



Complaints Policy

For the following:

**Cardinal Newman Catholic Primary School
Holy Family Catholic Primary School
St Alban's Catholic Primary School
St Anne's Catholic Primary School
St Augustine Catholic Primary School
St Charles Borromeo Catholic Primary School
St Cuthbert Mayne Catholic Primary School
St Hugh of Lincoln Catholic Primary School
St John the Baptist Secondary Catholic School
St Polycarp's Catholic Primary School
St Thomas of Canterbury Catholic Primary School
St Peter's Catholic School
Salesian Catholic Secondary School
The Marist Catholic Primary School**

This Complaints Policy has been approved and adopted by the Xavier Catholic Education Trust in September 2019

Committee Responsible: HR Committee
To be reviewed (every three years) in September 2022.

Xavier Catholic Education Trust Mission Statement

Our mission is to provide an outstanding Catholic education for all the children in our schools. We will follow the example and teachings of Christ and everything we do will be inspired by gospel values. We will strive for excellence in all areas of our work and cherish every child in our care.

The Xavier Catholic Education Trust has developed this policy to enable parent/carers of pupils attending our schools and members of the public, to raise a concern or complaint relating to the operation of its school or the trust itself.

The procedures within this policy do not apply to concerns and complaints relating to the following, which are dealt with under separate policies:

a) exclusions; b) admissions; c) appeals relating to internal assessment decisions for external qualifications; d) complaints about Education Health and Care (EHC) Plans; e) grievances or disciplinary issues relating to members of staff; f) issues related to child protection g) whistleblowing.

Aims of the policy

- to set a clear framework in which concerns and complaints can be heard
- to deal with all concerns and complaints thoroughly through an open, honest and fair process
- to resolve concerns and complaints as quickly as possible and to maintain positive relationships in the interests of the children in our care.
- to consider how any complaints can inform the school evaluation process

All staff will be made aware of this complaints policy and are expected to review it regularly in order that they are familiar with our procedures for dealing with concerns and complaints and can be of assistance when an issue is brought to their attention. We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

Defining concerns and complaints

A 'concern' is an expression of worry or doubt over an issue considered to be important for which reassurances are sought.

A 'complaint' is an expression of dissatisfaction about the standards of service, actions or the lack of action by the school or its staff, affecting an individual pupil, person or group of pupils or people.

You may want to complain if you think:

- We have not treated you fairly or politely; or
- We have not done something we should have done; or
- We have done something badly.

How we deal with concerns and complaints

When we receive a concern or complaint we will:

- Deal with people courteously, confidentially and in a sensitive and helpful manner
- Put things right as far as we are able where it is clear we have not given the service or support that you have the right to expect.
- Analyse concerns and complaints so that we can plan for the future by taking your views into account.

To enable us to deal with complaints in a speedy and efficient manner and until the complaint procedure has been exhausted, we ask that complainants refrain from broadcasting their complaint on social media. Please refer to our policy on dealing with unacceptable behaviour from parents and visitors for further guidance on this.

If, in the course of consideration of a concern or complaint, it is decided that disciplinary proceedings should be initiated against a member of staff, separate action will be taken as appropriate. You will be informed that your concern or complaint is being addressed but will not be informed of any further detail of the disciplinary.

When making representations at any stage of the procedures in person, you are welcome to be accompanied by a friend if so desired.

Where appropriate, steps will be taken to ensure that information is available in languages other than English and arrangements made for an interpreter to be present during any oral representation.

The stages to follow:

NB Not including complaints about Headteachers, Governors or Directors (please refer to section two).

Section One

Stage one

Many enquiries, concerns and causes of dissatisfaction can be resolved informally by the Teacher, Headteacher or other members of staff without the need to resort to the formal complaints procedure. To that end you are encouraged to approach the staff most likely to be able to directly resolve your concern at an early stage, either in person by requesting an appointment, or by letter, telephone or email. Contact details are available on school websites or you may wish to phone the school office, see appendix for telephone numbers for each school. Our aim will always be to

resolve all issues with open dialogue and mutual understanding and within 5 -10 school days of the matter being brought to our attention.

