



**Responding to Parental Complaints  
and Concerns  
Policy & Procedures**

Responsible committee: Welfare &  
Inclusion

Approved by Governing Body:  
July 2021

Review Date: on SCC advice

### **Mission Statement**

Our mission is to be a happy, caring and compassionate Catholic community where each child's gifts are developed to the full and the foundations for lifelong learning are laid down. Everyone will be supported, nurtured and inspired to be the very best they can be and to persevere to overcome life's challenges.

With God's help, we will educate our children to live safely and responsibly, to care for His wonderful creation and to live their lives through the example of Jesus and the values of the Gospel.

St Dunstan's endeavours to provide the best education possible for all of its pupils in an open and transparent environment. We welcome any feedback that we receive from parents, pupils and third parties, and we accept that not all of this will be positive. Where concerns are raised, the school intends for these to be dealt with:

- Fairly
- Openly
- Promptly
- Without prejudice

In order to do so, the Governing Body of St Dunstan's Catholic Primary School has approved the following procedure which explains what you should do if you have any concerns about the school. All members of staff will be familiar with the procedure and will be able to assist you.

We endeavour to keep parents informed about all aspects of school life in a variety of ways including parents evening, reports, newsletters, Twitter, school website etc. We regularly seek parental feedback through questionnaires, information evenings etc.

We will treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. In return, we expect parents and other parent/carers to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately (for example via social networking sites) or in front of pupils.

The school's procedures will be reviewed regularly and updated as necessary.

Staff and governors will receive training in handling parental concerns and complaints as appropriate. This may be on an individual basis or for specific groups.

The School is keen to address all genuine complaints which the parent/carer pursues in a constructive spirit. However, everyone is entitled to be treated courteously at all times. This includes school staff. Raising a complaint does not entitle the parent/carer to treat any member of staff maliciously, rudely, in a bullying manner, or in a manner calculated to or likely to cause distress. Such behaviour is upsetting and un-Christian, and contradicts the School's values which parents are asked to uphold as an example to their children. In addition, making untrue statements which drag down a person's reputation constitutes breach of the law of defamation, whether such statements are made orally (slander), or on social media, by email or in other written form (libel), and regardless of whether the statements are made to the victim's face or behind their back.

If, in the opinion of the Headteacher, a parent/carer behaves in a way which is rude, malicious, bullying, defamatory, or in any way calculated to or likely to cause distress to a member of staff, the parent/carer will forfeit their right to the normal complaints procedure and the complaint will be dealt with under the Revised Procedure set out below. This principle applies regardless of how far advanced the complaint may be under the normal complaints procedure.

### The Revised Procedure

The complaint will be decided purely on the basis of the information submitted in the official complaint form.

The School reserves the right to ask the parent/carer to revise and re-submit the complaint form if, in the opinion of the Headteacher, it contains any material which is rude, malicious, bullying, defamatory, or in any way calculated to or likely to cause distress to a member of staff. The complaint will not be considered at all unless and until the parent/carer has revised and re-submitted the complaint form and, in the opinion of the Headteacher, all the offending material has been removed.

The School reserves the right not to engage in any conversations or correspondence with the parent/carer about the substance of the complaint, or any aspect of its handling including but not limited to the fact that the Revised Procedure is being applied, other than to notify the parent/carer of the outcome of the complaint. This principle also entitles any member of staff to break off or refuse an interaction (for example, a meeting or email correspondence) which the parent/carer requests ostensibly about a different topic or without giving a reason, but which the member of staff anticipates the parent/carer is likely to use as an avenue to discuss the complaint.

There is no right of appeal against the outcome of the Revised Procedure.

### **Raising Concerns**

The majority of concerns can be dealt with without resorting to this procedure. Where the parent/carer has a concern about any aspect of the school or their child's education or wellbeing, raise this with your child's class teacher in the first instance. He/She may be able to address your concerns straight away, or arrange a meeting with the parent/carer to discuss the issue.

All concerns will be dealt with confidentially, although the staff member may need to take notes if they feel that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of the Data Protection Act 1998. However, such notes would be able to be used to as evidence if further investigation was required, or if the concern became a formal complaint.

Parent/carers 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 or 3 of the procedure.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable parent/carers to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting parent/carers in raising a formal complaint or holding meetings in accessible locations.

### **Anonymous complaints**

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

### **The difference between a concern and a complaint**

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

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

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. St. Dunstan's Catholic Primary School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher will refer you to another staff member.

Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, St. Dunstan's Catholic Primary School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## **Safeguarding**

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the school is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the school's safeguarding policy that can be found on the school website.

## **Social Media**

In order for complaints to be resolved as quickly and fairly as possible, St. Dunstan's School requests the parent/carers do not discuss complaints publically via social media such as Facebook and Twitter. Complaints will be dealt with confidentially for those involved, and we expect parent/carers to observe confidentiality also.

## **Complaints that result in staff capability or disciplinary proceedings**

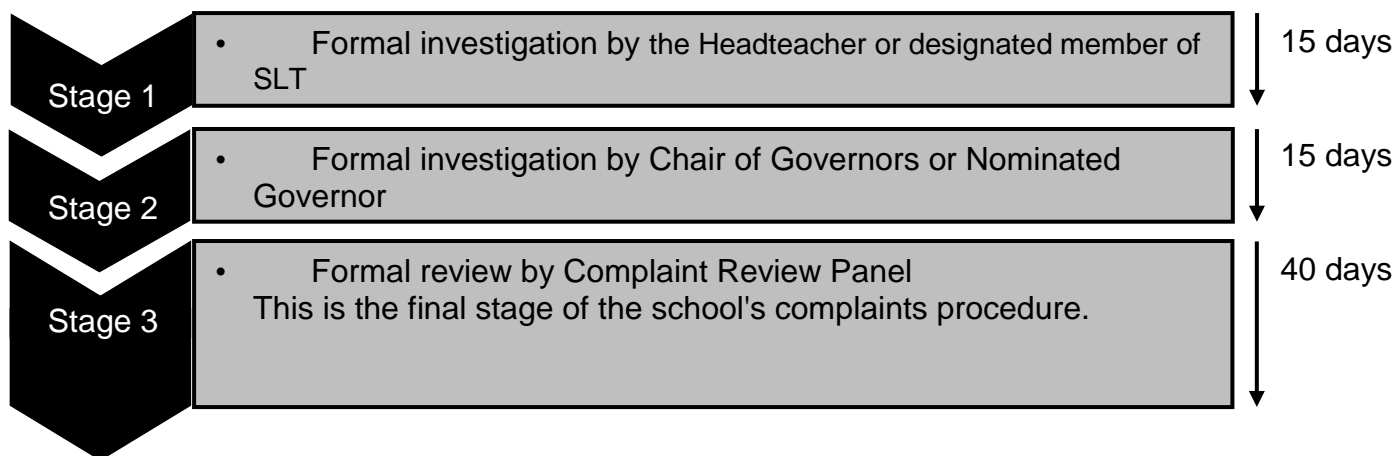
If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the Headteacher and/or the individual's line manager. The parent/carer is entitled to be informed that the matter is being dealt with appropriately, but they are not entitled to participate in the proceedings and will not receive any detail about them or the outcome.

## **Procedure**

If you need to raise an issue in the first instance, please do so with the relevant member of staff who will be happy to talk to you and seek to establish a resolution. If you are not satisfied with this response and believe the issue has not been resolved, please use the following procedure as detailed below.

## **Timeline for formal complaints**

**All timescales in this document refer to school working days i.e. excluding weekends, school holidays etc.**



## Timeframes

### Complaints received outside of term time

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

### Next Steps

If the parent/carer 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 3.

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

The parent/carer 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.

## Timeframes

St. Dunstan's School will endeavour to abide by timeframes stated under each stage but acknowledges that in some circumstances, this is not always possible due to the complexity of information needed to review a complaint or difficulties regarding an individual's availability to deal with the complaint. If it becomes apparent that it is not possible to complete any stage of the complaints procedure within a given timeframe, the individual responsible for handling the complaint will contact the parent/carer as soon as possible and come to an agreed timeframe that works for all parties involved.

St. Dunstan's School reserves the right not to investigate complaints that have been made three months after the subject of the complaint took place, except in exceptional circumstances. What is meant by exceptional circumstances is, where the complaint is of an especially serious matter or where there is reasonable justification for why the parent/carer has been unable to raise the complaint before this time. In such circumstances the Headteacher and/or the Chair of Governors will review the situation and decide whether or not to enact the complaints procedure, informing the Chair of Governors of the decision.

## Who should I approach?

Educational matters: Class Teacher or Head of Year

Pastoral Care: Assistant Headteacher responsible for Inclusion

Disciplinary Matters: Deputy Headteacher

Financial/Administration Matters: School Bursar

Premises Matters: School Bursar

## Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by [St. Dunstan's Catholic 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>	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with <a href="#">Surrey County Council</a> <a href="http://www.surreylocaloffer.org.uk">www.surreylocaloffer.org.uk</a>

<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: 0300 123 1650 or LADO@surreycc.gov.uk or the Multi-Agency Safeguarding Hub (MASH):</p> <p><b>Phone:</b> 0300 470 9100</p> <p><b>Out of hours phone:</b> 01483 517898 to speak to our <a href="#">emergency duty team</a>.</p> <p><b>Email:</b> emails are dealt with during normal office hours</p> <p><b>For concerns for a child or young person:</b> <a href="mailto:csmash@surreycc.gov.uk">csmash@surreycc.gov.uk</a><b>For concerns for an adult:</b> <a href="mailto:ascmarsh@surreycc.gov.uk">ascmarsh@surreycc.gov.uk</a></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:</p> <p><a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p>



<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	Complaints from staff will be dealt with under the school's internal grievance procedures.
<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Parent/carers will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the parent/carer will be notified that the matter is being addressed.
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
<ul style="list-style-type: none"> <li>• National Curriculum - content</li> </ul>	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

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 parent/carer commences legal action against [St. Dunstan's Catholic Primary School](#) 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.

### **Complaints about the Headteacher or the governors**

Where a complaint concerns the Headteacher, the parent/carer should first directly approach the Headteacher in an attempt to resolve the issue informally. If the parent/carer is not satisfied with this outcome, or if they have good reason to feel it is inappropriate to approach the Headteacher in the first instance, they should notify the clerk to the governors (see contact details at the end of the document). The Stage 2 process (in line with the process outlined on page 10) will then commence.

Where a complaint concerns a governor the parent/carer should contact the Clerk to the Governors via the school office. Informal resolution will be sought, but where this fails, the

complaints procedure at Stage 2 will take immediate effect with the Chair of Governors or another nominated governor undertaking the investigation. Where a complaint concerns the Chair of Governors, the investigation will be carried out by the Vice Chair or another nominated governor.

In exceptional circumstances the governing body may appoint an independent investigator to look into the concerns.

If the complaint is not resolved then the parent/carer should write to the clerk to the governors, requesting that the complaint is considered by the Complaint Review Panel (in line with the process outlined on page 13).

### **Resolving complaints**

At each stage in the procedure, St. Dunstan's Catholic Primary School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology

### **Withdrawal of a Complaint**

If a parent/carer wants to withdraw their complaint, we will ask them to confirm this in writing.

### **Formal Stages of the Complaint Procedure**

#### **Stage 1 – Investigation by the Headteacher/or designated member of SLT**

If it has not been possible to reach a resolution at the informal stage, the parent/carer may progress to the formal complaint procedure. In doing so, the following steps will be followed:

1. Parent/carer contacts the Headteacher or member of the Senior Leadership Team.
2. The parent/carer must explain in writing:
  - Details of the complaint
  - Action taken so far and solutions offered
  - Why the complaint remains unresolved
  - What action they would like to be taken to resolve the problem.
3. Receipt of the complaint will be acknowledged. It is likely that the parent/carer will be invited to meet with the Headteacher or designated member of SLT to discuss the matter.
4. At the meeting the concerns will be discussed and resolution will be sought. If agreement can be reached at that point on a way forward which is satisfactory to all parties, this will be confirmed in writing following the meeting. If the issues are not resolved by the end of the meeting, the Headteacher/designated member of SLT will then commence a full investigation.
5. The Headteacher/ designated member of SLT will provide the parent/carer with written confirmation of the outcome of their investigation within 15 school days of receipt of the written complaint. If the parent/carer is not satisfied with the outcome at this point, he/she is able to progress to stage 2 of the complaints process.
6. The Headteacher/SLT will make and retain a record of the concern and the outcomes of the investigation.

## **Stage 2 - Investigation by the Chair of Governors or Nominated Governor**

1. The parent/carer should submit a Stage 2 complaint form to the Chair of Governors (see Appendix A for the contact details of the Chair of Governors, and Appendix C for a copy of the form). The form is important as it ensures that relevant information is communicated at the outset.

