St Joseph's Catholic Primary School

'With God in our hearts, we learn and grow together on our journey through life.'

Concerns & Complaints Policy

Approved:	**Spring 2026**
Review Date:	**Spring 2027**
Signed: (Headteacher)	**Lorraine Flower**
Signed: (Chair of Governors)	**Eniola Sanwo**

St Joseph's Catholic Primary school

Complaints Procedure

Approved by the Catholic Life Sub-Committee of the Full Governing Body:

Introduction

St Joseph's Catholic Primary School endeavours to provide the best education possible for all of its pupils in an open and transparent environment. We operate as a loving community - teachers, parents and guardians, pupils, Southwark Diocese and St Raphael's Catholic Parish Church, the Governors, and others all working hard together to create an outstanding education and learning environment. To achieve this we promote values of openness, trust and love that encourage integrity and candidness on how our community might continually improve.

The Concerns and Complaints Procedure detailed here provides an important statement that underpins the openness that we share as a community. It complies with Section 29 Education Act 2002, the Equality Act 2010, the Data Protection Act 2018, and Government '*Best Practice Advice for School Complaints Procedures 2020*'. We welcome a joint dialogue that addresses areas for improvement in the spirit of achieving excellence. To this end, we see any concern or complaint as an opportunity to learn and improve.

This document describes the complaints procedure that covers all complaints about any provision of the facilities or services that the school provides with certain exceptions, for which separate statutory procedures exist, which are listed in Appendix 1. Third party providers that offer community facilities or services through the school premises, or using school facilities, will have their own complaints procedure.

Concerns and Complaints

Government best practice advice defines a *concern* as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. It defined a *complaint* as 'an expression of dissatisfaction however made, about the actions taken or a lack of action'. Whether the issue is a concern or a complaint, we will endeavour to deal with it fairly, openly, promptly and without prejudice.

All concerns and complaints will be dealt with confidentially within the school and will only be shared with third parties if legislation requires the school to do so, such as may be the case with some safeguarding issues. Documentation relating to a complaint will be retained for 12 months from the date that the matter has been concluded.

Raising concerns

We encourage members of our community to proactively raise concerns that they may have about any aspect of the school or a pupil's education or wellbeing. A simple chat to the child's class teacher or with a member of staff in the school reception will more often than not resolve most concerns immediately, or an appointment can be made to discuss the matter in greater detail.

Who should I approach?

Educational Matters: *classroom teacher*

Pastoral Care: *classroom teacher*

Disciplinary Matters: *the staff member who initiated the sanction*

Financial/Administration Matters: *School Business Manager*

Concern About a Staff Member's Conduct: In the first instance make a direct approach to the staff member themselves, alternatively approach the Headteacher.

Complaints Procedure

The complaints procedure is available after a person has exhausted the informal approach of raising a concern, or for more serious matters. The procedure consists of two stages and will be completed as soon as possible. The timescale for investigation may depend on the nature and complexity of the complaint. Timescales will be agreed at the outset by the Headteacher with all parties concerned.

Stages and procedure

Stage 1 – Making a complaint

A complaint may be made to the Headteacher in writing, by letter or electronically, in person, or by telephone. If it involves a governor then it should be addressed to the Clerk of the Governing Body. The form at Appendix 2 may be used for this purpose. In order to avoid any later disagreement over what is said, brief notes of meetings and telephone calls may be kept and a copy of any written response retained. Where there are communication difficulties, the school may use a recording device to ensure that the complainant is able to access and review the discussions at a later point. The complainant will be asked what they think might resolve the issue.

A complaint should be made as soon as possible, and definitely within three months of the incident complained of. This is important because we want to ensure that any complaint is dealt with promptly while the issues are still fresh and can be reasonably investigated. The chair of Governors and the Headteacher will refuse to accept any complaint that is older than three months old, but they may accept it in exceptional circumstances.

Once a complaint has been made to the Headteacher a member of the Senior Leadership Team will be appointed to investigate it (the investigator). The investigator will contact the complainant and keep them informed as the investigation progresses, with an update at least every 20 days. The investigator will record the progress of the complaint and final outcome. They will consider and resolve the complaint as quickly and efficiently as possible.

Upon conclusion of the investigation the investigator will provide the complainant with details of what they did, their findings, their decision on whether the complaint has been upheld, what learning opportunities came from the process, and any action that will be taken. This will be made in writing by letter or electronically within 14 days from the date the resolution decision has been made.

Should the complaint involve a member of the following then the investigator will be as shown in Table 1. To maintain integrity in this process it is important that the investigator does not share details of their investigation with any person who may be called upon as a member of an appeal panel.

Person involved	**Investigator**
Member of staff	Senior Leadership Team member
Senior Leadership Team member	Headteacher
Headteacher	Chair of Governors or other Foundation Governor
Governor	External investigator (probably a governor from another school)

Table 1

Stage 2 - Appeal

A complainant may be dissatisfied with the way their complaint has been resolved following the investigation at Stage 1. In these circumstances the complainant may appeal against the decision made by the investigator.

An appeal must be lodged within 4 weeks from the date the resolution decision letter was sent to the complainant. Any appeal lodged outside of this time limit will not be considered, except in very exceptional circumstances when the final decision will rest with a panel made up of the Chair of Governors and two Governors; Or, if the investigator is a governor or external person, with the panel of external people nominated to be the external appeal panel (see Table 2).

Unless a complainant is unable to do so for some specific reason, their appeal must be made in writing by letter or electronically to the Headteacher and to the Clerk of the Governing Body via the school reception (details of which are on the contact details of the school website at http://www.stjosephs.kingston.sch.uk.)

The appeal must contain:

1. Details of the complaint
2. A statement that the complainant wishes to appeal against the investigator's decision
3. The rationale for the appeal
4. Details of witnesses
5. Any other relevant information

Should the investigator involved be one of the people listed in Table 2 then the appeal panel will be made up as shown. Panel members must have no prior knowledge of the investigation details of the complaint that they are considering.

Original investigator	**Appeal panel**
Senior Leadership Team member	Headteacher and two foundation Governors
Headteacher	The Chair of Governors and two Foundation Governors
Chair of Governors or other Foundation Governor	External panel (probably made up of Governors from another school)
External investigator	External panel independent from the external investigator (probably made up of Governors from another school)

Table 2

Depending on the nature of the complaint the appeal panel may:

a) Review the investigator's report and all the evidence
b) Do 'a' and meet with the complainant
c) Convene a full or partial hearing during which they consider some or all of the evidence available and invite witnesses to attend and give evidence.

Whatever format the panel chooses to use their prime concern will be to ensure that due process has been followed and that the complaint has been fairly considered.

Steps to follow upon receipt of written notification to appeal

Upon receipt of written notification that a complainant wishes to appeal against the decision of the investigator, the following steps will be followed:

1. The clerk will write to the complainant within five working days (not including the school holidays) to confirm receipt of the appeal request and detail the further action that will be taken.

2. The clerk will arrange for the appointment of the appeal panel, as per Table 2. The chair of the appeal panel will be appointed through agreement of the panel members. The three panel members will have no prior knowledge of the content of the complaint investigation.

3. The clerk will arrange the time, date and place of the appeal hearing in liaison with the chair of the appeal panel. This will take place at the earliest opportunity, and within 40 working days (excluding those which fall within the school holidays) at the latest from the date that the appeal was received by the clerk. The clerk will notify all relevant parties and will undertake all administrative procedures before, during and after the hearing. This will include the collation of documentary evidence and its circulation to relevant parties at least 10 working days before the hearing, recording minutes, and subsequent storage of all relevant documentation.

4. In the event that the appeal panel chooses to have a full hearing the clerk, in liaison with the chair of the panel, will notify relevant witnesses that they will be required to attend the appeal hearing. Appropriate consent will be required if any witness is under 18 years of age. An interpreter may be required if one or more witnesses have a poor command of English. A potential witness may optionally submit their observations about the complaint incident in writing to the chair of the appeal panel rather than attending the hearing. The complainant may be accompanied by a companion during the appeal hearing. Where the subject of the complaint is a member of staff, that staff member is also able to bring a companion with them. A companion may not be involved in the proceedings. Neither party is permitted to bring legal representation with them.

5. The panel can make the following decisions:

    - Dismiss the complaint in whole or in part
    - Uphold the complaint in whole or in part
    - Decide on the appropriate action to be taken to resolve the complaint
    - Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

6. All parties who attended the meeting will be informed in writing of the outcome of the appeal within 10 working days (excluding those which fall in the school holidays).

This is the final stage at which the school will consider the complaint. If the complainant remains dissatisfied and wishes to take the complaint further, please see the contact details at the end of the document. The school will not consider the complaint beyond this.

Unreasonable complaints

Where a complainant raises an issue that has already been dealt with via the school's complaints procedure, and that procedure has been exhausted, the school will not reinvestigate the complaint except in exceptional circumstances, for example where new evidence has come to light that could not have been available when the complaint was originally considered.

If a complainant persists in raising the same issue, the Chair of Governors will write to them explaining that the matter has been dealt with fully in line with the school complaints procedure, and

therefore the case is now closed. The school will not respond to any further correspondence regarding the same matter if the following criteria are met:

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

Unreasonable complaints may include where 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 cooperate with the school's complaints investigation procedure while still wishing their complaint to be resolved
- refuses to accept that certain issues are not within the scope of the complaints procedure (see Appendix 1)
- 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;
- 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, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;

- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a 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.

Should a complainant find it challenging to communicate effectively with the school, the school will be pleased to communicate with them via a third party, such as the Citizen's Advice Bureau, as appropriate. Should the complainant's behaviour amount to harassment, the school will seek legal advice.

Contact details

- If you have any queries regarding any aspect of the complaints procedure, please direct these to the clerk to the Governors, c/o St Joseph's Catholic Primary School, The Fairfield, Kingston Upon Thames KT1 2UP. (clerk@stjosephs.rbksch.org)

Other contact options include:

- The Headteacher, St Joseph's Catholic Primary School, The Fairfield, Kingston Upon Thames KT1 2UP. (office@stjosephs.rbksch.org)
- If the complainant feels that the governing board acted 'unreasonably' in the handling of the complaint, they can write to the Department for Education after the complaints procedure has been exhausted. Please note that 'unreasonable' is used in a legal sense and means acting in a way that no reasonable school or authority would act in the same circumstances. D of E contact on-line: https://www.gov.uk/complain-about-school
- Ofsted contact on-line: https://contact.ofsted.gov.uk/online-complaints

Relevant legislation and guidance

The Equality Act 2010: http://www.legislation.gov.uk/ukpga/2010/15/contents

The Data Protection Act 2018: https://www.legislation.gov.uk/ukpga/2018/12/contents

The Education (Independent School Standards) Regulations 2019: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800615/Independent_School_Standards-_Guidance_070519.pdf

Education Act 2002: http://www.legislation.gov.uk/ukpga/2002/32/contents

The Department for Education Best Practice Advice for School Complaints Procedures: https://www.gov.uk/government/publications/school-complaints-procedures/best-practice-advice-for-school-complaints-procedures-2019

Appendix 1

A complaints procedure should cover all complaints about any provision of facilities or services that a school provides with the *exceptions* listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs (SEN) • School re-organisation proposals • Matters likely to require a Child Protection Investigation	Concerns should be raised direct with local authorities (LA). For school admissions, it will depend on who is the admission authority (either the school or the LA). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.
• Exclusion of children from school	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.
• Whistleblowing	Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.
• Staff grievances and disciplinary procedures	These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.
• Complaints about services provided by other providers who may use school premises or facilities.	Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.

Appendix 2

St Joseph's Catholic Primary School Formal Complaints Form

Name	
Name of pupil, year group and your relationship to them (where applicable)	
Contact address	
Contact telephone day	
Contact telephone mobile	
Contact email address	
Details of the complaint	
Action taken so far (including staff member who has dealt with it so far) or solutions offered	
The reason that this was not a satisfactory resolution for you	
What action would you like to be taken to resolve the problem?	

Signed:

Date:

Official use	
Date received:	Signed:

Appendix 3

Examples of resolution outcomes.

Before the investigator meets with the complainant regarding the complaint resolution it is important that she/he is satisfied that the investigation has been impartial, thorough and fair and that the summary explained to the complainant is able to demonstrate this clearly. If an independent investigator has been used for all or part of the investigation it is important to explain the reasons to the complainant.

The complainant should be informed of the decision reached by the investigator giving reasons and evidence as to why the decision was reached. Every effort should be made to reach a resolution at this meeting. Any of the following may be appropriate:

- an acknowledgement that a complaint is valid in whole or in part (if this is the case the investigator should refer to the part of the investigation where the complainant was asked what they feel would put things right);
- an apology;
- an explanation;
- a clarification of misunderstandings;
- an admission that the situation could have been handled differently or better;
- an assurance that, as far as is possible, the event complained of will not happen again;
- an explanation of the steps to be taken to ensure that it will not happen again;
- an undertaking to review the school policies in light of the complaint.

Some of the above may require that the investigator seeks authority from the Headteacher or, in the case of the Headteacher investigating, the governing body.

The investigator may come to the decision that the complaint is unfounded. If this is the case the investigator should ensure that the evidence from the investigation confirms this on the balance of probability. The investigator must be sensitive to the complainant's feelings and should make them aware that they had a right to bring their concerns to the attention of the school and if the complaint arose from a misunderstanding to explain how this might have occurred and clarify the area from which the misunderstanding arose.

Appendix 4

The Management of the Complaints Appeal Panel Meeting.

The purpose of the meeting

The purpose of the meeting is to:

- hear a complaint which remains unresolved at Stage 1;
- ensure the procedure has been followed correctly;
- act as an independent arbiter of the complaint;
- come to a decision;
- determine an appropriate response.

The conduct of the meeting

Only members of the governing body appointed at a full governing body meeting may sit on the complaints appeals panel. Documentation received before the meeting should have been read but treated as confidential and should not be discussed with anyone else including other members of the panel. Schools which contract with their Local Authority may have an advisor present whose role is to advise and support the panel so that they come to a just decision. The advisor does not represent the panel nor is party to the decision made. The meeting should be held in private where there will be no interruption.

One of the members of the panel should act as chair chosen by the panel and there should be a clerk present to ensure an accurate record of the meeting. Either the chair or clerk should brief the panel before the meeting begins, bearing in mind people's sensitivities and emotions. For some parents it will be the first time they have experienced such a scenario and may be overawed by the occasion. The Headteacher who leads the school and members of staff who are named in the complaint will feel that their professionalism, and in some cases their honesty and integrity, are under attack. Panel members should be reminded the aim of the meeting is to find a just resolution to the complaint.

Special care must be taken if the complainant is a child or if children are called as witnesses. Children should be accompanied by their parent, guardian, or other responsible adult. It is important to note that children's evidence may not be as articulate as that given by adults, but nevertheless it must be given equal consideration. If a parent has complained on behalf of a child it is up to the parent to decide which parts of the meeting the child attends.

The complainant and any person who is the subject of a complaint may be accompanied by a friend at the meeting.

The clerk should arrange for appropriate support where the complainant does not use or understand English sufficiently or has special needs.

The order of the meeting

Welcome, introduction, and explanation of the meeting by the chair. This should be as informal as possible.

The chair reminds all parties that this is the final stage in the procedure and the decision made is final. There is no provision for further redress or appeal.

The complainant is invited to explain the complaint. The Headteacher may question the complainant. The panel may question the complainant.

If there are any witnesses for the complainant, each one is invited into the hearing in turn and invited to speak. The chair and the panel may question them. In each case the witness must leave after

giving their "evidence". If there are any witnesses for the school they are treated in exactly the same way as witnesses for the complainant.

When the chair is sure all parties have been able to present what they intended and have asked all they need to, the complainant and then the school representative, if present, are invited to sum up their perspective of the complaint to the panel.

The chair asks all parties if they feel they have had a fair hearing and reminds them that this is the final stage of the procedure.

The chair explains that they will consider impartially all the submissions and documentation presented at the meeting and will inform the complainant and the school of their decision, in writing, within five calendar days.

All parties are invited to leave the meeting at the same time.

If a Local Authority advisor is present she/he may advise the panel at this stage and leaves the meeting before the panel comes to its decision.

The panel must consider all the submissions made and may:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to take in order to resolve the complaint;
- recommend changes to the school's systems, policies or procedures to ensure that problems of a similar nature do not recur.

After the hearing the chair and clerk agree the wording of the letter to relevant parties that details the panel's decision. This may be sent electronically to relevant parties and it should aim to reach them all at the same time. The clerk writes up notes of the meeting and gives a copy to the chair of the panel. The clerk ensures that any recommendation to change systems, policies or procedures is put on the agenda for the next full governing body meeting.

The role of the clerk

The clerk will:

- confirm in writing to all parties the date, time and location of the meeting enclosing details of the order of the meeting;
- receive, copy and distribute any documentation to be read before the meeting;
- record the proceedings;
- notify all parties of the panel's decision within five calendar days of the meeting in wording agreed with the chair of the panel;
- write up notes of the hearing and send a copy to the chair of the panel.

The role of the chair of the panel

The chair will:

- ensure that procedures are followed correctly;
- explain the procedures for the hearing to all parties;
- ensure that all parties are able to put forward their case without undue interruption;
- ensure that the issues are addressed adequately and impartially;
- make every effort to put all parties at their ease, especially those who may not be accustomed to speaking at such a hearing;

- manage proceedings so they are kept as informal as possible and that everyone treats each other with respect and courtesy;
- ensure that the panel operates and is seen to operate in an open minded and independent way;
- ensure that reasonable time is given to all parties to present their case;
- ensure that all parties are given adequate time to consider “new evidence”;
- make every effort to ensure all parties have been given a fair hearing.