



**SAINT JOHN
SOUTHWORTH**
CATHOLIC ACADEMY TRUST

COMPLAINTS PROCEDURE

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1. INTRODUCTION

- 1.1. In a Catholic school, parents'/carers' concerns are of particular importance. As the first educators of their children, parents/carers have a duty to take an active interest in their school. "Since parents have given children their life, they are bound by the most serious obligation to educate their offspring." (*Gravissimum Educationis*). To this end, "there must be the closest co-operation between parents and the teachers to whom they entrust their children to be educated. In fulfilling their task, teachers are to collaborate closely with the parents and willingly listen to them." (Can.796) In a Catholic School, therefore, dealing with parents'/carers' concerns will be an intrinsic part of the school's ethos and mission
- 1.2. No one likes criticism but an open organisation will always be willing to listen to concerns and anxieties and be ready to learn from them if appropriate. In a school, most concerns are likely to be expressed by the parents or carers of its pupils, though some may come from pupils themselves, former pupils, parishioners, or from other interested parties such as neighbours or users of the premises. It is appropriate for a complaint to be processed from wherever it arises. For the purposes of this policy all references to schools include academies.
- 1.3. Nearly all concerns or questions can be resolved very quickly and informally if parents/carers feel able to voice them as soon as they arise. Obviously, the more information the school gives to them the less scope there is for misunderstanding. As part of this information, parents/carers should be told that feedback is always welcome and that, therefore, they are warmly encouraged to voice any concerns straightaway, preferably to the person concerned. In most cases, discussion, explanation, further information – or an apology, if appropriate – will resolve the issue. Every effort should be made to allay concerns at this level and with the least possible formality. The ideal is that no concern should ever become a formal complaint.
- 1.4. Occasionally, however, a concern will be too serious to be handled in this way, perhaps needing greater investigation; or the person concerned may not feel that the answers given so far have been acceptable or adequate. In such circumstances, the concern will become a complaint and the formal procedure should be rigorously followed. Even in these cases, every effort should be made to resolve the issue at the lowest possible level of the procedure. It should be very rare indeed that a complaint needs to be decided by a complaints committee.
- 1.5. It is very important that SJSCAT directors, local governors and members of staff be familiar with the complaints procedure and that they know who deal with complaints so that they can refer complaints to the right person when approached by someone with a complaint. Regular training on complaints procedures is provided by the Diocese. In all circumstances the published procedure must be followed closely. Should difficulties arise, advice can be sought from the Diocesan Education Service.

2. WHO CAN MAKE A COMPLAINT

2.1. This complaints procedure is not limited to parents or carers of children that are registered at a Saint John Southworth Catholic Academy Trust school. Any person, including members of the public, may make a complaint 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.

3. THE DIFFERENCE BETWEEN A CONCERN AND A COMPLAINT

3.1. A concern may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'.

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

3.3. 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. We take concerns seriously and will make every effort to resolve the matter as quickly as possible.

3.4. 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.

3.5. 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.

4. HOW TO RAISE A CONCERN OR MAKE A COMPLAINT

4.1. 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 of a complainant if they have appropriate consent to do so.

4.2. 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.

- [Cardinal Vaughan Memorial School – hmpa@cvms.co.uk](mailto:hmpa@cvms.co.uk)
- [St John XXIII Catholic Primary School - head@stjohnxxiii.lbhf.sch.uk](mailto:head@stjohnxxiii.lbhf.sch.uk)
- [St Joseph's Catholic Primary School, Cadogan Street – info@stjosephs.rbkc.sch.uk](mailto:info@stjosephs.rbkc.sch.uk)
- [St Joseph's Catholic Primary School, Maida Vale - schoolhead@stjosephsschool.org.uk](mailto:schoolhead@stjosephsschool.org.uk)

4.3. Complaints that involve or are about the headteacher should be addressed to the Chair of the Local Governing Body. Please mark them as Private and Confidential.

- [Cardinal Vaughan Memorial School – lgbchair@cvms.co.uk](mailto:lgbchair@cvms.co.uk)
- [St John XXIII Catholic Primary School - admin@stjohnxxiii.lbhf.sch.uk](mailto:admin@stjohnxxiii.lbhf.sch.uk)
- [St Joseph's Catholic Primary School, Cadogan Street – governor@stjosephs.rbkc.sch.uk](mailto:governor@stjosephs.rbkc.sch.uk)
- [St Joseph's Catholic Primary School, Maida Vale - office@stjosephsschool.org.uk](mailto:office@stjosephsschool.org.uk)

4.4. Complaints about the Chair of the Local Governing Body, any individual local governor or the whole local governing body should be addressed to the Clerk to the Local Governing Body via the school office. Please mark them as Private and Confidential.

