COMPLAINTS POLICY FOR St Gerard's Catholic Primary School

September 2026

DIOCESAN EDUCATION SERVICE

Making Christ Known Today

Archdiocese of Birmingham Registered Charity No 234216

1 General Principles

Catholic schools aim to be places where love of one's neighbour is evident at all times. Christ said to His disciples at the Last Supper "This is my commandment, that you love one another, as I have loved you." It is in wishing to uphold this principle that Catholic schools, and those who work there, commit themselves to care for their school community and uphold the Catholic doctrine and the ethos of the school. Nevertheless, as in any organisation, there can be times when a complaint may arise and the aim of this Complaints Policy is to set out how those complaints will be dealt with and how the school will work with all parties involved towards achieving a satisfactory resolution.

The main purposes of this Complaints Policy is to:

- resolve problems as swiftly as possible, ideally through an early informal stage.
- give complainants a means to raise complaints and to have them addressed.
- explain who a complaint should be directed to at the different stages and how they will be dealt with at each stage, including expected timescales.
- encourage all parties to raise and/or respond to complaints as quickly as possible so that they may be dealt with swiftly and whilst the matter is still fresh in people's minds.
- stress that at all stages of this policy any discussions, consideration and hearings will be held with the intention to resolve the complaint rather than apportion blame.

It should be noted that this Complaints Policy does not replace the arrangements for dealing with certain types of complaint that fall outside of its remit and are covered by other policies, for example, admissions to schools, statutory assessments of Special Educational Needs, school re-organisation proposals, any matter that may require a Child Protection Investigation, exclusions, whistleblowing, staff grievances and disciplinary procedures and complaints about services provided by third parties using the school premises or facilities. Third parties will have their own complaints procedures in places for complainants to follow in relation to a complaint about them. Schools may seek the assistance or advice from the Diocese or other agencies as appropriate. Any adviser supporting the school through this process may also support the Governors Complaints panel in their deliberations.

Schools recognise that complaints can be submitted by anyone, not just by parents of pupils in the school. Complaints will be dealt with consistently regardless of who the complainant is.

2 The Role of the Individual Governor

It is important that everyone understands that no individual Governor may deal with a complaint. Anyone considering raising a complaint with the school should refer to the Complaints Management Procedure (Appendix B) to check who the complaint should be directed to.
Governors should not get into discussion with a complainant if they are approached but should advise them only of the procedure to follow. If the situation is such that the Governor has to listen in order to help to direct the complainant, then this would prejudice their impartiality if the complaint is raised and they would be unable to take part in the process any further. Should this situation arise, the Governor concerned must inform the Chair of Governors accordingly.

3 Stage 1 – Informal Resolution

In the majority of cases the concern should be handled, if at all possible, without the need to undertake any formal procedures and this should be the objective of all parties involved.

The complaint should be initially discussed with the relevant member of staff, for example the class teacher or form tutor. There is no need at this stage for the complaint to be put in writing, however, the staff member should complete the Initial Record Form (Appendix C) outlining the nature of the complaint and the agreed actions to be taken including any timescales to complete them. A copy of the Initial Record Form should be given to the complainant along with a copy of the school's complaints procedure.

At this stage the complaint should be raised with the relevant staff members as soon as possible in order to ensure that it is still fresh in everyone's mind and can be dealt with and resolved as quickly as possible. Complaints should be raised within three months of the complainant becoming aware of the complaint/incident and be resolved within ten school days, but it should be noted that the sooner the school is notified of a complaint then the swifter it can begin to be investigated and therefore complainants are encouraged to submit their complaint as soon as possible after becoming aware of the complaint/incident. The school will, however, consider exceptions to complaints being raised outside of the three month timescale and will not refuse to deal with a complaint simply because it has been lodged outside of this preferred timeframe.

Should the person raising the concern be unable to resolve the matter at this stage then they may feel it appropriate to move on to Stage 2 of the process. However, it is expected that the majority of complaints would be resolved by the end of stage 1 without the need to escalate the complaint further.

