

HOLY ROSARY CATHOLIC PRIMARY SCHOOL

*“Together as a family, we love, learn and
grow in the presence of God”*



COMPLAINTS POLICY

Who can make a complaint?

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 Holy Rosary School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

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'*.

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. Holy Rosary 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, Holy Rosary School 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, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

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 the Headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to 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 Clerk to the Governing Body 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. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

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 if exceptional circumstances apply.

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 by Holy Rosary 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"> • 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 Sefton Council
<ul style="list-style-type: none"> • 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. 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) on 0151 934 4013 (Monday to Thursday 9am to 5.30pm, Friday 9am to 4pm).
<ul style="list-style-type: none"> • Exclusion of children from school* 	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions .

	<p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. The Behaviour and Discipline Policy can be found on the school website www.holyrosaryschool.co.uk.</i></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. Referrals can be made at: 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>Please contact the Department for Education at: www.education.gov.uk/contactus</p>

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 Holy Rosary 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.

Withdrawal of a Complaint

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

Stage 1

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 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 2

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 3

In cases where the complaint is about the headteacher, 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.

February 2023
(this policy will be reviewed in February 2026)

Managing serial and unreasonable complaints

Holy Rosary 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 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 abusive, offensive or threatening.

Holy Rosary School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their 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 trivial or irrelevant information which they expect to be taken into account and commented on
- 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 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 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 dealt with
- 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.

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 applying an '*unreasonable*' marking.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Holy Rosary 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 be reviewed after six months.

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 Holy Rosary School.

Complaint Form

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

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

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 who:

Complaint referred to:

Date:

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 that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher 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, Archdiocese 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 example; 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.