



**St Bonaventure's Catholic Primary  
School Egerton Road,  
Bishopston  
Bristol,  
BS7 8HP**

## **COMPLAINTS PROCEDURE**

<b>Policy Owner</b>	Headteacher
<b>Governing Body Committee</b>	FPP
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This policy is available at <http://www.st-bonaventures.bristol.sch.uk/>

## Version History

Version	Date	Page	Description of Change	Origin of Change
Draft 1	15/10/11	All	Broad update to implement revised LEA procedure and best practice	D Carr
2	22/11/13	3	Adding time limit for complaints and restriction on anonymous complaints	MECP Committee
3	10/07/19	2	Allowing Chair to appoint a deputy to conduct a stage 2 investigation	FGB
4	10/2/21	6	Update final stage complaint recipient to DfE	FGB
5	30/01/23	4 6 7	1.1 addition to first sentence  3.2 addition of final sentence  4.1 rewording of paragraph. 4.2 expansion of 4.1 into new paragraph	PARC/FGB

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## Introduction

In order to investigate complaints as fully as possible the Governing Body of St. Bonaventure's School has implemented a staged approach. All complaints must be brought within 6 school weeks of the incident/matter/issue giving rise to the complaint or of the incident coming to the attention of the complainant. No complaints brought anonymously or based on anonymous information will be investigated. The school is fully committed to dealing with all complaints fairly and impartially, in a friendly, respectful and professional way as it is in everyone's best interest to help ensure the matter can be resolved as quickly and informally as possible. The school anticipates that almost all complaints that arise will be resolved at Stage 1 or Stage 2 below, and that Stage 3 and 4 (and Part 2) will only need to be followed on very rare occasions.

## PART 1: Complaints Procedure

### Stage 1: The First Contact

- 1.1. Parents/carers are always welcome to discuss any concerns with the appropriate member of staff, usually the class teacher, who will clarify with the parent/carer the nature of the concern and reassure them that the school wants to hear about it. The member of staff may explain to the parent/carer how the situation happened. It can be helpful at this point to identify what sort of outcome the parent/carer is looking for.
- 1.2. If the member of staff first contacted cannot immediately deal with the matter, s/he will make a clear note of the date, name and contact address or phone number of the complainant.
- 1.3. All members of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent/carer. S/he will check later to make sure the referral has been dealt with.
- 1.4. If the matter is brought to the attention of the Headteacher, he/she may decide to deal with concerns directly at this stage. If the complaint is against the Headteacher the parent/carer will be advised to contact the Chair of Governors.
- 1.5. The member of staff dealing with the concern will make sure the parent/carer is clear what action (if any) or monitoring of the situation has been agreed, putting it in writing where appropriate.
- 1.6. Where no satisfactory solution has been found within ten (10) days, parents/carers will be advised that if they wish their concern to be considered further they should write to the Headteacher.

### Stage 2: Referral to the Headteacher for Investigation

- 2.1 The Headteacher (or his/her designated deputy) will acknowledge the complaint in writing within three (3) school days of receiving the written complaint. The

acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This should normally be within fifteen (15) school days (i.e. excluding weekends and school holidays). If this proves impossible, a letter will be sent explaining the reason for the delay and giving a revised target date.

- 2.2 The Headteacher will provide an opportunity for the complainant to meet them to supplement any information provided previously. It will be made clear to the complainant that if he/she wishes he/she might be accompanied to any meeting by a friend, relative, representative or advocate who can speak on his/her behalf.
- 2.3 If necessary the Headteacher will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. Pupils should normally be interviewed with parents/carers/guardians present, but if this would seriously delay the investigation of a serious/urgent complaint or if the pupil has specifically said that he/she would prefer that parents/carers/guardians were not involved, another member of staff with whom the pupil feels comfortable should be present. If a member of staff is complained against, they will be given the opportunity to present their case.
- 2.4 The Headteacher will keep written records of meetings, telephone conversations and other documentation.
- 2.5 Once all the relevant facts have been established as far as possible, the Headteacher will then produce a written response to the complainant, including a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint. The complainant will be advised that should he/she wish to take the complaint further he/she should notify the Chair of Governors within four (4) weeks of the date of the letter.
- 2.6 If, in the course of an investigation, a fault is identified, the Headteacher should take immediate action to put matters right so that any potential injustice does not continue or risk happening to somebody else.

#### *What if the complaint is about the Headteacher?*

- 2.7 If the complaint is against the Headteacher, or if the Headteacher has been closely involved at Stage 1, the Chair of Governors or a Governor appointed by the Chair of Governors will carry out the Stage 2 procedures. Where appropriate, a complaint referred to the Chair of Governors may be dealt with by the Chair/a Governor appointed by the Chair and another Governor. This will be determined by the Chair of Governors on a case-by-case basis.

#### *What if the complaint is about a School Governor?*

- 2.8 If the complaint is against a School Governor, the complainant should still contact the Chair of Governors who will investigate the concerns personally, or appoint another Governor to do so on their behalf. If the complaint is about the Chair of Governors the

complainant should be referred to the Vice Chair of Governors. If the complaint is about the Governing Body as a whole, the complainant should be referred to the Strategic Director, Children, Young People and Skills, Bristol City Council.