- [Cardinal Vaughan Memorial School – clerk@cvms.co.uk](mailto:clerk@cvms.co.uk)
- [St John XXIII Catholic Primary School - admin@stjohnxxiii.lbhf.sch.uk](mailto:admin@stjohnxxiii.lbhf.sch.uk)
- [St Joseph's Catholic Primary School, Cadogan Street – info@stjosephs.rbkc.sch.uk](mailto:info@stjosephs.rbkc.sch.uk)
- [St Joseph's Catholic Primary School, Maida Vale - office@stjosephsschool.org.uk](mailto:office@stjosephsschool.org.uk)

4.5. Complaints about the Chief Executive Officer (CEO) or a director of the Saint John Southworth Academy Trust, should be addressed to the Chair of the Board of Directors. Please mark them as Private and Confidential.

[Saint John Southworth Catholic Academy Trust – chair@siscat.co.uk](mailto:chair@siscat.co.uk)

4.6. For ease of use, a template complaint form is included at the end of this procedure. If you require help completing the form, please contact the school office. You can also ask a third-party organisation for example like the Citizens Advice to help you.

4.7. 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.

5. ANONYMOUS COMPLAINTS

5.1. We will not normally investigate anonymous complaints. However, the Headteacher or Chair of the Local Governing Body or Chair of the Board of Directors, if appropriate, will determine whether the complaint warrants an investigation.

6. TIME SCALES

6.1. 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.

7. COMPLAINTS RECEIVED OUTSIDE TERM TIME

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

8. SCOPE OF THIS COMPLAINTS PROCEDURE

8.1. This procedure covers all complaints about any provision of community facilities or services at schools within the Saint John Southworth Catholic Academy Trust other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
School re-organisation proposals	The local governing body
Statutory assessments of special educational needs	The 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. 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). https://www.rbkc.gov.uk/lscp/information-professionals-and-volunteers/contacts-safeguarding-kensington-and-chelsea
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions . <i>*complaints about the application of school behaviour policies can be made through the school's complaints procedure.</i>
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. 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 . 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.
Staff grievances	Complaints from staff will be dealt with under the Trust's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the Trust's disciplinary procedures, if appropriate. 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.
Services provided by other organisations who may use school premises or facilities	Please contact the organisation directly. It should have its own complaints procedures.
National Curriculum content	Please contact the Department for Education

8.2. 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 this happens, we will inform you of a proposed new timescale.

8.3. If a complainant commences legal action against the Saint John Southworth Catholic Academy Trust or one of its schools in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

9. RESOLVING COMPLAINTS

9.1. At each stage in the procedure, the Trust and its schools want to resolve the complaint. 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.

10. WITHDRAWAL OF A COMPLAINT

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

11. STAGE 1 – INFORMAL CONCERNS

11.1. We hope that most concerns can be expressed and resolved on an informal basis.

11.2. Concerns should be raised with either the class teacher, year head / subject head or headteacher. Complainants should not approach individual local governors or directors 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 3 of the procedure.

11.3. At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal written response within 10 school days of the date of receipt of the complaint.

11.4. If the issue remains unresolved, the next step is to make a formal complaint.

12. STAGE 2 – FORMAL COMPLAINTS

12.1. Formal complaints must be made to the headteacher (unless they are about the headteacher):

12.2. This may be done in person or in writing (preferably using the Complaint Form), or by telephone.

12.3. The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 2 school days.

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

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

12.5. During the investigation, the headteacher (or 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.

12.6. At the conclusion of their investigation, the headteacher will provide a formal written response within 10 school days of the date of receipt of the complaint.

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

- 12.8. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions that will be taken to resolve the complaint.
- 12.9. The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.
- 12.10. If the complaint is about the headteacher, or a member of the local governing body (including the Chair or Vice-Chair of the local governing body), a suitably skilled local governor will be appointed to complete all the actions at Stage 2.
- 12.11. Complaints about the headteacher or a member of the local governing body must be made to the local governing body clerk:
- 12.12. If the complaint is:
- jointly about the Chair and Vice Chair of the local governing body or
 - the entire local governing body or
 - the majority of the local governing body

Stage 2 will be escalated to the Catholic Executive Officer (CEO) of the Saint John Southworth Catholic Academy Trust – ceo@sjscat.co.uk

13. STAGE 3 – COMMITTEE HEARING

- 13.1. If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a meeting with the local governing body's complaints or hearings committee, consisting of at least three people with no prior knowledge or involvement in the matters detailed in the complaint. One committee member will be independent of the management and running of the school. This is the final stage of the complaints procedure.
- 13.2. A request to escalate to Stage 3 must be made to the Clerk to the local governing body within 20 school days of receipt of the Stage 2 response.
- 13.3. The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 2 school days.
- 13.4. Requests received outside of this time frame will only be considered if exceptional circumstances apply.
- 13.5. The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

13.6. 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.

