



# St Gabriel's CE Primary School

## School Complaints Policy & Procedures

### Our Vision Statement:

Our aim is to nurture children with the confidence and self-belief to achieve their best;  
to have the courage to think for themselves;  
to be resilient in their learning and ambitious in their hopes and dreams;  
to live in harmony, respecting others;  
to search and question throughout life's journey;  
to find personal faith;  
and to learn about the Gospel of hope and love found in Jesus Christ.

*Seeking to nurture:*

Self-belief   CourAge   ResIlience   AmbiTion   HArmony

**"Stand firm... be courageous" 1 Corinthians 16:13**

**Policy Revised: Spring 2024**

**Next Review: Spring 2025**



# St Gabriel's CE Primary School – Complaints Procedure

*(This policy is based on the DfE Model document and guidance January 2021)*

## Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others. We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

## 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'*.

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 complaints procedure. St Gabriel's school takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, we will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## How to raise a concern or make a complaint

A concern or complaint can be made in person, by letter, email, telephone, in person or by a third party acting on behalf of the complainant.

**Concerns should be raised with either the class teacher or Headteacher. If the issue remains unresolved, the next step is to make a formal complaint.**

**Complainants should not approach individual governors** to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

**Complaints against school staff (except the Headteacher) should:** be made in the first instance, to Mrs Haigh (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 Reeve (the Chair of Governors), via the school office. Please mark them as Private and Confidential.

**Complaints about the Chair of Governors, any individual governor or the whole governing body should:** be addressed to The School Business Manager via the school office. Please mark them as Private and Confidential.

For ease of use, a **template complaint form** is included at the end of this procedure. If you require help in completing the form, please contact the school office. In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access this complaints procedure.

## Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

## Time scales

**You must raise the complaint within three months of the incident** or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame only if exceptional circumstances apply.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- › Set new time limits with the complainant
- › Send the complainant details of the new deadline and explain the delay

## Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

## Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services provided by our school, 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"><li>• Admissions to schools</li><li>• Statutory assessments of Special Educational Needs</li><li>• School re-organisation proposals</li></ul>	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with BwD, Head of Education 01254 585585
<ul style="list-style-type: none"><li>• Matters likely to require a Child Protection Investigation</li></ul>	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.  If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has

	local responsibility for safeguarding or the Children's Advice and Duty Service 01254 666400)
<ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure.</p>
<ul style="list-style-type: none"> <li>Staff grievances</li> </ul>	Complaints from staff will be dealt with under the school's internal grievance procedures.
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<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"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
<ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against St Gabriel's 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.

## Resolving complaints

If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- 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.

## Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## Stages of Formal Complaint

### Stage 1

**Formal complaints must be made to the Headteacher** (unless they are about the Headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone or email.

**Formal complaints about the Headteacher** should be made to the Chair of Governors, who will act as the investigator for Stage 1.

*Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.*

During the investigation, the Headteacher/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.

The Headteacher/investigator will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) **within five school days**.

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

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

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

The Headteacher/investigator will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1, see Stage 2 below.

### Complaints concerning the Governors

If the complaint is about 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 governing body **must be made to the School Business Manager**, via the school office.

**Stage 1 will be considered by an independent investigator appointed by the governing body or the Diocese** if the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

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

**A request to escalate** to Stage 2 must be made to the School Business Manager, via the school office, **within five school days of receipt of the Stage 1 response**. This request should detail how they feel the previous stage of the procedure has not addressed their complaint sufficiently, and what they feel would resolve the complaint.

The School Business Manager will record the date the request to escalate to Stage 2 is received and acknowledge receipt, either by letter or email, within **three** school days.

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

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

If the complainant rejects the offer of three proposed dates, without good reason, the Business Manager 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. If there are fewer than three governors from St Gabriel's available, the Business Manager will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the 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.

Representatives from the media are not permitted to attend.

*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*

At least **five school days before** the meeting, the School Business Manager 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.

Any written material will be circulated to all parties at least **two** school days before the date of the meeting. The committee will not 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. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave, and evidence will then be considered.

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 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 school with **a full explanation of their decision and the reason(s) for it, in writing, within five 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.

**Stage 2 will be heard by a committee of independent governors** if the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

The response from this committee will detail actions taken to investigate the complaint and explain the decision made and reason(s) for it.

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 school. They will consider whether St Gabriel's 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](http://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.



## Complaint Form

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

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b> <b>Email:</b> <b>Telephone Number:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>

**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 received:**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

# Appendix 1

## 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 will be appointed to look into the complaint and establish the facts. They will:

- interview all relevant parties, keeping notes
- consider records and any written evidence and keep these securely
- prepare a comprehensive report to the Headteacher or complaints committee, which includes the facts and potential solutions

### Complaints Co-ordinator

The complaints co-ordinator can be:

- the Headteacher
- the designated complaints governor
- any other member of staff providing administrative support

They will:

- keep the complainant up to date at each stage in the procedure
- make sure the process runs smoothly
- keep records

### Clerk to the Governing Body/School Business Manager

The School Business Manager/clerk is the contact point for the complainant and the committee and should:

- be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- arrange the complaints hearing
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

## **Committee Chair**

The committee chair will

- chair the meeting, ensuring that everyone is treated with respect throughout
- make sure all parties see the relevant information, understand the purpose of the committee and are allowed to present their case

## **Committee Member**

Committee members should be aware that:

- the meeting must be independent and impartial
- 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
- the welfare of the child/young person is paramount.

## Appendix 2

### Policy for managing serial and unreasonable complaints

St Gabriel's CE Primary 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 our 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, or perceived to be, abusive, offensive or threatening.**

St Gabriel's may **define unreasonable behaviour** as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school. A complaint may become unreasonable if the person:

- has made the **same complaint** before, which has previously been resolved following the school's complaints procedure
- 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, beyond all reason
- refuses to articulate their complaint
- **refuses to co-operate** with the complaints investigation process
- refuses to accept that certain issues are **not within the scope** of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure and the timelines stated
- introduces **trivial or irrelevant information** which they expect to be taken into account and commented on
- 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
- 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/or 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 concluding 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
- **makes excessive demands** on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone

**A complaint will also be considered unreasonable if the person making the complaint either face-to-face, by telephone, in writing or electronically:**

- uses threats to **intimidate**
- uses **abusive, offensive or discriminatory language or violence**
- knowingly provides **falsified information**
- publishes unacceptable information on **social media** or other public forums.

In addition, complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

For complainants who **excessively contact school**, causing a **significant level of disruption**, we may specify methods of communication eg email and limit the number of contacts.

**We may stop responding to the complainant when all of these factors are met:**

- we believe we have **taken all reasonable steps** to help address their concerns
- we have **provided a clear statement** of our position and their options
- we **believe the complainants intention is to cause disruption or inconvenience**

In managing all unreasonable complaints and behaviours, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it.

In response to any **serious incident of aggression or violence**, we will immediately inform the **police** and communicate our actions in writing. This may include barring an individual from our school premises.

## **Barring from the School Premises**

Although fulfilling a public function, **schools are private places**. The public has **no automatic right of entry**. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a **school can ask him/her to leave school premises**. In serious cases, the Headteacher or the local authority can **notify them in writing that their implied licence to be on school premises has been temporarily revoked** subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

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

Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. 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.

## Duplicate Complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

**If we are satisfied that there are no new aspects, we will:**

- tell the new complainant that **we have already investigated and responded to this issue**, and that the local process is complete
- direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

## 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

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply, including school's procedures and policy for managing serial and unreasonable complaints.