Stage two

If dissatisfied with the way in which your concern is handled, or you believe it is sufficiently serious to warrant immediate escalation to a formal process, you can submit a formal complaint to the Headteacher of the relevant school. If at all possible, you should do so in writing, (ideally using the form at the end of this policy in the appendix) making clear that it is a formal complaint. Please be as specific as possible about the nature of the complaint and of how the matter has been dealt with so far. You should also include a clear statement of how you would like the school to resolve your complaint, and email or send in your complaint for the attention of the Headteacher.

The Headteacher (or designated member of the Senior Leadership Team) may call a meeting to clarify concerns, and seek a resolution. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

The Headteacher (or other person appointed by the Headteacher for this purpose) will then conduct their own investigation. An investigator/ complaints co-ordinator may be appointed to support the complaint process.

You should receive a written acknowledgement of your complaint within 3 school days and a response within 20 school days. If for any reason this is not possible you will be informed promptly and will be kept updated on progress.

Following consideration and any necessary investigation into the complaint you will be informed of:

- the decision that has been reached and the reason for it;
- any action taken or proposed to resolve the complaint:

Stage three

If you are still dissatisfied, you may request that the matter be referred to a panel of Xavier Catholic Education Trust Governors (XCET complaints panel), by writing to the Clerk to the Trust Board within 10 school days of receiving any decision at Stage 2. The referral should include all documentation you wish the XCET complaints panel to consider. The Clerk may delegate the complaint to a complaint coordinator with the Trust.

If the complaint appears to be urgent, the Clerk will convene a meeting of the XCET panel to consider the complaint as quickly as possible, and within 20 school days of its receipt, (these being days on which the school is normally in session). If the complaint is not urgent, the Clerk will convene a meeting to consider the complaint within 30 school days.

The XCET complaints panel will consist of at least three governors/ directors who were not directly involved in the matters detailed in the complaint, at least one of whom will be independent of the management of any school involved. An investigator may be appointed to investigate the issues raised in the complaint and report to the XCET complaints panel. Fair consideration will be given to any legitimate objection to a particular member of the panel.

The Clerk will write to you at least 10 days ahead of the proposed meeting with details of the venue time and date of the meeting, and how the panel will consider your complaint. Any reasonable request made by you for an alternative date should result in a mutually convenient alternative date being set at the earliest possible time.

You will be invited to attend a XCET complaints panel meeting/ investigation meeting, accompanied by a friend if you wish, please notify the Clerk if you are being accompanied and the name of the person attending. If you do not wish to attend the meeting you may present the complaint in writing to the XCET complaints panel.

All documents to support the XCET complaints panel discussions will be shared with all parties 5 days before the meeting takes place. If any material isn't submitted within this timeframe, either by the complainant or the school, the XCET complaints panel may decide not to consider that material.

The Headteacher, accompanied by a friend or representative if he/she so wishes, may be present at the meeting of the complaint panel but they will not be involved in any decision regarding the complaint.

The XCET complaints panel will be conducted in a manner to ensure that each party has the opportunity to address the panel. The procedure to be followed during the meeting will be set out to the parties by letter in advance of the hearing.

The XCET complaints panel shall consider at this meeting the complaint and any relevant information or factors.

The panel can decide:

- to reject the complaint;
- to uphold the complaint in whole or in part;
- to investigate the complaint further
- to make recommendations for restorative action
- to make recommendations for changes to policy and procedures.

The chair of the XCET complaints panel shall inform you, the Headteacher and any other person concerned, in writing within 5 school days: You will be provided in writing with a summary of the panel decisions, and summary minutes of any meeting you have attended.

Where the XCET complaints panel's response has failed to satisfy the complaint, you can make a complaint to Education and Skills Funding Agency (ESFA) in accordance with ESFA's 'Procedure for dealing with complaints about Academies'. Information about making a complaint to the ESFA will be communicated in the XCET complaints panel's decision letter.

Section two

Complaints about Headteachers, Trust central team, the CEO, Local Governors and Directors

If your complaint is about the Headteacher or the Trust's central team, you should address your complaint to the Trust's CEO, who delegating as appropriate, will follow the timescales and procedures outlined at stage 2. If you are unhappy with the response you can request that the complaint is reviewed by the complaint panel.

If your complaint is about the CEO, Local Governors or Directors, you should address your complaint to the Chair of the Trust Board who will make the necessary arrangements for your complaint to be investigated and responded to in line with the timescales and procedures at stage 2. If you are unhappy with the response, you can request that the complaint is reviewed by the complaint panel.

If your complaint is about the Chair of the Board or the Board of Directors as a whole, you should address your complaint to the Clerk to the Board who will make arrangements for the issues you raise, to be investigated by another member of the Board or independently as appropriate and responded to in line with the timescales and procedures at Stage 2. If you are unhappy with the response, you can request that your complaint is reviewed by a complaint panel independent of the Academy Trust.

Section three

Record keeping and further improvements

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the Secretary of State (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and data retention.

The details of the complaint, including the names of individuals involved, will not be shared with the Xavier Catholic Education Trust Board in case a review panel needs to be organised at a later point.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Trust Board.

The HR Committee will review any underlying issues raised by complaints with the appropriate school where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

The HR Committee will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The HR Committee will track the number and nature of complaints, and review underlying issues.

The complaints records are logged and managed by the Head of HR centrally on behalf of all Xavier Catholic Education Trust schools.

This policy will be reviewed by HR committee every three years.

At each review, the policy will be approved by Xavier Catholic Education Trust Board.

Persistent complaints

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted, and the school has done everything it reasonably can in response to the complaint, the Headteacher will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, and
- The complainant has been given a clear statement of the school's position and their options (if any), and
- The complainant is contacting the school repeatedly but making substantially the same points each time.

However, this list is not intended to be exhaustive. The school will most likely choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school staff, unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Unreasonable Complaints

These are defined as complaints '*where the nature of their contacts with the school, or Trust, hinder our consideration of their or other people's complaints*'.

A complaint may be regarded as unreasonable when the person making the complaint:-

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising their complaint despite offers of assistance;
- 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 adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales; changes the basis of the complaint as the investigation proceeds;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint or raising as a complaint concerns that are covered by other policies.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email. The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably

Appendix – Stage two Complaints Form.

Name	
Name of pupil, year group and your relationship to them (where applicable)	
Contact address	
Contact telephone number	
Contact email address	
Details of the complaint	
Action taken so far (including staff member who has dealt with your concerns) and solutions offered	
The reason that this was not a satisfactory solution for you	
What action would you like to be taken to resolve the problem?	
Any additional paperwork attached, please give details.	
Signed:	Date:

Who to contact

For stage 1 and 2 complaints you need to contact the school directly. Contact details are available on each of the Trust schools' websites. In addition you can contact the school directly on the following telephone numbers.

Cardinal Newman Catholic Primary School	01923 222536
Salesian School	01932 582520
St Alban's Catholic Primary School	0208 979 5893
St Anne's Catholic Primary School	01932 562251
St Augustine's Catholic Primary School	01276 709099
St Charles Borromeo Catholic Primary School	01932 842617
St Cuthbert Mayne Catholic Primary School	01483 274961
St Hugh of Lincoln Catholic Primary School	01483 480441
St John the Baptist School	01483 729343
St Polycarp's Catholic Primary School	01252 716307
St Thomas of Canterbury Catholic Primary School	01483 888388
The Holy Family Catholic Primary School	01932 846366
The Marist Catholic Primary School	01932 344477
St Peter's Catholic School	01483 534654

To contact the CEO or Clerk to the Xavier Catholic Education Trust, either send your letter and complaint form to the relevant contact at Xavier Catholic Education Trust, Salesian School, Guildford Road, Chertsey, KT16 9LU.

Or email: info@xaviercet.org.uk

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.

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 for the Headteacher or Complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The headteacher or complaint panel 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 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 Trust Board

The Clerk is the contact point for the complainant and the complaint panel 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 panel's decision.

Panel chair

The panel's 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 panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

Panel member

Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
No governor may sit on the 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 panel 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 panel 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.