13.7. The complaints or hearings committee will consist of at least three people with no prior knowledge or involvement in the matters detailed in the complaint. One committee member will be independent of the management and running of the school. Prior to the meeting, they will decide amongst themselves who will act as the chair of the committee. A member of the Diocesan Education Service may be invited to advise and support the committee.

13.8. If the complaint is:

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

Stage 3 will be heard by a committee of directors of the Saint John Southworth Catholic Academy Trust Board and an independent committee member.

13.9. A complainant may bring someone along to the committee meeting 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. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

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 (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

13.10. Representatives from the media are not permitted to attend.

13.11. At least 5 school days before the meeting, the Clerk 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 at least 5 school days before the meeting.

13.12. Any written material will be circulated to all parties at least 3 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

13.13. 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.

- 13.14. 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.
- 13.15. 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.
- 13.16. If the complaint is upheld in whole or in part, 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.
- 13.17. The chair of the committee will provide the complainant and the school, as appropriate, with a full explanation of their decision and the reason(s) for it, in writing, within 3 school days.
- 13.18. The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled.
- 13.19. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions to be taken to resolve the complaint.
- 13.20. The committee will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the headteacher.
- 13.21. A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a committee hearing, along with what actions have been taken, regardless of the decision.
- 13.22. All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

14. COMPLAINTS ESCALATED TO/ABOUT THE ACADEMY TRUST, THE CATHOLIC EXECUTIVE OFFICER OR A TRUSTEE

- 14.1. If a complaint is escalated to the Saint John Southworth Catholic Academy Trust “the trust” or if a complainant wishes to complain directly about the trust, then the complaint should be sent to the CEO to be investigated.
- 14.2. The CEO will write to the complainant acknowledging the complaint. The acknowledgement will confirm that the complaint will now be investigated under Stage 2 of this Complaints Procedure and will confirm the date for providing a response to the complainant.
- 14.3. Following the investigation, the CEO will write to the complainant confirming the outcome within 10 school days of the date that the complaint was received. If this time limit cannot be met, the CEO will write to the Complainant explaining the reason for the delay and providing a revised date.
- 14.4. If the complaint concerns the CEO or a Director, the complaint should be investigated by the Chair of the Board of Directors. If the complaint concerns the Chair of the Board of Directors, the complaint will be referred to the Vice Chair of the Board of Directors for investigation

NB. Where the Chair of the Board of Directors has investigated the complaint, they will write the letter of outcome to the Complainant and provide a copy to the CEO.

- 14.5. If the complainant is not satisfied with the outcome at this stage, the complainant should write to the Clerk to the Board of Directors (clerksjscat@sjscat.co.uk) asking for the complaint to be heard before a complaints or hearings committee, within one month of being notified of the outcome.
- 14.6. The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email).
- 14.7. Requests received outside of this time frame will only be considered if exceptional circumstances apply.
- 14.8. The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.
- 14.9. 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.
- 14.10. If the complaint is:
 - jointly about the Chair and Vice Chair of the Board of Directors or
 - the entire Board of Directors or
 - the majority of the Board of Directors

Stage 3 will be heard by a completely independent committee.

- 14.11. The complaints or hearings committee will consist of three members. None of the three members of the committee will have been involved in the incidents or events which led to the complaint, or have been involved in dealing with the complaint in the previous stages, or have any detailed prior knowledge of the complaint.
- 14.12. One of the complaint or hearings committee members will be independent of the management and running of the Academy Trust. This means that the independent committee member will not be a Director or an employee of the Trust.
- 14.13. A complainant may bring someone along to the committee meeting 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. For instance, if a trust employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

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.

- 14.14. Representatives from the media are not permitted to attend.
- 14.15. At least 5 school days before the meeting, the Clerk 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 at least 5 school days before the meeting.
- 14.16. Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- 14.17. 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.
- 14.18. 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.
- 14.19. 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.

