Our Lady of Perpetual Succour Catholic Primary School

We learn to love everyone as Jesus loves us

Archdiocese of Liverpool

COMPLAINTS PROCEDURE

Scope of this Procedure

This is a general, non-statutory complaints procedure to give parents, neighbours of the school or other third parties the opportunity to raise complaints, issues or concerns about a school which are not covered by other statutory procedures.

Statutory procedures are in place to cover many potential problems and are therefore outside the scope of this procedure

- Matters concerning safeguarding or child protection;
- Staff grievances arising from their employment;
- Admissions appeals;
- School Reorganisation proposals;
- Statutory assessments of special educational needs or disability;
- The exclusion of a pupil from school;
- Complaints raised with an expectation of confidentiality ('whistleblowing')
- Complaints about the curriculum;
- Complaints about the teaching of RE or the Collective Act of Worship.

Further information about these procedures is provided in an annex to this document. Further detail about how to progress any of the above complaints can be found on the school's website or by enquiring at the school office.

Stage One

Every effort will be made to resolve minor day to day issues quickly at the most appropriate level of responsibility. They should be raised initially with the person with the best knowledge of the situation who is most able to find a solution. Most routine difficulties can be dealt with without recourse to a subsequent stage of this procedure.

Where this initial contact does not resolve the issue, it should be raised with the headteacher who must be given the opportunity to investigate and take action as appropriate. The matter should be elevated to Stage Two only where the intervention of the headteacher has failed to resolve the issue.

Whilst Stage One is often referred to as the 'informal stage', it may be appropriate to keep a careful record of what has occurred particularly if there is written, electronic, or photographic evidence of events.

A Stage One investigation by the headteacher may include:

• An opportunity for the complainant to meet the headteacher to expand on the contents of the letter or clarify points raised;

• An investigation by the headteacher or other appropriate staff which may include interviewing key witnesses and/or examining other evidence.

If these steps fail to resolve the matter it will move to Stage Two. At this point the issue will be logged as a formal complaint. Progress will be monitored by the chair of governors, who takes responsibility for responding to the complainant. A complaint retains its definition as a ‘stage two’ complaint even if it is subsequently referred back and resolved.

Stage Two

Complaints which are not resolved by the headteacher to the satisfaction of the complainant, or are about the headteacher personally, must be made in writing (including secure, printable emails) to the clerk to the governing body.

Complaints must be in writing to avoid any doubt at a later stage about what was being said. The complaint should include as much specific detail as possible and avoid vague generalities which are difficult to investigate. Where there are language or other barriers to clear communication the complainant may request a meeting with the school at which written notes will form the basis of the complaint. An interpreter may be involved if required and if possible.

The clerk will refer the complaint to the Chair of Governors.

If the complaint is not about the headteacher personally, the chair may determine that it has not been sufficiently investigated under the Stage One procedure and should be referred back to the headteacher. The headteacher will carry out any investigations suggested by the chair and report the outcomes to the chair who will respond to the complainant. This remains, however, defined as a Stage Two complaint under the supervision of the chair.

In more complex cases, the chair may determine that a broader investigation is required. At this point, advice may be sought from the diocese or local authority. The chair may choose to conduct further enquiries his or her self, or appoint an investigating officer recommended by the diocese or LA.

The investigating officer will decide how to proceed but may:

• Provide an opportunity for the complainant to meet the investigating officer for the complainant to explain why the headteacher’s investigation was unsatisfactory and clarify any points raised;

• Carry out further interviews with witnesses or review evidence.

The outcomes will be reported by the chair to the complainant. This will be done within 15 working days except where this is demonstrably not possible.

Conclusion of Stage Two

Where the chair has reviewed and confirmed a conclusion previously reached by the headteacher at Stage One or the complaint is not about the headteacher personally, the school's internal procedures are now completed.

In cases where the chair has investigated a complaint about the headteacher personally which has not been subject to any further review, there is a further stage if the complainant remains dissatisfied.

Stage Three

In cases where the complaint is about the headteacher, and that the chair has investigated but the complainant is not satisfied with the chair's response, the complainant may request a review conducted by a person external to the school.

In Catholic schools in the Archdiocese of Liverpool, this review will be conducted by an experienced chair of another school, appointed for the purpose by the Diocesan Department for Education. Whenever possible, this will be an accredited National Leader of Governance (NLG) or a person recognised as competent by the local Governors' Forum.

The external reviewer will:

• Meet the complainant to hear why s/he remains dissatisfied;
• Determine whether the Stage One and subsequent procedures have been properly conducted;
• Review such documentary, electronic or photographic evidence as there may be;
• Carry out any further investigations as may seem to be required;
• Report all conclusions back to the complainant, the chair and the head;
• Recommend further action, if any.

This stage ends the school's internal process.

External Appeal to the Secretary of State.

When the school's processes have concluded but the complainant remains dissatisfied, the complaint may be referred to the Secretary of State for Education using the online form:

https://form.education.gov.uk/en/AchieveForms/?form_uri=sandbox-publish://AF-Process-f1453496- 7d8a-463f-9f33-1da2ac47ed76/AF-Stage-1e64d4cc-25fb-499a-a8d7-74e98203ac00/definition.json&redirectlink=%2Fen&cancelRedirectLink=%2Fen

or writing to:

The Ministerial and Public Communications
Division Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

This step applies if the complaint is about the whole governing body of the school.

