



**CARDINAL  
NEWMAN**  
CATHOLIC HIGH SCHOOL

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# **Complaints Policy**

## Cardinal Newman Catholic High School

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<b>Created</b>	<b>Jo Langstaff</b>
<b>Reviewed By (Name)</b>	<b>SI Committee</b>
<b>Job Role</b>	<b>Headteacher</b>
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# Complaints Policy

## Who can make a complaint?

This complaints procedure is mainly aimed at parents or carers of children who are registered at the school, but it is not limited to them.

Any member of the public may make a complaint to Cardinal Newman Catholic High School about any provision of facilities or services that the school provides.

Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), the school will use this complaints procedure.

## 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.'*

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 opportunity and it's held that many issues can be resolved informally, without the need to use the formal stages of the complaints procedure.

Cardinal Newman Catholic High School takes concerns seriously and will make every effort to resolve the matter as quickly as possible. We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Cardinal Newman Catholic High School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party, acting on behalf of a complainant, if they have appropriate consent to do so.

In the first instance, concerns should be raised with either the Head of Subject, Head of Year or the head teacher. They will endeavour to resolve the issue informally. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. Governors have no power to act on an individual basis and it may also prevent them from considering complaints at various stages of the procedure.

Formal complaints against school staff (except the head teacher) should be made in the first instance, to Ms J Langstaff via the school office. Complaints that involve or are about the headteacher should be made to Mrs J Johnson, via the governors' PA, Mrs M Walker. Complaints about the chair of governors, any individual governor or the whole governing body should be addressed to Mrs M Walker, via the school office. Please mark all complaints as 'private and confidential.'

For ease of use, a template complaint form is included at the end of this document. If you require help in completing the form, please contact the school office. You can also ask third party organisations such as Citizens Advice to help you.

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

### **Anonymous complaints**

The school will not normally investigate anonymous complaints. However, the head teacher or chair of governors, if appropriate, will determine whether the complaint warrants an investigation.

### **Timescales**

Complainants must raise the complaint within three months of the incident, or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will, in exceptional circumstances, consider complaints made outside this time frame.

### **Complaints received outside term time**

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

### **Scope of this complaints procedure**

This procedure covers all complaints about any provision of community facilities or services by Cardinal Newman Catholic High School, other than complaints that are dealt with under other statutory procedures, including those listed below.

<b>Exceptions</b>	<b>Who to contact</b>
<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 reorganisation proposals should be raised with Warrington Local Authority
<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 or the Multi-Agency Safeguarding Hub (MASH).</p>
Exclusion of children from school*	<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>*Complaints about the application of the behaviour policy can be made through the school's complaints procedure.</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 whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p> <p>Volunteers who have concerns about our school should complain through the school's complaints procedure.</p> <p>You may also be able to complain direct to the local authority or the DfE (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> <li>• National curriculum - content</li> </ul>	<p>Please contact the DfE at <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>

If other bodies are investigating aspects of a 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 policy or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Cardinal Newman Catholic High 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.

### Complaint campaigns

If we receive what we consider to be a large volume of complaints, all based on the same subject and from complainants not connected to the school, then we will treat these complaints as being part of a campaign and respond in one of the following two ways, depending upon the nature and scale of the complaint:

- send the same response to all complainants; or
- publish a single response on the school's website

### Managing serial and unreasonable complaints

Cardinal Newman Catholic High 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 complainants have with our 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.

Cardinal Newman Catholic High School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if 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 complaints investigation process
- refuses to accept that certain issues are not within the scope of the procedure
- insists on the complaint being dealt with in ways that are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information that they expect to be taken into account
- 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 being advised that the complaint has been addressed
- refuses to accept the findings of the investigation into that complaint
- seeks an unrealistic outcome
- makes excessive demands on school time while the complaint is being dealt with
- uses threats to intimidate or abusive, offensive or discriminatory language or violence
- knowingly provides falsified information and/or
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the 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 head teacher or chair of governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the head teacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Cardinal Newman Catholic High 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 be reviewed at reasonable intervals.

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 Cardinal Newman Catholic High School.

### **Persistent correspondents**

If complainants frequently contact the school, causing a significant level of disruption, but refuse to engage with the complaints procedure, Cardinal Newman Catholic High School can:

- restrict the complainant to a single point of contact via an email address and/or
- limit the number of times the complainant can make contact.

This restriction will be limited to the complainant's capacity to complain. For all other issues the complainant can contact the school as normal.

### **Social media complaints**

Using social media to air complaints is a practice that has, not surprisingly, become increasingly common. In respect of social media, the school holds that unreasonable behaviour is committed when a complainant publishes

unacceptable information on social media or on other public forums.

In this event, the school will ask the complainant to refrain from publicising the details of their complaint on social media and to remove any offending article/s and respect confidentiality. The school will escalate the matter if the complainant fails to comply with the school's reasonable requests to remove unacceptable content.

The school will take all reasonable steps to protect itself from and against any 'social media' complaint that is deemed to amount to unreasonable behaviour and in these circumstances, will seek professional advice and guidance including reporting content for removal to P.O.S.H [the Professionals Online Safety Helpline], consulting with education trade unions and seeking the counsel of the school's legal support services.

### **Resolving complaints**

At each stage in the procedure, Cardinal Newman Catholic High 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 complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## **COMPLAINTS PROCEDURE:**

### **CARDINAL NEWMAN CATHOLIC HIGH SCHOOL**

#### **Complaints procedure Stage 1**

Formal complaints must be made to the head teacher (unless they are about the head teacher), via the governors' PA, Mrs. M Walker. This may be done in person, in writing (preferably on the complaint form), or by telephone. The head teacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, the head teacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The head teacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

*Note: The head teacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.*

During the investigation, the head teacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the head teacher will provide a formal written response within 7 school days of the date of receipt of the complaint. If the head teacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Cardinal Newman Catholic High School will take to resolve the complaint.

The head teacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1. If the complaint is about the head teacher or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

Complaints about the head teacher or member of the governing body must be made to the governors' PA, via the school office. If the complaint is jointly about the chair and vice chair, or the entire governing body, or the majority of the governing body, Stage 1 will be considered by an independent investigator appointed by the governing body or the Diocese of Shrewsbury. At the conclusion of its investigation, the independent investigator will provide a formal written response.

#### **Complaints procedure Stage 2**

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available.

A request to escalate to Stage 2 must be made to the governors' PA, Mrs M Walker, via the school office, within 7 school days of receipt of the Stage 1 response. The governors' PA will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The governors' PA will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 21 school days of receipt of the Stage 2 request. If this is not possible, the governors' PA will provide an anticipated date and keep the complainant informed. If the complainant rejects the offer of three proposed dates without good reason, the governors' PA will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide among themselves who will act as the chair of the complaints committee. If there are fewer than three governors from Cardinal Newman Catholic High School available, the governors' PA will source any additional, independent governors through another local school or through their local authority's governor services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making its decision it will be sensitive to the complainant's needs. If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the governors' PA will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 2 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented.

The committee can:

- uphold the complaint, in whole or in part
- dismiss the complaint, in whole or in part.

If the complaint is upheld, in whole or in part, the committee will:

- decide on the appropriate course of action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The chair of the committee will provide the complainant and Cardinal Newman Catholic High School with a full explanation of their decision and the reason(s) for it, in writing, within 7 school days. The letter to the complainant will include details of how to contact the DfE if they are dissatisfied with the way their complaint has been handled by Cardinal Newman Catholic High School.

If the complaint is jointly about the chair and vice chair or the entire governing body or the majority of the governing



body, a committee of independent governors will hear Stage 2.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Cardinal Newman Catholic High School will take to resolve the complaint. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

### **Stage 3**

Should the complainant be dissatisfied with the response from the complaints committee of the Governing Body, then the complainant may make a request to the governors' PA within 7 school days of receiving the response from the Stage 2 complaint, for the complaint to be heard at **Complaints Procedure Stage 3**, which is the final stage of the complaints procedure. This will involve a panel of 3 Governors who are independent from the school, who are sourced from local schools, academies or the Diocese. The panel will have access to all the documentation that was submitted at **Stage 2**.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish.

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 headteacher.

The panel will inform those involved of the decision in writing within 10 school days.

### **Next Steps**

If the complainant 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 2.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by Cardinal Newman Catholic High School. They will consider whether Cardinal Newman Catholic High School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the DfE online at [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus) or by telephone on 0370 000 2288 or by writing to:

Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

## Complaint form

Please complete and return to Mrs M Walker, governors' PA, who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b> <b>Daytime telephone number:</b> <b>Evening telephone number:</b>
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>
<b>What actions do you feel might resolve the problem at this stage?</b>
<b>Are you attaching any paperwork? If so, please give details.</b>
<b>Signature:</b> <b>Date:</b>
<b>Official use:</b>
<b>Date acknowledgement sent:</b>
<b>By whom:</b>
<b>Complaint referred to and date:</b>