

Parents and Carers Complaints Policy

Person responsible:	Principal
Date approved by governing body:	March 2023
Review cycle:	Every two years
Date of policy review:	March 2025

1. Complaints Policy Statement

1.1 St Rose's & St Martin's always welcomes comments, suggestions, complaints, and compliments. St Rose's & St Martin's recognises them as a way of ensuring that the service delivered is at the highest standard. Complaints show St Rose's & St Martin's where things may require improvement and compliments evidence where St Rose's & St Martin's is providing the service that is expected. Sometimes, however, parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of St Rose's & St Martin's.

2. Introduction

2.1 St Rose's & St Martin's suggests that complaints or concerns should be brought to the attention of the Principal, or where this is inappropriate or proves to be unsatisfactory, for the attention of the Chair of Governors.

2.2 The Local Authority has a responsibility to supervise the investigation of complaints received by them that relate to St Rose's & St Martin's matters and all complaints received by the Local Authority will, with the agreement of the complainant, be passed to the Chair of Governors for response. There may be occasions when the Chair of Governors would like the Local Authority to investigate a complaint on behalf of St Rose's & St Martin's. This will apply to cases where safeguarding issues arise, and Social Care are involved or where there is a serious complaint against a member of St Rose's & St Martin's Senior Management Team (Chair of Governors, Principal or Business Manager).

3. Complaints procedure

3.1 **STEP 1:** most complaints and concerns from parents and/or carers can be resolved satisfactorily through direct discussion with the Principal, or the Senior Management Team without the need to resort to a formal procedure. However, if the discussion seems unlikely to resolve matters, there may be a need to proceed to the next step.

3.2 **STEP 2:** the complaint should now be set out in writing and submitted to the Principal. The complaint should outline the following:

- The precise nature of the complaint, specifying dates, times etc.
- What the complainant would like done to resolve the matter

3.3 For most other complaints, which are likely to relate to specific actions or events, there will be a need for further investigation in order to clarify facts. A member of the Senior Management Team will normally undertake this.

3.4 Receipt of the complaint will be acknowledged within five working days (a working day is a day on which St Rose's and St Martin's is open and pupils are in attendance) and a meeting with the complainant will be arranged (if necessary) in order to establish the precise nature of the complaint and to discuss ways in which the matter can be resolved. If a formal investigation follows, the Senior Management Team member should invite all parties to provide written comments as part of the investigation.

3.5 Investigations at Step 2 should normally be completed within two weeks of receipt of the complaint unless there are circumstances that require a longer timeframe. A formal response will normally be sent within two weeks of completion of the investigation.

3.6 **STEP 3:** in all cases where the Principal is unable to resolve a complaint to the satisfaction of the complainant, the matter will need to be considered by the Chair of Governors. The complaint will need to be submitted to the Chair of Governors who will acknowledge receipt within five working days. The function of the Chair of Governors would be to allocate the investigation to an appropriate Governor to check over the facts of the case again and, if necessary, meet with the complainant, within a period of three working weeks, in order to attempt to reach an appropriate solution. The outcome of their scrutiny will usually give rise to one of two options:

Option 1: The Board of Governors may be able to take the appropriate action necessary to resolve the complaint.

Option 2: The Board of Governors may report to the complainant that all investigative measures have been exhausted.

3.7 The decision of the Board of Governors should be communicated in writing to the complainant within two working weeks of the meeting giving a written apology or, if inappropriate, reasons why the panel was unable to uphold the complaint.

3.8 **STEP 4:** Where the complainant remains dissatisfied they may request the complaint be considered at a hearing before an independent person at **STEP 4**. The independent person may not be (or have been) a governor, employee (including supply staff), a parent of a current or former pupil, and otherwise must not have been directly involved in any matter detailed in the complaint.

3.9 Where the complainant requests a hearing before an independent person, they will be asked to set out in writing why they remain dissatisfied and what resolution they are seeking. The Principal and/or Board of Governors may submit a response to the complainant's written submissions. The hearing will normally be arranged within 15 working days of the complainant's written comments received under this section.

3.10 The complainant may attend the hearing and be accompanied to the hearing by a friend if they wish. Legal representation is not allowed. For the avoidance of doubt the Principal and/or other representatives may attend the hearing

3.11 The independent person may make findings and recommendations in respect of the complaint of which a copy will be provided to the complainant and, where relevant, the person complained about, and a copy shall be retained and made available for inspection by the proprietor and principal.

3.12 A written record shall be kept of all complaints that are commenced under Step 2 and shall confirm whether the complaint was resolved following Step 2, Step 3 or proceed to a hearing at Step 4, and the action taken by St Rose's School or St Martin's as a result of the complaint.

3.13 **STEP 5:** if the complainant remains dissatisfied, they can request the Trustees consider whether the complaint has been dealt with fairly by the Principal and/or the Board of Governors. Such complaints should be sent in writing to the Board of Trustees.