The Secretary of State will normally intervene only where it appears a school may have acted unlawfully or unreasonably. The SoS is not required to reopen every complaint in every case.

Notes

The school will treat all complaints as confidential. The details will not be disclosed. In fairness to all parties, the school expects the complainant also to treat the complaint as confidential, particularly when making allegations against named individuals which may later prove to be unfounded. Confidentially applies particularly to the use of social media to share any details.

This is a non-statutory procedure. Timescales and details of procedure may be varied in the light of particular circumstances. Where variations are considered appropriate, good practice determines that they should be agreed by the parties.

Where a decision has been reached at the end of this process which does not satisfy the complainant, the process may not be repeated if the same or very similar complaint is forthcoming within a period of six months.

Complaints may not be raised where the incident occurred three months or more before the complaint is submitted. This does not, of course rule out consideration of earlier instances of the behaviour complained of, where the behaviour is on-going.

The school may decline to enter into any further communication with a complainant where:

• Letters, telephone calls and e-mails repeatedly raise the same point on a matter which has been addressed and the complainant has been notified by the chair that the school's procedures are closed;
• The contacts appear to be intended to cause disruption or inconvenience to the school;
• Abusive or insulting comments are being made about any person, pupil or adult, at the school.

Further detail about unreasonable and/or repeated complaints is attached as Annex 2.

Adopted July 2019

Review date July 2020

Annex One – Other Relevant Procedures

This annex provides an outline only. Further detail is available on the school's website or by enquiring at the office.

Safeguarding and Child Protection

Each school has a policy to ensure that, where pupils are at risk of harm, the appropriate authorities are notified and given the opportunity to take action. This policy is published on the website and includes the names and contact details of the relevant people.

The ultimate responsibility for safeguarding rests with the Local Authority and each has a Local Authority Designated Officer for safeguarding (the LADO). This officer will triage complaints and involve the police, social care or the school as appropriate.

Admission and Exclusion Appeals

Where an application for a place at the school is refused, or a pupil is excluded from school, there are separate statutory procedures covering the arrangements for appeal.

Religious Education and Collective Worship

In a Catholic school in the Archdiocese of Liverpool, complaints that the school is not delivering an appropriate RE curriculum or conducting collective acts of worship in accordance with the rules of the Catholic Church should be referred to the diocese

Department of Education
LACE
Croxteth Drive
Liverpool
L17 1AA

The Curriculum

Complaints that the school is not delivering an appropriate curriculum should be addressed to:

The School Complaints Unit
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD 7

Complaints from Staff arising from their conditions of employment

These must be dealt with under the Catholic Education Service grievance procedures.

Whistleblowing

A complainant who does not wish to be identified must write to the Chair of Governors setting out details of the complaint.

The Chair must decide how to proceed without disclosing the identity of the whistleblower. The matter may need to be referred elsewhere, such as to the LADO or the police. The action taken will depend on the nature of the complaint and on the existence or possible existence of additional corroborative evidence.

Anonymous complaints will not be ignored, but the complainant must understand that the investigation may be hampered if possible evidence cannot be tested.

School Reorganisation Proposals

Any complaint against a proposal to close, merge, enlarge or reduce the size of a school will be dealt with under a separate procedure managed by the Local Authority.

Special Education Needs and Disability

Separate arrangements exist for handling complaints about assessment of SEND, provision and placement.

Annex 2 - Managing Unreasonable and Repeated Complaints.

This school is committed to dealing with all complaints promptly, fairly and impartially and to providing a high-quality service to those who complain. The school will not normally limit the contact complainants may require.

The school will not, however, tolerate unacceptable behaviour and will act to protect staff from that behaviour, in particular behaviour which is abusive, offensive or threatening.

The school defines unreasonable behaviour as that which hinders the proper consideration of complaints because of the frequency or nature of the complainant's contact with the school. For example, if the complainant

• refuses to articulate the complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
• 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 or with good practice;
• introduces trivia, repetitive or irrelevant information which s/he expects to be considered;
• raises large numbers of detailed but unimportant questions, and insists they are fully answered in an unreasonable timescale;
• makes complaints about staff who are trying to deal with the issues for which there is no evidence;
• 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;
• seeks an unrealistic or disproportionate outcome;
• 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 while the complaint is being considered;
• uses threats to intimidate staff or other parties involved;
• uses abusive, offensive or discriminatory language or violence;
• knowingly provides falsified information;

• publishes unacceptable information on social media or other public forums.

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.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before deciding that the complaint is unreasonable.

If the unreasonable behaviour continues, the headteacher or Chair of Governors will write to the complainant explaining that their behaviour is unreasonable, giving reasons and ask them to modify it. Where complainants seek to make an excessive number of contacts with the school and thereby cause a significant level of disruption, the methods of communication may be prescribed and the number of contacts limited in a communication plan. This will be reviewed regularly.

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