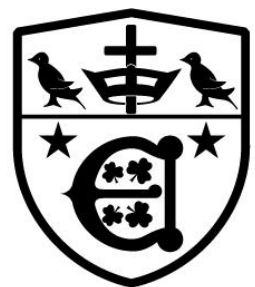


Complaints Policy and Procedures

This policy was approved by Governors on 22 January 2024

This policy will be reviewed every three years on or before 22 January 2027.



**ST EDWARD'S
COLLEGE**
LIVERPOOL

Contents

		Page
1	Aims	3
2	Legislation and guidance	3
3	Definitions and scope	3
4	Principles for investigation	4
5	Stages of complaints (not against the Principal or governors)	4
6	Complaints against the Principal, a governor or governing body	6
7	Referring complaints on completion of the school's procedure	6
8	Unreasonably persistent complaints	6
9	Record keeping	8
10	Learning lessons	8
11	Monitoring arrangements	8
12	Links with other policies	8
13	Roles and responsibilities	9

1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils/students at the school, and others with a professional relationship with the school.

When responding to complaints, we aim to:

- › Be impartial and non-adversarial
- › Facilitate a full and fair investigation by an independent person or panel, where necessary
- › Address all the points at issue (where eligible for consideration) and provide an effective and timely response
- › Respect complainants' desire for confidentiality where possible
- › Treat complainants with respect and courtesy
- › Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- › Keep complainants informed of the progress of the complaints process
- › Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

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

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals, where we are aware of the need to do so.

2. Legislation and guidance

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

It is also based on guidance published by the Department for Education (DfE) on creating a complaints procedure that complies with the above regulations, and refers to good practice guidance on setting up complaints procedures from the DfE.

3. Definitions and scope

3.1 Definitions

The DfE guidance explains the difference between a concern and a complaint:

- › A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. The school will resolve concerns through day-to-day communication as far as possible
- › A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”

3.2 Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- › Admissions
- › Statutory assessments of special educational needs (SEN)
- › Safeguarding matters
- › Suspension or exclusion
- › Whistle-blowing
- › Staff grievances
- › Staff discipline

Arrangements for handling complaints from parents of children with special educational needs (SEN) about the school's support are within the scope of this policy. Such complaints should first be made to the SENCO; they will then be referred to this complaints policy. Our Special Educational Needs Policy includes information about the rights of parents of pupils/students with disabilities who believe that our school has discriminated against their child.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

4. Principles for investigation

When investigating a complaint, we will try to clarify:

- › What has happened
- › Who was involved
- › What the complainant feels would put things right

4.1 Time scales

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and where the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school day (i.e., the first school day following the holiday period).

The time scales referred to in this policy are our usual timeframes, and we will seek to adhere to these timeframes where possible. If other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or tribunals/courts, 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. Where a complaint is raised but we do not have clarity from the complainant on the issues and/or desired outcomes, we will inform the complainant what information we need to progress the complaint and pause this procedure until reasonable clarity is achieved.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- › Set new time limits with the complainant
- › Send the complainant details of the new deadline and explain the delay

5. Stages of complaint *(not complaints against the Principal or governors)*

5.1 Stage 1: informal

The school will take informal complaints and concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue. We value informal meetings and discussions and encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding.

The complainant should raise their complaint as soon as possible with the relevant member of staff (Head of Faculty for an academic complaint, or Head of House for a pastoral complaint), either in person via an appointment or by letter or email. If the complainant is unclear who to contact or how to contact them, they should contact the school on 0151 281 1999 or postbox@st-edwards.co.uk. If the complainant indicates that they would have difficulty discussing a concern with a particular member of staff, the Principal (or other member of staff, as appropriate) will refer the complainant to another designated member of staff. The member of staff may be more senior, but this is not essential.

There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion, although it would be expected that most issues will be resolved within 15 school days. Where no satisfactory solution has been found, the complainant will be advised that if they wish their concerns to be considered further, they should write to the Principal under Stage 2 of this procedure within 15 school days.

5.2 Stage 2: formal

The formal stage involves the complainant putting the complaint to the Principal and/or the subject of the complaint, explaining why the matter has not yet been satisfactorily resolved:

- In a letter or email
- In person (at a prearranged meeting)
- Through a third party acting on their behalf (family member, friend or professional personal with the explicit written permission to act on their behalf).

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state how the matter has been dealt with so far and what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the school on 0151 281 1999 or postbox@st-edwards.co.uk.

A Stage 2 formal complaint will be acknowledged in writing within 5 school days of receipt.

The Principal (or other person appointed by the Principal for this purpose) will then conduct their own investigation. If a meeting is called to discuss the matter, complainants may be accompanied by one other person, such as a friend, relative or interpreter, to assist. If necessary, witnesses will be interviewed and notes will be taken from those involved. If the complaint centres on a pupil/student, the pupil/student will usually be interviewed. Pupils/students will normally be interviewed with their parent present, but if this would seriously delay the investigation of a serious or urgent complaint or if the pupil/student has specifically expressed a preference that their parents are not involved, another member of staff with whom the pupil/student feels comfortable will be present. If the complaint relates to a member of staff, the member of staff will have the opportunity to respond to the complaint.

The school may engage an independent, external person to carry out the investigation into the Stage 2 complaint or to review the investigation and response at Stage 2. This may be appropriate where the complaint is particularly complex or involves legal issues.

The written conclusion of this investigation will be sent to the complainant within 15 school days. This will include an explanation for the decisions and the reasons for it. It will include what action (if any) will be taken to resolve the complaint.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the clerk to the governing body in writing within 10 school days.

5.3 Stage 3: review panel

If the complainant is not satisfied with the response to the complaint at the second, formal, stage, and requests a hearing before a review panel, the complainant should write to the Clerk at St Edward's College, Sandfield Park, Liverpool, L12 1LF within 15 school days of receiving notice of the outcome of Stage 2. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The written request will be acknowledged within 5 school days of receipt.

The review panel will principally consider how the complaint was handled at the previous stages but has discretion to review other aspects of the complaint as it sees fit. The review panel will not consider any new complaints at this stage or consider evidence unrelated to the original complaint. New complaints must be dealt with from Stage 1 of the procedure.

The panel will be appointed by or on behalf of the governing body and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school.

We will seek to constitute a review panel as soon as practicable, within a period of 30 school days. The complainant must have reasonable notice of the date of the review panel; however, if, despite best efforts, it is not possible to find a mutually convenient date and time for a hearing within a reasonable timeframe, the default position will be that the hearing proceeds on the basis of written submissions from both parties.

The panel will have access to the existing record of the complaint's progress (see section 9). Copies of any further documents on which the complainant or school representative wishes to rely should be provided to the Clerk at least 5 school days before the meeting. The panel reserves the right not to consider any documentation presented by either party after this time. As soon as reasonably practicable, and in any event at least 3 school days before the meeting, the complainant, school representative and panel members will be sent a copy of the complaint and any other relevant documentation.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish. We do not encourage either party to bring legal representatives to the panel hearing. Representatives from the media are not permitted to attend. The review panel itself may take legal advice and/or be supported by a legal advisor on matters of law and procedure.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the governing body and Principal.

The school will inform those involved of the decision in writing within 5 school days.

6. Complaints against the Principal, a governor or the governing body

6.1 Stage 1: informal

Complaints made against the Principal or any member of the governing body should be directed to the clerk to the governing body in the first instance.

If the complaint is about the Principal or one member of the governing body (including the chair or vice-chair), a suitably-skilled and impartial governor will carry out the steps at stage 1 (set out in section 5 above).

6.2 Stage 2: formal

If the complaint is about the Principal, the Chair of Governors (or someone delegated to act on their behalf) will carry out an investigation, and will write a formal response at the end of their investigation.

If the complaint is jointly about the chair and vice-chair, the entire governing body or the majority of the governing body, an independent investigator will carry out the steps in stage 2 (set out in section 5 above). They will be appointed by the trustees, and will write a formal response at the end of their investigation.

6.3 Stage 3: review panel

If the complaint is jointly about the chair and vice-chair, the entire governing body or the majority of the governing body, a committee of independent governors will hear the complaint. They will be appointed by the Trustees and may be sourced from local schools, the local authority, archdiocese or independent companies offering such professional personnel and will carry out the steps at stage 3 (set out in section 5 above).

7. Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the DfE. The DfE will check whether the complaint has been dealt with properly by the school. The DfE may use the information you provide to recommend improvements to school policies.

The DfE cannot deal with complaints about:

- fines for taking holidays in term time (sometimes known as a 'fixed penalty notice')
- lack of compensation or apologies from the school
- the behaviour of school staff

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

We will include this information in the outcome letter to complainants.

8. Repetitious and vexatious complaints and complaints considered in an otherwise unreasonable manner

8.1 Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- › Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- › Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- › Knowingly provides false information
- › Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- › Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- › Changes the basis of the complaint as the investigation goes on
- › Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- › Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

Steps we will take

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- › Give the complainant a single point of contact via an email address
- › Limit the number of times the complainant can make contact, such as a fixed number per term

- › Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- › Put any other strategy in place as necessary

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- › We believe we have taken all reasonable steps to help address their concerns
- › We have provided a clear statement of our position and their options
- › The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

8.2 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- › Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- › Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again in respect of those aspects not previously addressed.

8.3 Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- › Publishing a single response on the school website
- › Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

9. Record keeping

The school will record the progress of all complaints at Stages 2 and 3, including information about actions taken, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

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

This is except where:

- access is requested by the Secretary of State (or someone acting on their behalf);
- disclosure is required in the course of a school inspection
- an individual has a legal right to access their own personal data contained within such documentation;
- or
- under other legal authority

Records of formal complaints dealt with at Stage 2 and 3 will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and GDPR Complaint Records Management Policy.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing body, in order to maintain independence in case a review panel needs to be organised at a later point.

Where the governing body is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

10. Learning lessons

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

11. Monitoring arrangements

The Principal will provide regular reports to the governing body in relation to the number and nature of complaints.

The complaints records for formal complaints logged at Stage 2 or 3 are logged and managed by the Clerk to Governors.

This policy will be reviewed by the Principal every 3 years.

At each review, the policy will be approved by the full governing body.

12. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Exclusions policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices

13. Roles and responsibilities

13.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Treat all those involved with respect
- Not publish details about the complaint on social media

13.2 The investigator

An individual will be appointed to look into the complaint, and establish the facts. They will:

- › Interview all relevant parties (as appropriate), keeping notes
- › Consider records and any written evidence and keep these securely
- › Prepare a comprehensive report to the Principal or complaints committee which includes the facts and potential solutions
- › Ensure that the complainant is fully updated at each relevant stage of the procedure
- › If the complaint is being referred to Stage 3, notify the Clerk to the governing body to arrange the review panel

13.3 Clerk to the governing body

The clerk will:

- › Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- › Ensure that the complainant is fully updated at each relevant stage of the procedure
- › Arrange the complaints hearing
- › Record and circulate the minutes and outcome of the hearing
- › Ensure that all people involved in the procedure are aware of their legal rights and duties and that the review panel has access to legal advice, where appropriate

13.4 Review panel chair

The review panel chair will:

- › Chair the meeting, ensuring that everyone is treated with respect throughout
- › Explain the remit of the review panel to the complainant
- › Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case without raising issues not previously mentioned
- › Ensure that the meeting is minuted