2. The Chair of Governors may choose to delegate the investigation of the complaint to a Nominated Governor. Any Governor nominated must have received appropriate training.
3. Receipt of the complaint form will be acknowledged. In most cases the parent/carer will be invited to meet with the Chair of Governors/ Nominated Governor at the outset of the process.
4. The Chair of Governors/Nominated Governor will consider all relevant evidence; this may include but is not limited to:
  - evidence and outcome from Stage 1 investigation if applicable
  - a statement from the parent/carer
  - where relevant a meeting with/statement from an individual who is the subject of the complaint
  - any previous correspondence regarding the complaint
  - any supporting documents from all parties
  - interviews with /statements from anyone related to the complaint
5. After considering the available evidence, the Chair of Governors or Nominated Governor may:
  - uphold the complaint and direct that certain action be taken to resolve it
  - not uphold the complaint and provide the parent/carer with details of the Stage 3 complaint review process
  - uphold the complaint in part: in other words, the Chair of Governors/Nominated Governor may find one aspect of the complaint to be valid, but not another aspect. They may direct for certain action to be taken to resolve the aspect that they find in favour of the parent/carer.
6. The Chair of Governors/Nominated Governor should inform the parent/carer of their decision in writing within 15 school days of receipt of the complaint. They should explain clearly why they have come to the decision that they made. They should detail any agreed actions as a result of the complaint. Finally, they should provide the parent/carer with details of how to progress the complaint to stage three if they are not satisfied, providing them with the contact details of the Clerk to the

Governing Body (Appendix A). Should the complaint not be resolved mediation may be helpful. This can be arranged through the Local Authority Area Schools Support Service and will be impartial and objective.

7. A log of all correspondence in relation to the complaint will be kept in accordance with the Data Protection Act 1998.

### **Stage 3 - Complaint Review Panel**

The following section, stage 3, will be the final stage.

In order to proceed to Stage 3, the parent/carer must complete the Stage 3 Formal Complaints Form (Appendix D), identifying the reasons why they feel that the complaint has not been fully investigated thus far, which element(s) of their complaint remain unresolved, and what outcome they are seeking from the Stage 3 Complaint Review. The parent/carer should inform the school if they require help with completing the form. The parent/carer must complete and return the form within 10 school days of receiving the Chair of Governor's/Nominated Governor's decision or it will not be considered, except in exceptional circumstances.

The aim of the Complaint Review Panel meeting is to review how the school has managed the complaint, not to reinvestigate the complaint itself. This will include reviewing evidence and outcomes from Stages 1 and 2, and evaluating whether the school has followed its policies and procedures. Consideration should also be given to achieving reconciliation between the school and the parent/carer however, it has to be recognised that this is not always possible.

The Clerk to the Complaint Review Panel will fulfil the role of organising the time and date of the review meeting, inviting all the attendees, collating all the relevant documentation and distributing this 5 school days in advance of the meeting, recording the proceedings in the form of minutes, and circulating these and the outcome of the meeting. The minutes are a summary of the discussion at the hearing and the decision of the Complaint Review Panel following the hearing, but will not include the deliberations of the panel. The minutes are the property of the Governing Body.

The following steps will be followed:

1. The Clerk to the Complaint Review Panel will write to the parent/carer within five school days to confirm receipt of the Stage 3 form and detail further action to be taken.
2. The Clerk to the Complaint Review Panel will convene a panel of three governors.

All three panel members will have no prior knowledge of the content of the complaint. Parent/carers have the right to request an independent panel, if they can demonstrate that there is likely to be bias in the proceedings otherwise. Schools should consider the request but ultimately the decision is made by governors.

3. The complaint review meeting will take place within 30 school days of receipt of the request for the Stage 3 complaint review. If the first identified date is not convenient for the parent/carer, up to two further dates should be offered. If these all fail to be suitable or the parent/carer cancels the meeting at the last minute for whatever reason, then the Panel may opt to conduct the Complaint Review meeting in private, without either the school or the parent/carer being represented. Their considerations will be based the documentary evidence previously provided by both parties. This is to ensure that the matter is resolved as soon as possible in the best interests of all parties.

4. The Complaint Review Panel may invite the following parties, where applicable:
  - the parent/carer
  - the Headteacher and/or Deputy Headteacher
  - the Chair of Governors or Nominated Governor who dealt with the complaint at Stage 2
  - relevant witnesses
  - Area Schools Support Service representative (procedural advice)
  - Diocesan Education Service representative

The parent/carer may ask to be accompanied to the meeting by a friend, relative, representative or advocate. It is inadvisable for this person to be a member of the school community, for reasons of confidentiality and to avoid conflict of interest. The parent/carer

should advise the Clerk to the Complaint Review Panel of the name and role of this supportive companion at least five school days prior to the hearing, and the Clerk will seek agreement from the Chair of the Panel. The supportive companion is not there as a witness, so does not address the Complaint Review Panel except with the prior agreement of the Chair.

Neither party is able to bring legal representation with them.

5. The Complaint Review 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 governing body regarding 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 review within 10 school days by the clerk.

This is the final stage at which the school will consider the complaint. If the parent/carer remains dissatisfied and wishes to take the complaint further, please see the contact details on page 18. The school will not consider the complaint beyond this.

### **Retention**

The complaint investigator/ the Chair of the Complaint Appeal Panel should ensure that a copy of all relevant information relating to the complaint is kept at the school in a secure, confidential file, separate from staff and pupil records. This information should be retained for six years from the date of the complaint, in line with guidance from the Information and Records Management Society ([www.irms.org.uk](http://www.irms.org.uk)) and in accordance with the principles of the Data Protection Act 1998. The parent/carer should be informed that this will be done.

### **Unreasonable complaints and serial and persistent parent/carers**

St. Dunstan's School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact parent/carers have with the school. However, we do not expect our staff to

tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

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 the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a 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 parent/carer 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 using Social Media:-

- 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.

Parent/carers 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.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the parent/carer informally before applying an 'unreasonable' judgement.

If the behaviour continues the Headteacher will write to the parent/carer explaining that his/her behaviour is unreasonable and asking him/her to change it. For parent/carers who excessively contact St. Dunstan's School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from St. Dunstan's School.

### **Barring from the School Premises**

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Governing bodies have a responsibility to ensure for the wellbeing of pupils and staff, and will therefore act to ensure that schools remain a safe place.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied permission to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always

give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place. Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department of Education.

### **Contact details for external organisations if not satisfied with the outcomes of the complaints procedure in full**

- If you have any queries regarding any aspect of the complaints procedure, please direct these to the clerk to the governors (see Appendix A)
- If the parent/carer feels that the governing body acted unreasonably in the handling of the complaint, he/she can complain 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.

#### Maintained schools

Department for Education  
School Complaints Unit  
2<sup>nd</sup> Floor, Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

### **Relevant legislation and guidance**

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

The Data Protection Act 1998 <http://www.legislation.gov.uk/ukpga/1998/29/contents>

The Education (Independent School Standards) Regulations 2014

<http://www.legislation.gov.uk/uksi/2014/3283/contents/made>

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-procedure>

## **Appendix A**

### **School contact details**

St. Dunstan's Catholic Primary School  
Onslow Crescent  
Woking  
Surrey GU22 7AX

Tel: 01483 715190  
info@stdunstans.surrey.sch.uk

### **Chair of Governors contact details:**

Chair of Governors  
c/o the Clerk to the Governing Body  
St. Dunstan's Catholic Primary School  
Onslow Crescent  
Woking  
Surrey GU22 7AX

Tel: 01483 715190  
amurray@stdunstans.surrey.sch.uk

## **Appendix B**

### **Roles and Responsibilities**

#### **Parent/carer**

The parent/carer 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 parent/carer 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 parent/carer and the complaints co-ordinator as appropriate to clarify what the parent/carer 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 parent/carer, providing the appropriate escalation details.

### **Clerk to the Governing Body**

The Clerk is the contact point for the parent/carer 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 parent/carer 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
- parent/carers who may not be used to speaking at such a meeting are put at ease. This is particularly important if the parent/carer is a child/young person
- the remit of the committee is explained to the parent/carer

- 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 parent/carer 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 parent/carer  
We recognise that the parent/carer 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 parent/carers will feel nervous and inhibited in a formal setting  
Parents/carers often feel emotional when discussing an issue that affects their child.

## Appendix C

### St. Dunstan's Catholic Primary School

#### Formal Complaints Form (Stage 2)

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 D

### St Dunstan's Catholic Primary

#### School Formal Complaints Form (Stage 3)

Name	
Name of pupil, year group and your relationship to them (where applicable)	
Contact Address	
Contact Telephone (Day)	
Contact Telephone (Mobile)	
Contact Email Address	

Reasons for requesting a Stage 3 Complaint Review (reasons why you feel your concerns have not been fully addressed, and any evidence that you feel has not been fully considered)
Which element(s) of your complaint remain unresolved from the previous stage?
What outcome are you seeking from the Stage 3 Complaint Review?



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Signed:
Date:

*Official use*

Date received:	Signed:
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