- 14.20. If the complaint is upheld in whole or in part, 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.
- 14.21. The Chair of the committee will provide the complainant and the Board of Directors of the Saint John Southworth Catholic Academy Trust with a full explanation of their decision and the reason(s) for it, in writing, within 3 school days.
- 14.22. The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by the Saint John Southworth Catholic Academy Trust.
- 14.23. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Saint John Southworth Catholic Academy Trust will take to resolve the complaint.
- 14.24. The committee will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the headteacher.
- 14.25. A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a committee hearing, along with what actions have been taken, regardless of the decision.
- 14.26. All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

15. NEXT STEPS

- 15.1. If the complainant believes the school / trust 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 Education and Skills Funding Agency (ESFA) after they have completed Stage 3.
- 15.2. The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by the Trust. They will consider whether the Trust has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).
- 15.3. The complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

16. SERIAL AND PERSISTENT COMPLAINTS

16.1. The Saint John Southworth Catholic Academy Trust is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with the Trust and its schools. 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.

16.2. We 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, 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.

16.3. 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.

16.4. Whenever possible, the headteacher, the chair of the local governing body or chair of the board of directors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

16.5. If the behaviour continues, the headteacher, the chair of the local governing body or chair of the board of directors will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the Trust and its schools 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.

16.6. 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 a Trust school.

17. 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 of Complaint

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 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 for the head teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The headteacher or complaints or hearings committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

The investigator should:

- ensure that the complainant is fully updated at each stage of the 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 Local Governing Body / Board of Directors

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.

Committee Chair

The committee chair, who is nominated in advance of the complaint meeting, 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, if all parties are invited to attend, everyone is treated with respect and courtesy

- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
If a new issue arises it would be useful to give everyone 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 and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee 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, if the school has one).

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No local governor / director 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

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting
Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated. The committee should respect the views of the child/young person and give them equal consideration to those of adults. If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.

Diocesan Representative

- To advise the committee on procedure. Diocesan officers are there in an advisory capacity only. They do not have a vote and do not participate in the committee's decision-making process.

18. GENERAL POINTS

Monitoring Complaints

A summary of concerns raised under this policy will be kept and reported to the Board of Directors of the Academy Trust.

Confidentiality

All records of complaints must be kept strictly confidential, except where a legitimate subject access request is made under The Data Protection Act 2018. Complainants are entitled to a copy of the records of a complaint, including notes and outcomes. Records of complaints should be retained for three years following completion of the complaints process and then destroyed.

Complaints Made Other Than in Accordance with the Procedure

Sometimes a complainant may be unfamiliar with, or unaware of, the complaints procedure; sometimes they may choose to take their complaint straight to local governors or to other parties, such as the diocese or the Local Authority. In every such case, the procedure must be strictly adhered to, and the complaint redirected to its proper stage in the procedure. It is, therefore, important that all members of staff, local governors and directors are fully aware of the procedure and that it is made publicly available. It is particularly important that local governors and directors know that they must not attempt to deal with complaints themselves, but should tell complainants to follow the procedure in this document.

Complaint Campaigns

Occasionally schools become the focus of complaint campaigns where large volumes of identical complaints are received from persons unconnected to the school. If the school is the subject of such a campaign, the chair of the local governing body will send a template response to all complainants or publish a single response on the school website. The method of response will be determined by the number of complaints received.

Legal Representation

The complaints or hearings committee meeting is intended to be non-adversarial. It is not part of legal proceedings. It is intended that the complaint should be heard, that the complainant and the school should be reconciled and any mistakes rectified. It is not therefore appropriate for the complainant, the school or the Trust to be legally represented. Legal representatives/advisers will only be admitted in exceptional circumstances and with written permission obtained in advance from the committee.

Complaints to Ofsted

The Education and Inspections Act 2006 at s.160 provides a procedure for Ofsted to investigate parents' complaints about a school. A complaint cannot be investigated unless the school's complaints procedure has been exhausted, subject to the Chief Inspector's discretion to waive this requirement.

COMPLAINT FORM

Please complete and return to the contact named in Section 4 of the Complaints Procedure who will acknowledge receipt and explain what action will be taken.

YOUR NAME	
PUPIL'S NAME AND YOUR RELATIONSHIP TO PUPIL (IF RELEVANT)	
YOUR ADDRESS	
YOUR PHONE NUMBER(S)	
YOUR EMAIL ADDRESS	
DETAILS OF YOUR COMPLAINT, INCLUDING WHETHER YOU HAVE SPOKEN TO ANYONE IN 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:

ACTION TAKEN:

DATE: