



# St Mary and St John Church of England Primary School

*'Let all that you do be done in love'*

1 Corinthians 16:14

## PROCEDURE FOR RAISING CONCERNS OR COMPLAINTS

1. Context
2. Raising Concerns and Complaints
3. Procedure for Raising Concerns
4. Procedure for Raising Complaints
5. Appendices
  - Appendix A – Roles and Responsibilities during the Complaints Procedure
  - Appendix B - Exclusions from this Procedure
  - Appendix C – Formal Complaint Form

## 1. Context

### Our Vision

*“Let all that you do be done in love.”* 1 Corinthians 16:14

As a Church of England Primary School, we are committed to making St Mary and St John an inclusive environment, fostering curiosity, spirituality, creativity and respect. At our school we want everyone to be valued, to explore the joy of learning, and to achieve their full potential. Our core values are love, respect, empathy, courage, aspiration and curiosity.

### Ethos

Children at St Mary and St John celebrate the richness of diversity within our school community. They are confident, empathetic, and resilient, able to take measured risks with a sense of self-belief. We strive to empower the children at school, motivating them in an environment where they feel valued and understand the power of being inquisitive. When they leave us, they will be enthusiastic life-long learners who are ambitious, courageous and able to build positive, healthy relationships.

## 2. Raising Concerns and Complaints

St Mary and St John CE Primary School recognises that at times things can go wrong. We take all concerns and complaints about the quality of our provision very seriously. This is not just in order to resolve particular situations as they arise, but also to ensure that both the individuals concerned and the school as a whole, can learn and improve as a result.

We therefore aim to create an environment in which:

- (1) any **concerns** about the quality of our provision can be shared easily and acted on quickly, not just to resolve the immediate situation, but to make any necessary changes to school policies, processes or practices as necessary
- (2) **complaints** are addressed sensitively and professionally through a clear, straightforward process that enables all parties to be heard, situations to be resolved amicably, and any lessons learned to be adopted quickly.

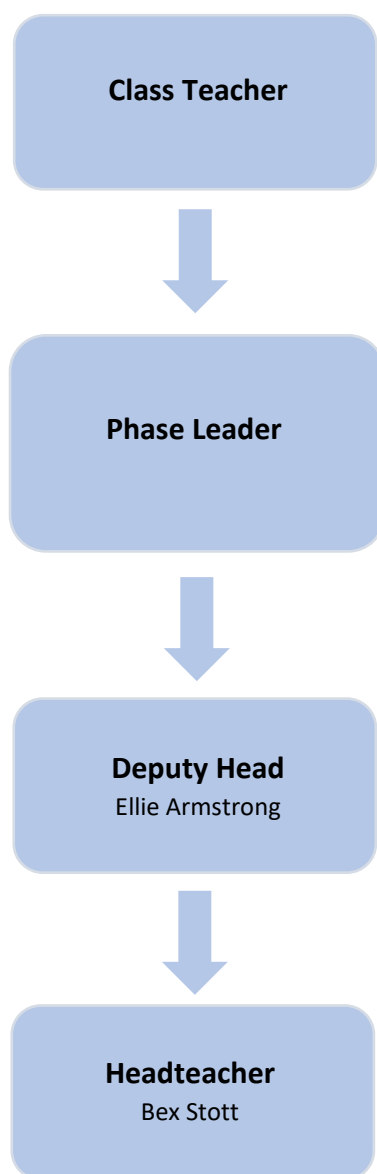
We define a **concern** as an expression of worry or doubt over *an issue* considered to be important, and a **complaint** as an expression of dissatisfaction about *actions taken or a lack of action*.

The school has procedures for dealing with concerns (section 3, *Procedure for Raising Concerns*) or complaints (section 4, *Procedure for Raising Complaints*) and we value any feedback about our services, including compliments, complaints and suggestions. If you are concerned about any aspect of your child’s education, please contact us.

## 3. Procedure for Raising Concerns

We want your child to be happy and to thrive in our school, however, we recognise that there are times when concerns arise. If you have a concern, we ask you first to speak to the relevant member of staff. This will usually be your child’s class teacher, though there may be occasions where someone else is more appropriate (for example, the Special Educational Needs/Disability Coordinator). This approach is nearly always the quickest and most effective way of resolving a concern, as these are usually the people who know your child best and have the most immediate understanding of their circumstances.

If after this you feel that your concern has not been resolved, you can meet with one of the Phase Leaders or the Deputy Head. If, after following this process, you feel you want to take the matter further, then it is important to speak to, or write to, the Headteacher, who will look into your concern.



If your concern cannot be resolved, you can then follow our complaints procedure.

#### ***4. Procedure for Raising Complaints***

We understand that there are occasions when people would like to raise their concerns formally and for these concerns to become a complaint. In this case, St Mary and St John will attempt to resolve the issue internally, through the stages outlined within this complaints procedure. If you have a complaint, we will welcome the opportunity to work with you to find a resolution. We follow the Department for Education standard complaints procedure for schools. Except for complaints that would need to be dealt with under separate statutory procedures (such as appeals relating to admissions or exclusions), we will use this complaints procedure.

The school's Governing Body has overall responsibility for the school and for ensuring the wellbeing of pupils and that all pupils receive an appropriate and high standard of education. The Headteacher is responsible for making decisions on a daily basis about the school's internal management and organisation.

If you have a concern or complaint that relates to a child protection matter, that will be handled under our Child Protection and Safeguarding policy and in accordance with relevant statutory guidance. If you have serious safeguarding 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). For more information about this please see our Child Protection and Safeguarding policy, available on the school website.

### Who can make a complaint?

Our complaints procedure is not limited to parents or carers of children who are registered at the school. Any person, including members of the public, may make a complaint to St Mary and St John CE Primary School about any facilities or services that we provide.

Please note that:

- Not all complaints are considered by the school. Please consult Appendix B for a list of subjects that are dealt with by different authorities under other statutory procedures.
- The school will not consider serial or unreasonable complaints.
- You must raise the complaint within three months of the incident(s). We will consider complaints made outside of term time to have been received on the first school day after the holiday period.
- You 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.

### Making a Formal Complaint

Concerns and complaints should be sent in email form to: [complaints@ssmj.org](mailto:complaints@ssmj.org). Please note that this email address is checked once a day. It is not checked at weekends, or in the holidays. Complaints should be made in writing, via the school office, in an envelope marked "Private and Confidential, For Immediate Attention".

You should use the complaints form (Appendix C), and address the complaint as below:

- against school staff (except the Headteacher) to Bex Stott (the Headteacher),
- against the Headteacher to Sarah Franklin (the Chair of Governors, please email: [ssmigovernors@gmail.com](mailto:ssmigovernors@gmail.com)  
*\*Please note that this email address will not necessarily be checked daily, at weekends, or in the holidays.*),
- against the Chair of Governors, individual governors or the whole Governing Body to the Clerk to the Governing Body.

The template complaint form (Appendix C) 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 Citizens Advice to help you.

On receipt of the complaint the recipient will:

- Confirm receipt of the complaint (either by letter or e-mail) within five school days;
- Clarify the nature of the complaint and what remains unresolved;
- Meet with the complainant or contact them (if unsure or further information is necessary);
- Clarify what the complainant feels would put things right

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

## Stage 1: Investigation

Immediately on receipt of the complaint and/or where a resolution cannot be reached through mediation (see below), an investigation will be conducted, as follows:

- Complaints about staff will normally be investigated by the Headteacher or a member of the Senior Leadership Team
- Complaints about the Headteacher will normally be investigated by a member or members of the Governing Body
- Complaints about individual members of the Governing Body will normally be investigated by another member of the Governing Body with no prior knowledge of the issue
- Complaints about the entire Governing Body, or complaints where the nature of the allegations calls for it, will be investigated by an independent investigator appointed by (as appropriate) the Governing Body, the Oxford Diocesan Board of Education or the Local Authority.

The recipient will notify the complainant of the action taken and the expected timescale for them to receive a response. During the investigation, the investigator will:

- If necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- Review relevant documentation, for example school records, policies, procedures and relevant statutory guidance
- Keep a written record of any meetings/interviews in relation to their investigation

At the conclusion of their investigation, the investigator will provide a formal written response to the complainant, detailing the conclusion of the investigation, any actions the school will take to resolve the complaint and the actions the complainant may take if they wish to escalate their complaint.

This concludes Stage 1 of the complaints procedure.

## Mediation

At any point in Stage 1, where both sides agree to do so, we will seek to address unresolved issues through mediation, in which a third party facilitates a face-to-face conversation to ensure that both sides:

- have an opportunity to hear each other's points of view,
- can identify and build on areas of agreement,
- have a structure within which to resolve remaining differences.

If both sides emerge from the mediation satisfied, a foundation is created for a continuing positive relationship between them. Even if the complaint continues to Stage 2, the issues to be considered are likely to be much clearer following the mediation.

## Escalation

If the investigation in Stage 1 was conducted internally by the school (i.e. by the Headteacher, or members of the Senior Leadership Team or Governing Body), and the complainant is dissatisfied with the outcome and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with a governors' complaints panel. Where the investigation was conducted by an independent investigator appointed externally by the Oxford Diocesan Board of Education and/or the Local Authority, the matter cannot be escalated to Stage 2, and the procedure will be concluded at Stage 1.

## Stage 2: Complaints Panel

A request to escalate to Stage 2 must be made to the Clerk to the Governing Body, via the school office, within **five** school days of receipt of the Stage 1 response. The Clerk will confirm receipt of the request within **five** school days.

The complaint will be addressed by a committee consisting of at least three members of the school's Governing Body with no prior involvement or knowledge of the complaint, and with no external interest in the outcome of the proceedings. They will decide amongst themselves who will act as the Chair of the committee. If there are fewer than three governors from the school available, the Clerk will source any additional, independent governors through another local school or through the Local Authority. Alternatively, an entirely independent committee may be convened to address the complaint.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, and in making their decision they will be sensitive to the complainant's needs. Where a meeting is deemed necessary, the Clerk will aim to convene it within **ten** school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed. 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.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. 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. Representatives of the media are not permitted to attend.

At least **five** 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 **three** school days before the meeting.

Any written material will be circulated to all parties at least **three** school days before the date of the meeting.

Note that:

- the committee will not accept as evidence any recordings of conversations that were obtained covertly and without informed consent of all parties being recorded,
- the committee will 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.

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.

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. In this case, prior knowledge and consent of all parties attending must be sought beforehand, which will be recorded in any minutes taken.

The aim of the meeting is to resolve the complaint and achieve reconciliation between the school and the complainant; to this end the Chair of the Committee will ensure that the meeting is conducted in an informal manner, is not adversarial, and that everyone invited to attend feels listened to and is treated with respect and courtesy.

The committee will consider the complaint and all the evidence presented, relative to the school's stated policies and procedures, and any relevant statutory requirements. The committee can:

- Uphold the complaint in whole or in part,

- Dismiss the complaint in whole or in part.

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 policies or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and the school with a full explanation of their decision and the reason(s) for it, in writing, within **five** school days. The letter will include details of how to contact the Department for Education if the complainant is dissatisfied with the way their complaint has been handled.

### **Next Steps**

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by St Mary and St John CE Primary School. They will consider whether St Mary and St John has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at:

[www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD.

Last reviewed: June 2022

## *Appendix A – Roles and Responsibilities during the Complaints Procedure*

### **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 for the Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher or complaints committee 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 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.

### **Committee Chair**

The committee'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 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 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 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.

## Appendix B – Exclusions from this Procedure

This procedure covers all complaints about any provision of community facilities or services by St Mary and St John CE Primary School, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>Admissions to schools</li> <li>Statutory assessments of Special Educational Needs</li> <li>School re-organisation proposals</li> </ul>	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Oxfordshire County Council</p>
<ul style="list-style-type: none"> <li>Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our Child Protection and Safeguarding policy and in accordance with relevant statutory guidance.</p> <p>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). Information about this can be found in our Child Protection and Safeguarding policy, available on the school website.</p>
<ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>* Complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>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: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</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"> <li>Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<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"> <li>National Curriculum - content</li> </ul>	<p>Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></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 St Mary and St John 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.

**Appendix C – Formal Complaint Form** - Please complete and return (in an envelope marked “Private and Confidential, For Immediate Attention”) to the Headteacher or Chair of Governors, or the Clerk to the Governors (see page 4 above), 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: