is not satisfied with the outcome of Formal Stage 1 a complaint at Formal stage 2 may be made.
A formal complaint can be made in person, in writing or by telephone via the school office https://st-marys-roman-catholic-primary-school-london.secure-primarysite.net/policies/

7. Time scales
A Formal Stage 1 complaint, must be put in writing, within 10 days of raising your concern with the Headteacher informally. Where there has not been any informal discussion of a concern, with the Headteacher, a Formal Stage 1 a complaint may be made within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. St Mary's RC Primary school may consider complaints made outside this time frame if exceptional circumstances apply.

St Mary's RC Primary school understands that if the outcome of the Formal Stage 1 complaint does not satisfy the complainant they may wish to make a Formal Stage 2 complaint. A request to make a Formal Stage 2 complaint must be made to the school, via school office, sbm@st-marys.lambeth.sch.uk within five school days of receipt of the Formal Stage 1 outcome from the school.

Complaints made at Formal Stage 2 will not be considered if the complaint is received more than five days after the outcome of the Formal Stage 1 complaint was received by the complainant. The school will ensure receipt of the outcome letter is tracked so that receipt is verified.

The complainant must state why they are dissatisfied with the outcome of the Formal Stage 1 outcome received from the school when making a Formal Stage 2 Complaint.

Please note :

• *If other bodies are investigating aspects of a complaint made to St Mary's RC Primary school, for example the police, local authority (LA) safeguarding teams or Tribunals, this must be made clear to St Mary's RC Primary school at the time of making the complaint. This is because it may impact on the school's ability to adhere to the timescales within the school's complaints procedure or result in the complaints procedure being suspended until those public bodies have completed their investigations.*

• *If a complainant commences legal action against St Mary's RC Primary school in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.*

8. Complaints received outside of term time
St Mary's RC Primary School will consider complaints made outside term time to have been received on the first school day after the holiday period.

9. Withdrawal of a Complaint
If a complainant wishes to withdraw their complaint they should confirm this in writing via the school office sbm@st-marys.lambeth.sch.uk

10. Access for Complainants needing support
In accordance with equality law, reasonable adjustments will be made, if required, to enable complainants to access support when completing the complaint form or attending a meeting. For instance, providing information in alternative formats or holding meetings in accessible locations.

11. The Procedure for making a Formal Stage 1 Complaint:
If you wish to make a Formal Stage 1 complaint please send your complaint writing to Miss Karen Pluckrose (the Headteacher) via the school office**.** Please mark the envelope Private and Confidential. sbm@st-marys.lambeth.sch.uk
The Headteacher will investigate and complete all actions at the Formal Stage 1 complaint unless-the complaint that is about:

- *The Headteacher:*
The complaint should be addressed to Ms Lynette Murphy-O'Dwyer (the Chair of Governors), via the school office . Please mark the envelope Private and Confidential. The Chair of Governors will investigate and complete all the actions at Formal Stage 1.

- *The Chair of Governors, any individual governor or the whole governing body:*
The complaint should be addressed to Mr Michael Bowen (the Clerk to the Governing Body) via the school office. Please mark the envelope Private and Confidential. The Formal Stage 1 will be considered by an independent investigator, appointed by the governing body or the Diocese, as appropriate, to complete all the actions at Formal Stage 1.

12. Investigating a Formal Stage 1 Complaint
The date the complaint is received will be recorded and the complainant will receive an acknowledgement of the complaint in writing (either by letter or email) within five school days. https://st-marys-roman-catholic-primary-school-london.secure-primarysite.net/policies/
In the letter of acknowledgement, the complainant will be asked to clarify the nature of the complaint, what remains unresolved from resolution at the informal stage of the complaint, and what outcome the complainant would like to see from the Formal Stage I investigation.

A decision will be made at the beginning of the investigation whether a face to face meeting with the complainant is appropriate. If a face to face interview is offered to the complainant a confidential written record of the key points discussed at the meeting will be made. The aim of the meeting will be to clarify any information and if appropriate resolve the complaint without resorting to the Formal Stage 1 complaint procedure.

Complainants may be accompanied at the meeting by a relative or friend if they wish.

If a meeting is held the complainant will receive a letter, within five days of the meeting with the provisional date for the conclusion of the investigation at Formal Stage 2 and when the complainant should receive a response to their complaint.

If the investigation does not include a face to face meeting a formal written response will be sent to the complainant within ten days of the date of receipt of the complaint by the school.

Where St Mary's RC primary school is unable to meet the ten-day deadline they will provide the complainant with an update on the progress of the investigation and revised response date.