3.14 The Board of Trustees retains a responsibility to ensure that Governors have acted properly in the exercise of their functions. The Board of Trustees will limit their consideration on whether the Principal and/or the Board of Governors have followed due process as set out in this complaints policy.

3.15 **STEP 6:** the complainant can request the Local Authority to investigate, however, they may choose not to investigate. Complainants wishes to do so should send their complaint in writing to the Board of Governors and Commissioner of the Service. The Local Authority retains a responsibility to ensure that Trustees have acted properly in the exercise of their functions. Following the investigations, any findings would normally be presented to the Board of Governors who will determine the actions needed to resolve the complaint.

3.16 **STEP 7:** finally, complainants have a right to refer to the Secretary of State for Education. In such cases, the Department of Education may examine the complaint, however, they very rarely get involved unless there's unsafe or unlawful practice.

4. Unreasonably persistent complainant

4.1 An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner. Unreasonable behaviour may include:

- Actions that are out of proportion to the nature of the complaint
- Persistent, even when the complaints procedure has been exhausted, or personally harassing, or unjustifiably repetitious

- An insistence on pursuing unjustified complaints and/or unrealistic outcomes to justified complaints
- Pursuing justifiable complaints in an unreasonable manner e.g., using abusive or threatening language
- Making complaints in public or via social networking sites such as Facebook
- Refusing to attend appointments to discuss the complaint

5. Harassment

5.1 St Rose's & St Martin's regards harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a manner to cause personal distress rather than to seek a resolution. Harassment may fall within the scope of this policy if:

- It appears to be deliberately targeted at one or more members of St Rose's & St Martin's staff or others, without good cause
- The way in which a complaint or other issues are pursued (as opposed to the complaint itself) causes undue distress to St Rose's & St Martin's staff or others
- It has a significant and disproportionate adverse effect on St Rose's & St Martin's

6. St Rose's & St Martin's expectation of any person raising a concern

6.1 St Rose's & St Martin's expects anyone who wishes to raise concerns with St Rose's & St Martin's to:

- Treat all members of St Rose's & St Martin's with courtesy and respect
- Respect the needs of children, young people, adults, staff, and volunteers within St Rose's & St Martin's
- Avoid the use of violence, or threats of violence, towards people or property
- Recognise the time constraints under which staff at St Rose's & St Martin's work and allow St Rose's & St Martin's a reasonable time to respond to a complaint
- Follow the St Rose's & St Martin's complaints procedure

7. St Rose's & St Martin's response to unreasonably persistent complaints or harassment

7.1 St Rose's & St Martin's will always seek to work with parents, carers, and others with a legitimate complaint to resolve a difficulty. However, in cases of unreasonably persistent complaints or harassments, St Rose's & St Martin's may take some or all the following steps, as appropriate:

- Inform the complainant informally that their behaviour is now considered by St Rose's & St Martin's to be unreasonable or unacceptable and request a changed approach
- Inform the complainant in writing that St Rose's & St Martin's considers their behaviour to fall under the terms of this policy
- Require all future meetings with staff to be conducted with a second person present. In the interest of all parties, notes of these meetings may be taken

- Inform the complainant that, except in emergencies, St Rose's & St Martin's will respond only to written communication and that these may be required to be channelled through the Principal

8. Physical or verbal aggression

8.1 St Rose's & St Martin's Board of Governors will not tolerate any form of physical or verbal aggression against members of St Rose's & St Martin's. If there is evidence of any such aggression St Rose's & St Martin's may:

- Ban the individual from entering St Rose's & St Martin's site, with immediate effect
- Request an Anti-Social Behaviour Order (ASBO)
- Prosecute under Anti-Harassment legislation
- Call the Police to remove the individual from the premises

9. Records

9.1 Correspondence, statements, and records relating to individual complaints will be kept confidential except where:

- (i) the Secretary of State,
- (ii) a body conducting an inspection under section 5 of the 2005 Act, or
- (iii) a body conducting an inspection under section 87(6) of the Children Act 1989, requests access to them

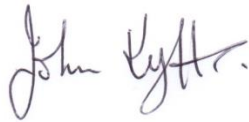
10. Conclusion

10.1 Legitimate new complaints will always be considered, even if the person making them is (or has been) subject to the Unreasonably Persistent Complaints/Harassment element of this policy.

10.2 St Rose's & St Martin's nevertheless reserves the right not to respond to communications from individuals' subject to the policy.

10.3 It is important to ensure that complaints are always dealt with as speedily as possible. Most enquiries and concerns can be dealt with satisfactorily. The value of informal discussion and meetings should not be underestimated.

This Policy Statement is considered part of the Terms and Conditions of Employment for all staff at St Rose's & St Martin's



..... **Date: 15.3.2023**

Chair of Governors



..... **Date: 15.3.2023**

Principal