4 Stage 2 – Formal Resolution

If the complaint cannot be resolved at Stage 1, then the complainant may, if they wish, proceed to Stage 2 by completing and submitting a Stage 2 Complaint Form (Appendix D) to the relevant person as detailed in the Complaints Management Procedure (Appendix B). In most cases the person whom the complaint should be submitted to would be the Head Teacher, however there are some complaints that should be submitted to another person and Appendix B outlines who to submit a complaint to if the complaint relates to the Head Teacher or a governor. The Stage 2 Complaint Form should be submitted within 10 school days of the conclusion of Stage 1.
Should the complainant have any difficulties or barriers to completing the Stage 2 Complaint Form, they should contact the relevant person outlined in the Complaints Management Procedure (Appendix B) by telephone or, if they do not have the means to contact them by telephone, contact the school office and explain that they wish to submit a Stage 2 Complaint. They will then be assisted to submit the Stage 2 Complaint verbally and the relevant person will record the nature of the complaint using the Stage 2 Complaint Form.

On receipt or completion by them of the Stage 2 Complaint Form, the relevant person will:

- acknowledge receipt of the Stage 2 Complaint Form within 5 school days.
- investigate the complaint and decide how best to resolve it. This would normally involve meeting with and interviewing the complainant and any other persons.
- provide a formal written outcome of the investigation to the complainant within 15 school days of the date of receipt of the complaint. This letter will also include details of what the complainant can do next if the complaint has still not been resolved to their satisfaction. Information advising the complainant that they can escalate the complaint to Stage 3 must also advise them that if they wish to do so then it must be within 10 school days of the notification of the outcome of Stage 2.

  There may be occasions where the complexity of an investigation may prevent the 15 school days deadline being met, but where possible this deadline will be met. Where it is not possible to provide a written outcome within 15 school days then the person

investigating the complaint will write to the complainant in line with Section 12 of this policy to provide a new timescale and reasons for the delay.

5 Stage 3 – Governors Complaints Panel

If the complainant is not satisfied with the outcome of the Stage 2 process, they may, if they wish, request that the complaint be considered by a Governors Complaints Panel. To request this, the complainant will need to complete and return the Stage 3 Complaint Form (Appendix E) within 10 school days of the notification of the outcome of Stage 2.

This form should be sent to the Chair of Governors (or the Vice-Chair of Governors if the complaint relates to the Chair) via the school address.

Should the complainant have any difficulties or barriers to completing the Stage 3 Complaint Form, they should contact the school office and explain that they wish to submit a Stage 3 Complaint. The school will then contact the Chair or Vice-Chair of Governors as appropriate to broker contact between them and the complainant. The complainant will then be assisted to submit the Stage 3 Complaint verbally and the Chair of Governors (or Vice-Chair of Governors as appropriate) will record the nature of the complaint using the Stage 3 Complaint Form.

The Governors complaints panel is the last school-based state in the complaints process and is not convened to merely rubber-stamp any previous decisions.

The panel will consist of three members of the Governing Body. No Governor may sit on the panel if they have had any prior involvement in the complaint or in the circumstances surrounding it. Neither the Head Teacher or the Chair of Governors should be a member of this panel. The panel should elect their own Chair. Where it is not possible for the Governing Body to convene a panel due to there being insufficient Governors who have no prior involvement in the complaint, then another Catholic school may be approached to request that the Governors from that school make up the panel. Anyone from the Governing Body of another Catholic school who sits on the Complaints Panel would become an Associate Member for this purpose.

The Stage 3 Complaint Form will be acknowledged within 5 school days and the Governors Complaints Panel will normally be convened within 20 school days of the receipt of the form. The complainant will be invited to attend the panel hearing and may be accompanied if they wish.

Both parties should normally be present whilst the complaint is being described and responded to. Complainants will be invited to attend the panel hearing and can be accompanied if they wish, for example by a relative or friend. DfE guidance recommends that neither the complainant nor the school bring legal representation as the panel hearing is not a form of legal proceeding.
However, if a member of staff is called as a witness in a complaint meeting, they may wish to be supported by a union representative.

However, there may be situations where the Chair of Governors considers that the relationship between the complainant and the school has broken down to such an extent that any further meeting that they jointly attend would not be beneficial. If this situation arises then the Chair of Governors may decide that the Stage 3 hearing should be held in two parts with each party, and their witnesses, meeting with the Governors Complaints Panel on their own. Should this decision be taken then the Chair of Governors will advise both parties, the Clerk to the Complaints Panel and the Chair of the Complaints Panel accordingly.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted but if a complainant's own disability or special needs requires reasonable adjustments then the Clerk should be notified so that measures can be put in place. Recordings must never take place (by any party) without informing the panel. The committee will consider the complaint, and all the evidence presented to reach a decision as to whether to uphold or reject the complaint, either fully or in part.