### Stage 3: Review by the Governing Body

- 3.1 The Chair of Governors will write to the complainant to acknowledge receipt of the written request for the Governing Body to review the complaint. The acknowledgement will inform the complainant that three (3) members of the school's Governing Body will hear the complaint within twenty (20) school days (i.e. excluding weekends and school holidays) of receiving the complaint. The letter will also explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be sent to the three (3) members.
- 3.2 A meeting of a Governors' Complaints Panel will be convened by the Chair of Governors and a clerk to the panel will be appointed. The Complaints Panel will be drawn from the whole Governing Body, but governors with prior involvement in the complaint will not be included. The Complaints Panel will decide who shall be its chair, and shall also give consideration to whether it is appropriate for Staff and Parent Governors to be appointed as panel members (dependent on the nature of the complaint, this could lead to a conflict of interest). One member of the panel will be independent of the management and running of the school.
- 3.3 The Chair of the Complaints Panel will ensure the panel hears the complaint within twenty (20) school days (i.e. excluding weekends and school holidays) of receiving the letter. All relevant correspondence relating to the complaint will be given to each panel member as soon as the composition of the panel is confirmed. If the correspondence is extensive, the Chair may prepare a summary for sending to panel members.
- 3.4 The Clerk to the Panel will write and inform the complainant, Headteacher, any relevant witnesses and members of the Panel at least five (5) working days in advance of the date, time and place of the meeting. The notification will also inform the complainant of his/her right to be accompanied to the meeting by a friend/advocate/interpreter and explain how the meeting will be conducted.
- 3.5 The Headteacher will be invited to attend the panel meeting and will be asked to prepare a written report for the Panel in response to the complaint. All concerned, including the complainant, should receive any relevant documents including the Headteacher's report, at least five (5) school days prior to the meeting. The Headteacher may also invite members of staff directly involved in matters raised by the complainant to respond in writing or person.
- 3.6 The meeting should allow for:
  - The complainant to explain their complaint and the Headteacher to explain the

school's response

- The opportunity for both parties to ask questions of each other about the complaint.
- Panel members to have an opportunity to question both the complainant and the Headteacher
- Any party to have the right to call witnesses (subject to approval of the Chair) and all parties having the right to question all the witnesses
- Final statements by both the complainant and the Headteacher.

It is the responsibility of the Clerk of the panel to ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken or actions agreed. The notes do not need to be verbatim but should be sufficient to remind the Panel of the evidence that has been presented and the reason for the decision.

- 3.7 The Chair of the Panel will explain to the complainant and Headteacher that the panel will consider its decision and that a written decision will be sent to both parties within five (5) school days. The complainant, Headteacher, other members of staff and witnesses will then leave.
- 3.8 The Panel will then consider the complaint and all the evidence presented and
- Reach a majority decision on the complaint;
  - Decide upon the appropriate action to be taken to resolve the complaint; and, where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.
- 3.9 A written statement outlining the decision of the Panel must be sent to the complainant and Headteacher. The letter to the complainant should also explain how a further appeal can be made (see Stage 4).
- 3.10 The school will ensure that a copy of all correspondence and notes are kept on file in the school's records. These records will be kept separately from the pupil's personal records.

#### **Stage 4: Review of the Governing Body Complaints Panel Decision**

- 4.1 If a parent/carer or pupil is making a complaint relating to the school not following its own complaints policy or a child is not getting an education, has been exposed to harm or the school is stopping a person from following its complaints procedure, they should write to the Department for Education.
- 4.2 The DfE's contact details will be included in the letter from the governor's complaints panel. The DfE will then investigate and review as appropriate.

The Department's complaints procedure can be found here:

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

## **PART 2: Unreasonably Persistent Complainants and Unreasonable Complainant Behaviour**

St. Bonaventure's is fully committed to dealing with all complaints fairly and impartially, in a friendly, respectful and professional way. The school is sure that parents/carers will understand the need to behave in a similar way as it is in everyone's best interest to help ensure the matter can be resolved as quickly and informally as possible. However the school does not expect its staff or governors to tolerate behaviour by complainants which is unacceptable (for example, which is abusive, offensive or threatening) and it will take action to protect staff and governors from any such behaviour if it occurs. There may also be complainants who, because of the frequency of their contact with the school, hinder the school's consideration of their, or other people's, complaints and potentially the running of the school.

It is anticipated that such behaviour will be a very rare occurrence, but if the school considers a complainant's behaviour is unacceptable or unreasonably persistent, it shall explain why and ask the complainant to consider their behaviour. If the behaviour continues, the school may take action to restrict the complainant's contact with the school.

The decision to restrict access to the school will be taken by the Headteacher and Chair of Governors. Any restrictions imposed will be appropriate and proportionate, and may include:

- requesting contact in a particular form (for example, letters only);
- requiring contact to take place with a named member of staff or governor;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their conduct.

In all cases the school will write to tell the complainant why the school believes that his or her behaviour is unacceptable or unreasonably persistent, what action the school is taking and the duration of that action. The school will also tell the complainant how they can challenge the decision if they disagree with it.

Where a complainant continues to behave in a way which is unacceptable or unreasonably persistent, the school may decide to terminate contact with that complainant and discontinue any investigation into their complaint. If the school decides to continue treating someone as an unreasonably persistent complainant and it is still investigating their complaint six (6) months later, the school will carry out a review and decide if restrictions will continue.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of the school's staff or governors, the school will consider other options, for example reporting the matter to the Local Authority, the Police or taking legal action. In such cases, the school may not give the complainant prior warning of that action.

Where a complainant whose case is closed persists in communicating with the school about it, the school may decide to terminate contact with that complainant. In such cases, the school will consider all correspondence from that complainant, but unless fresh evidence which affects



the school's decision on the complaint is provided, the school will simply acknowledge it or place it on the file with no acknowledgement.

New complaints from people who have come under the unreasonably persistent complainants policy will be treated on their merits.