13. Outcomes from a Formal Stage 1 Complaint
At each stage in the Formal Stage 1 complaints procedure, St Mary's RC Primary school aims to resolve the complaint with the complainant and at the end of complaint procedure the outcome response from St Mary's RC Primary school will be sent to the complaint if resolution has not been achieved.

In the outcome letter St Mary's RC Primary school will acknowledge, as appropriate, that the complaint is upheld in whole or in part or that the complaint has not been upheld. The letter will outline the actions taken to investigate the complaint and provide an explanation of the decision made and the reason(s) for it.

Where appropriate, it will include details of actions St Mary's RC Primary school will take to resolve the complaint and may offer one or more of the following:

- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

The outcome of the investigation of a Formal Stage 1 Complaint may not, however, provide a resolution to the complaint if it has not been possible to find evidence to support the issues raised in the complaint by the complainant. St Mary's RC Primary school recognises, therefore, that the complainant might not be satisfied with the outcome of the investigation into the complaint if it is not in their favour.

If the complaint is not resolved to the satisfaction of the complainant St Mary's RC Primary school will advise the complainant how to escalate their complaint to a Formal Stage 2 complaint.

14. The Procedure for making a Formal Stage 2 Complaint
Where the complainant is dissatisfied with the outcome at Formal Stage 1 and wishes to take the matter further, they can escalate the complaint to Formal Stage 2. This is the final stage of the school's complaints procedure.

If the complainant wishes to make a Formal Stage 2 Complaint they should do so within five days of receiving the outcome of the Formal Stage 1 from the school. Complaints made at Formal Stage 2 will not be considered if the complaint is received by the school more than five days after the outcome of the Formal Stage 1 complaint was received by the complainant.

The complaint should be made to the Clerk to the Complaints Panel via the school sbm@st-marys.lambeth.sch.uk The date of the Formal Stage 2 complaint will be recorded by the clerk and acknowledgement of the receipt of the complaint will be sent in writing within five school days.

15. The Formal Stage 2 procedure
At Formal Stage 2, the complaint will be heard by a Governors Complaint Panel. If it is considered necessary, the complainant will be invited to a meeting with the Chair of Governors where the issues raised in the complaint need clarification or further investigation before the Complaints Panel is arranged.
The Complaints Panel will consist of at least three governors with no prior involvement or knowledge of the complaint. If there are fewer than three governors from St Mary's RC Primary school available, the Clerk will source independent governors through another local school or through the LA's Governor Services team.

If the complaint is about the Chair or Vice Chair, the chair and vice chair jointly, the entire governing body or the majority of the governing body the formal Stage 2 complaint will be heard by a panel of independent governors.

Once the membership of the Complaint Panel is agreed they will decide whether to deal with the complaint by inviting the complainant to a Complaint Panel meeting or communicate with the complainant through written representations. In making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the Complaint Panel meeting, they may bring someone with them to provide support. This can be a relative or friend.

The Clerk will write to the complainant to inform them of the date of the Complaint Panel meeting and check their availability. The Clerk will aim to convene a meeting within ten school days of receipt of the Formal Stage 2 request. If this is not possible e.g. if further investigation is necessary, the Clerk will contact the complainant and ask the complainant about their availability for a date for the provisional date for a Complaint Panel meeting.

Directly the date of the Complaint Panel meeting is agreed by all parties the Clerk will confirm the date of the proposed meeting to the complainant and the Complaint Panel and notify them of the time and venue of the meeting, ensuring that, where appropriate that the venue and proceedings are accessible

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.

When the Clerk confirms the date of the Complaints Panel meeting to the complainant the Clerk will confirm that all the written material relevant to the complaint will be circulated to all parties at least eight school days before the meeting.

The Complaint Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

Please note: The Complaint Panel will not review any new complaints at this stage nor consider any information unrelated to the initial complaint at Formal Stage 1. New complaints will only be dealt with from Stage 1 of the procedure.

The meeting will be held in private and prior to the meeting, the Panel will decide amongst themselves who will act as the Chair.

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 the panel meeting must be sought before meetings or conversations take place where electronic recordings are proposed. Consent will be recorded in any minutes taken.

Representatives from the media are not permitted to attend.

16. The outcomes from a Formal Stage 2 Complaint Panel

The Formal Stage 2 Complaints Panel will consider the complaint and all the information presented. The Complaints Panel 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 Complaint Panel will:

- decide, if 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 Complaint Panel will provide the complainant and St Mary's RC Primary school with a full explanation of the outcome and the reason(s) for it, in writing, within twenty school days. In the letter the complainant will be reminded that a Formal Stage 2 is the final stage in St Mary's RC Primary school's complaint procedure and the decision of the Complaints Panel is final and binding on all parties.