The panel will consider the following:

- any appropriate action to be taken to resolve the complaint.
- whether to dismiss the complaint in whole or in part.
- whether to uphold the complaint in whole or in part.
- whether changes to the school procedures or systems in the future may be necessary to ensure that situations of a similar nature do not recur.

The panel will take into account whether the complaint has been handled properly and reasonably in accordance with this policy and whether the outcome at Stage 2 was reasonable and appropriate.

As part of the Governors Complaints Panel hearing the following will be undertaken:

- a Clerk to the panel will be appointed. This would usually be the Clerk to the Governing Body.
- the Clerk will ensure that all parties have received a copy of this Complaints Policy.
- the Clerk will set a date, time and venue for the hearing, considering the availability of all involved where practical to do so, within 20 school days of the receipt of the Stage 3 Complaint Form. The venue will be accessible for all parties.
- Should the complainant be unable to attend the date of the hearing they must notify the clerk as soon as possible. Effort will be made to offer an alternative date instead which is mutually convenient, but if this is not possible, for example due to panel members or witnesses being unavailable on an alternative date, the hearing will take place in absence of the complainant and the complaint considered on the written evidence that has been submitted.
- at least 10 school days prior to the hearing all parties will submit to the Clerk to the Complaints Panel any written evidence or other documentation to be presented at the hearing, together with the names of any witnesses either party wishes to call.
- all written evidence or other documentation submitted will be sent to all parties and the panel members to arrive at least 5 school days prior to the hearing.
- the Clerk to the Complaints Panel will record the proceedings and notify, in writing, all parties of the panel's decision within 5 school days of the hearing.
- the issues raised in the complaint are addressed.
- the panel will be open minded and act independently.
- no member of the panel will have a vested interest in the outcome of the proceedings or any involvement in any earlier stage of the procedure.
- only the issues raised in the complaint will be discussed and considered. Any new issues raised will need to be raised as a separate complaint and given due consideration by progressing through the Complaints Policy.
- if any party fails to attend the Governors Complaints Panel hearing, then the hearing will continue in their absence and considered on any written evidence that the absent party has submitted at least 10 school days prior to the hearing.

The following points should also be noted:

- all parties shall be put at ease and the hearing will be conducted as informally as possible with each party treating the other with respect and dignity.

- the Chair of the Complaints Panel will explain the panel's remit to all parties and ensure that each party has the opportunity to put their case without undue interruption and to ask questions.
- witnesses are only required to attend for the part of the hearing in which they give their own evidence.
- after an introduction by the Chair of the panel, the complainant is invited to explain their complaint and be followed by their witnesses.
- the Headteacher (or the representative for the school) may question both the complainant and the witnesses after each has spoken but only to clarify what they are saying.
- the Headteacher (or the representative for the school) is then invited to explain the school's actions and be followed by the school's witnesses.
- the complainant may question both the headteacher (or the representative for the school) and the school's witnesses after each has spoken but only to clarify what they have said.
- the panel may ask questions at any time.
- the complainant is invited to sum up their complaint.
- the Headteacher (or the representative for the school) is invited to sum up the school's actions and response to the complaint.
- the Chair explains that both parties will receive the written decision of the panel from the Clerk within 5 school days.
- both parties leave together whilst the panel considers the issues. The Clerk, and any other advisers, may be present with the panel during their discussion but the conclusions and recommendations are the responsibility of the panel members only.

The Chair of the Complaints Panel will ensure that all parties are notified of the panel's decision within 5 school days. The reasons for the decision will be clearly defined, in plain English.

If either party requires clarification concerning any points in the letter, this will be provided by the Chair of the Complaints Panel.

The Governing Body shall receive an annual summary report on complaints, themes, outcomes and lessons learned.

Foundation Governors should ensure that any complaint raising issues concerning the Catholic character, religious education, collective worship or trust deed obligations is appropriately brought to the attention of the Governing Body and the Diocesan Education Service.

6 Anonymous Complaints

Anonymous complaints will not be investigated under this policy unless there are exceptional circumstances. These would include serious concerns such as Child Protection issues, where the School would either involve external agencies or else conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation.

7 Serial, Persistent and Unreasonable Complaints

There will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. Where a complainant tries to reopen the same issue, the Chair to the Governing Body will inform them in writing that the procedure has been exhausted and that the matter is now closed.

Staff are not expected to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Unacceptable and unreasonable behaviour is that which hinders the consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- Refuses or fails to articulate their complaint or specify the grounds of a complaint of the outcomes sought by raising the complaint, despite offers of assistance.
- Refuses to co-operate with the complaints investigation process.
- Refuses to accept that certain issues are not within the scope of the complaints procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice.
- Introduces trivial or irrelevant information which they expect to be taken into account and commented on.
- 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 complaints 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 and complicated contact with staff regarding eh complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
- Uses threats to intimidate.
- Uses abusive, offensive or discriminatory language or violence.
- Knowingly provides falsified information.
- 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 which 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 asking them to change it. For complainants who excessively contacts the school causing a significant level of disruption then methods of communication may be specified and the number of contacts limited through a communication plan which will be reviewed after six months.

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

8 Duplicate Complaints

After a complaint has reached the end of the complaints procedure, if a duplicate complaint is then received from a different person regarding the same subject, then the school will not process that as a fresh complaint. The new complainant will be advised to contact the School Complaints Unit (see point 13 below) if they are dissatisfied with the school's handling of the original complaint.

9 Complaint Campaigns

If the school becomes the focus of a campaign and receives a large volume of complaints that are all based on the same subject and/or are from complainants unconnected with the school, then they will be dealt with separately. The school will establish the most appropriate way to deal with these which could include sending a template response to all complainants or publishing a single response on the school's website.

10 Third Parties

If a complaint relates to a third party who is using the school premises or facilities then that complaint must be submitted directly to the third party concerned following their own complaints procedures. For example, this could be where the school site is being used for community facilities or services.

11 Deviation from following this published procedure

There may be occasions when it is necessary or reasonable to deviate from the published complaints procedure. This could be not doing something that the procedure says that the school will, should or may do. In the event that this is deemed to be necessary the school will document any deviation and reasons for it.

12 Time Scales

Clear timescales are set out in this procedure defining the time frame that a complaint will be dealt with at each stage. However, in the event of a complaint being complex and further investigations are necessary it may become clear that the published timescale cannot be met. In this event then the school will set new timescales. The complainant will be sent the details of the next timescales and be provided with an explanation of the delay.
Where a complainant submits a complaint outside of the time frame outlined in these procedures the school will take exceptional circumstances into account when deciding whether to accept or progress a complaint and will not refuse to deal with a complaint simply because it has been lodged outside of this preferred timescale.

13 Taking a complaint further

Anyone can raise a complaint about a maintained school or a member of maintained school staff to the DfE. The DfE expects that complainants will have completed local complaints procedures first. DfE's contact form clearly explains this and advises complainants to complete local procedures before submitting their complaint.
The exceptions to this include when:

- children are at risk of harm
- children are missing education
- a complainant is being prevented from having their complaint progress through the published complaints procedure
- there is evidence that the school is proposing to act or is acting unlawfully or unreasonably

The DfE will usually only intervene when it is expedient or practical to do so and a governing body or local authority has:

- failed to act in accordance with its duties under education law
- acted (or is proposing to act) unreasonably when exercising education related functions

Any such intervention will usually be in accordance with the Secretary of State's powers under Sections 496 and 497 (and 497A in relation to LAs) of the Education Act 1996.

When considering a complaint, the DfE will review all the evidence provided to them, including the school's published policies, to determine whether it is appropriate to take any action. Action taken by the DfE, where appropriate, typically involves explaining the legislative framework and what it means in practice at the school level or recommending improvements to statutory school policies. However, in some instances it may be appropriate for the Secretary of State to intervene.

The DfE does not take punitive action against schools when breaches of legislation or failures to adhere to statutory policies are identified. However, if serious failings are identified, we may share information about the complaint and our findings with relevant bodies, such as local authorities and Ofsted, to make sure that appropriate safeguarding, remedial or preventative action is taken.

14 Complaints Relating to Personal Data or Data Protection

St Gerard's Catholic Primary School takes concerns about the handling of personal data seriously. Anyone may make a complaint where they believe the school has not handled personal data in accordance with its own policies or statutory requirements or legislation. This may include, for example:

- access to personal information;
- accuracy of records;
- sharing of personal data;
- use of photographs, video recordings, or biometric data;
- retention of records;
- confidentiality breaches;
- how the school has responded to a subject access request; or
- any other concern regarding how the School collects, uses, stores, or discloses personal data.

Complaints received in relation to personal data or data protection will not follow the 3 stage process outlined above in this policy. Anyone wishing to submit a complaint relating to personal data or data protection should do so as follows:

- by emailing the complaint to Katrina Bannister, enquiry@stgerard.bham.sch.uk
- by writing via the school office at Renfrew Square, Castle Vale, B35 6LB

Anyone unable to submit a complaint in writing or by email should call the school on 01216752158 and assistance will be provided for the complaint to be provided verbally to a member of school staff who will record the details for investigation purposes.
The complaint should include sufficient information to allow the school to investigate.

The school will:

- acknowledge receipt of the complaint within 30 calendar days;
- investigate the issues raised and keep the complainant updated on the progress of the investigation;
- keep appropriate records of the investigation and outcome;
- respond in writing, without undue delay, informing the complainant of the outcome of the complaint and any actions taken; and

Where a complainant remains dissatisfied with the school's response, they may raise the matter with the UK Information Commissioner's Office (ICO).

Further information about data protection rights and complaints is available from the ICO's website at Information Commissioner's Office

15 Expectations under this procedure

When raising a complaint under this policy a complainant can expect the school to:

- take the complaint seriously.
- treat them with courtesy and respect.
- deal with the complaint with discretion and confidentiality (although if the matter relates to the safety and wellbeing of a child then the school may have to share the details with other agencies).
- offer them the opportunity to be accompanied by a friend, adviser or colleague.
- meet the timescales set unless there are good reasons to extend these, in which case they will be informed of this.
- seek and offer resolution at all stages.
- inform them of the action taken to resolve the complaint and of any measures put in place to ensure that a similar complaint does not arise in the future.

In turn, the school expects that complainants will:

- treat school staff with respect.
- enter into the process in the spirit of seeking resolution.
- appreciate that if the school considers that disciplinary action may be necessary against a member of staff then this will be dealt with under the school's disciplinary procedure and in confidence.
- be mindful of the need to keep information relating to children confidential in the interest of all students.

  The final two points above means that where a complaint relates to or involves a member of staff or a child or pupil then the complainant will not be provided with information around action or decision taken in relation to that person as to do so would breach confidentiality.

If there are any queries regarding this policy or the complaints process, please contact the Birmingham Diocesan Education Service:

Email: governance@bdes.org.uk

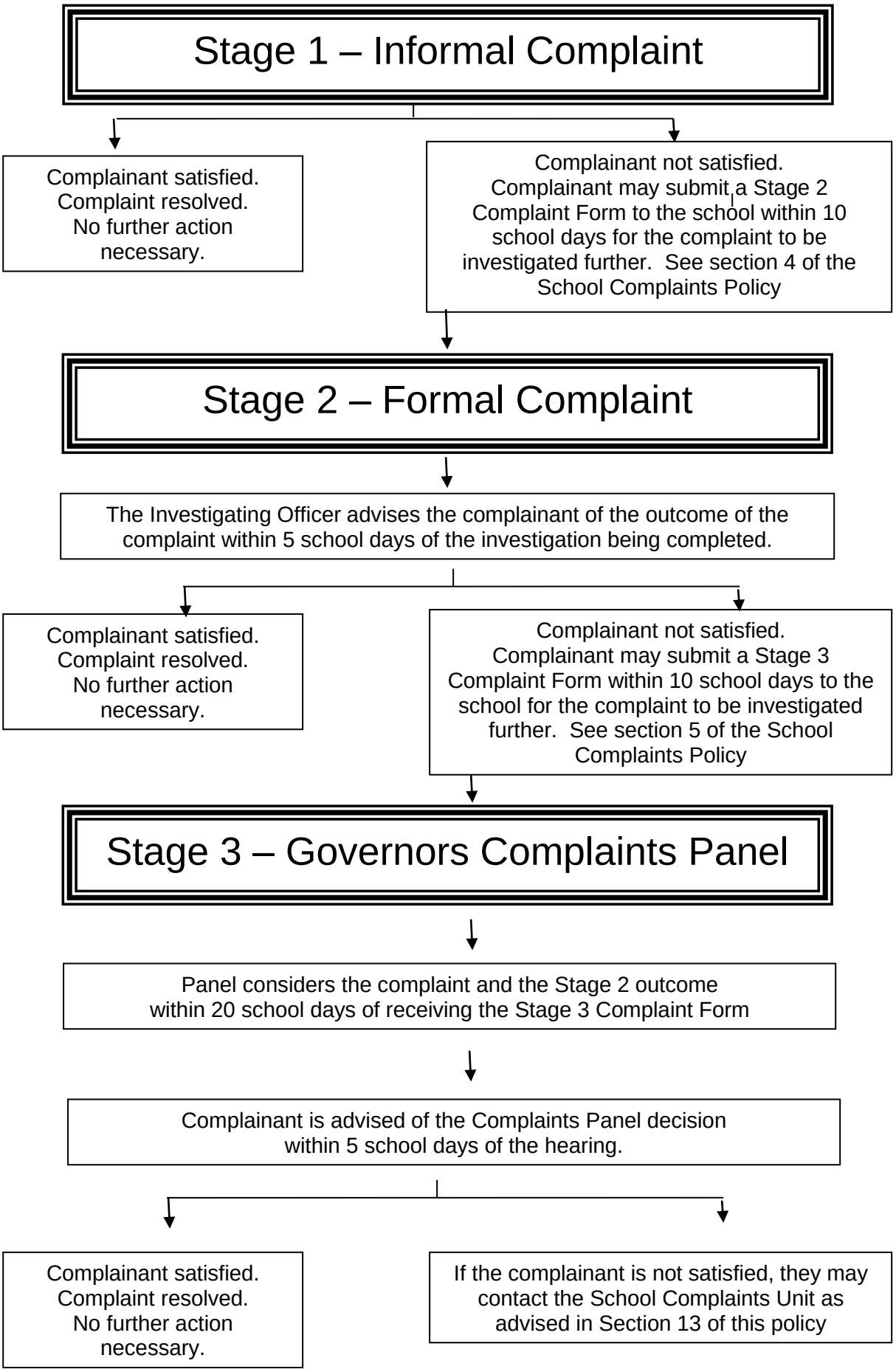
Telephone: 01675 464755

Address – Birmingham Diocesan Education Service
Don Bosco House
Coventry Road
Coleshill
Birmingham
B46 3EA

Website: www.bdes.org.uk

Appendix A

FLOWCHART TO SHOW GENERAL COMPLAINTS PROCESS



Appendix B

Complaints Management Procedure

Who the Complaint relates to:	**Stage 1: Informal Resolution**	**Stage 2: Formal Resolution**	**Stage 3: Governors Complaints Panel**
Pupil, parents or staff (other than the Head Teacher	The relevant member of staff, eg the class teacher or form tutor	The Head Teacher or other Senior Manager	Panel appointed by the Chair of Governors
The Head Teacher	The Head Teacher	The Chair of Governors or another nominated non-staff Governor	Panel appointed by the Vice Chair of Governors
A Governor or Governors (other than the Chair of Governors)	The Chair of Governors	Another nominated non-staff Governor	Panel appointed by the Vice Chair of Governors
The Chair of Governors (or a group of Governors including the Chair of Governors)	The vice Chair of Governors	Another nominated non-staff Governor	Panel appointed by the Vice Chair of Governors
If a complaint relates to the entire governing body or involves both the Chair and Vice Chair then it should be submitted to the Clerk to the Governing Body who will then determine the most appropriate course of action. This will depend on the nature of the complaint. This may involve sourcing an independent investigator to consider the complaint initially and then co-opted governors from other schools to hear the complaint if it progresses to a panel hearing.			

Note: No Governor will be involved at Stage 3 if they have been involved in the complaint in any way prior to the Stage 3 panel hearing.

Appendix C

Initial Record Form for a School Complaint

School:		
Name of Complainant:		
Name of Child:		
Date of Contact with School:		
Nature of Concern		
Actions Taken		
Name:	Signature:	Date:

Appendix D

Stage 2 Complaint Form

Your Name:	
Child's Name:	
Your relationship to the child:	
Address:	
Postcode:	
Telephone Number(s):	
Email Address:	
Details of your complaint:	
What action, if any, have you already taken to resolve your complaint? Please include details of who you spoke to and what was the response/outcome:	

What actions do you feel may resolve the complaint at this stage?	
Are you attaching any paperwork to this Form? If yes, please give details.	
Signature:	Date:
For Office Use Only	
Date acknowledgement sent:	
By who:	
Complaint referred to:	
Date complaint referred:	

Appendix E

Stage 3 Complaint Form

Your Name:	
Child's Name:	
Your relationship to the child:	
Address:	
Postcode:	
Telephone Number(s):	
Email Address:	
Please provide details of why you are dissatisfied with the outcome of the Stage 2 investigation:	
What actions do you feel may resolve the complaint at this stage?	

Are you attaching any paperwork to this Form? If yes, please give details.	
Signature:	Date:
For Office Use Only	
Date acknowledgement sent:	
By who:	
Complaint referred to:	
Date complaint referred:	

Diocesan Education Service
Tel: 01675 464755
Web: www.bdes.org.uk

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