St Mary's RC Primary school recognises, however, that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. In the outcome letter from the Chair of the Complaints Panel to the complainant the complainant will be given details of how to contact the Department for Education if they are not satisfied with the way the complaint has been handled by St Mary's RC Primary School.

17. Contacting the Department for Education

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 the Formal Stage 2 Complaint outcome letter has been sent to them.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by St Mary's RC Primary school. They will consider whether St Mary's RC Primary school 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.

APPENDIX 1: Formal Stage Complaint Form

Please complete and return this form to St Mary's RC Primary school Office in an envelope marked Private and Confidential for the attention of the School Business Manager who will forward the complaint to the appropriate person to acknowledge the complaint.

Your name:

Pupil's name (if relevant):
Your relationship to the pupil (if relevant):

Address and Postcode:

Day time and evening telephone numbers:

Details of your concerns including whether you have spoken informally with staff at the school or not .

Please outline what action you feel might resolve your concerns?

Please give details of any information attached to this form.

Signature:
Date:
Official use
Date acknowledgement sent:
By who:
Complaint referred to:
Date:

APPENDIX 2 :

Outline of the Roles and Responsibilities of the Investigator, the Complaints Co-ordinator, the Clerk, the Chair of the Appeal Panel and the Appeal Panel members

1. The Investigator

If it is thought appropriate to appoint an investigator to inform the Appeals Panel members about information relevant to the complaint at Formal Stage 2 their role will include providing a comprehensive, open, transparent report of the issues surrounding the complaint. The investigation will include:

- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- clarify what the complainant feels would put things right.
- interviewing staff relevant to the complaint with a companion or union representative present if requested.
- consideration of appropriate records, written and electronic, and other any other relevant information e.g. school policies and procedures
- analysing the information gathered and identifying any salient issues for the report

The investigator should:

- conduct all interviews with an open mind and be prepared to be tactful but persistent 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 for the permanent record.
- be mindful of the timescales for their report
- prepare a comprehensive report for the Complaint Panel that sets out the salient issues, identifies key points raised in the complaint, proposals for resolution of the complaint, if appropriate and recommendations for action by the school.

2. Complaints Co-ordinator

If appropriate the Clerk may combine their role as clerk with the role of complaints co-ordinator. The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise, as appropriate with staff members, headteacher, Chair of Governors, Clerk, HR resource and LA to ensure the smooth running of the complaints procedure
- be aware of issues regarding:

- sharing third party information
- additional support needed by complainants e.g. disabled access.

- keep the formal records.

3. Clerk to the Appeals Panel

The Clerk may combine their role as clerk with the role of co-ordinator – see above. The Clerk is the contact point for the complainant and the Complaints Panel members 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, duration and venue of the meeting, ensuring that the dates are convenient to all parties attending and that the venue and proceedings are accessible to everyone.

• collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions, the investigators report) and send it to the parties in advance of the meeting within an agreed timescale

• record the key points in the proceedings

• Provide advice to the Complaints Panel member as appropriate

• notify all parties of the Complaint Panel's decision.

3. Chair of the Complaint

The Chair of the Complaint Panel is nominated by the members of the Panel in advance of the Complaint Panel meeting. The Chair 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 all those invited to attend, are treated with respect and courtesy

• the complainant, who may not be used to speaking at such a meeting, is put at ease since a complainant may feel nervous and inhibited in a formal setting

- appropriate support is given to the complainant since they often feel emotional when discussing an issue that affects their child e.g. ensure water and tissues are available.

• extra care is taken when a child, not involved in the complaint, is accompanying the complainant during the meeting due to extenuating child care requirements. Children involved in the complaint are not permitted to attend the Panel meeting.

• the remit of the Appeal Panel is explained to the complainant including the time limits on presenting their complaint to the Panel and the order and duration of the meeting

• complainant is reminded that they should refrain from publicising the details of their complaint on social media and respect they should respect confidentiality.

• ensure written material is seen by the complainant and the Panel the in advance of the meeting and that none of the material breaches any rights to confidentiality or privacy under the DPA 2018 or GDPR.

- Ensure that if a new issue arises during the meeting everyone is given 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 at the meeting and seek clarity, through written submissions ahead of the meeting and clarification verbally via the Chair at the meeting

• the issues surrounding the complaint are addressed

• key findings are recorded

• the Panel is open-minded and acts independently

• no member of the Appeal Panel 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, as appropriate before and after the meeting.

4. Complaint Panel Members

Complaint Panel 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 Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.

• the aim of the Appeal Panel meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant.

•the complainant must be treated with respect

• the confidentiality of all the information presented must be respected

• the decision whether to uphold or dismiss the complaint is confidential.

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