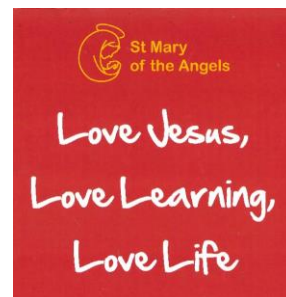


# St Mary of the Angels

## Complaints Policy and Procedure

2025-26



### Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to St Mary of the Angels (known here as SMOTA) about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

### The difference between a concern and a complaint

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

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

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

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher, Mrs Thorpe, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Mrs Thorpe will refer you to another staff member. The member of staff does not have to be more senior. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, SMOTA will attempt to resolve the issue internally, through the stages outlined within this complaint 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 on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or headteacher. 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. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the headteacher) should be made to Mrs Thorpe, Headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to the Chair of Governors, via the school office. Please identify that it is a complaint and mark them as Private and Confidential. Such complaints will be processed by the Complaints Co-ordinator.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Complaints Co-ordinator, via the school office. Please identify that it is a complaint and mark them as Private and Confidential.

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**

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

## **Time scales**

You 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 consider complaints made outside of this time frame if exceptional circumstances apply. For clarity, the date the complaint is received is considered day zero. Day one will therefore be the next school working day. School days do not include staff training days (INSET), bank holidays and school holidays. The date of receipt must be noted on the documentation.

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

We will consider complaints made outside of term time to have been received on the first school day after the holiday period. Please see section above for clarification of school working days.

## **Scope of this Complaints Procedure**

This procedure covers all complaints about any provision of community facilities or services by SMOTA 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 re-organisation proposals should be raised with Cheshire West and Chester Local Authority SEND team.
<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 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) Mr Paul Jenkins at Cheshire West and Chester Safeguarding team who has local responsibility for</p>

	safeguarding . Please see our safeguarding policy for further details.
<ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. Our behaviour policy is on <a href="http://www.stmaryoftheangels.co.uk">www.stmaryoftheangels.co.uk</a>.</i></p>
<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see links above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>Staff grievances</li> </ul>	Complaints from staff will be dealt with under the school's internal grievance procedures.
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>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>	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
<ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>	<p>Please contact the Department for Education at:</p> <p><a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. The complainant would be kept informed of any delays.

If a complainant commences legal action against SMOTA 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. The school uses Cheshire West and Chester Legal Services.

## Resolving complaints

At each stage in the procedure, SMOTA 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 and/or an apology
- 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

## **Withdrawal of a Complaint**

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

## **Vexatious Complaints**

If, having followed the complaints procedure, the complainant remains dissatisfied and tries to reopen the same issue, the Chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed,

## **Appendix 1: Complaint Handling Process**

### **Stage 0: Informal Resolution**

- Complainant raises concern with relevant staff member (e.g., class teacher).
- If unresolved, escalate to Headteacher or Senior Leadership Team (SLT).
- Hold meeting/discussion to clarify and resolve the issue.
- Aim to resolve within 15 school days.

### **Stage 1: Formal Complaint to Headteacher**

- Submit complaint in writing
- If about Headteacher, submit FAO Chair of Governors via the school office
- School acknowledges receipt within 5 school days.
- Investigation is carried out.
- Formal written response sent within 20 school days, including:
  - How the complaint was investigated
  - The outcome and reasons
  - Any actions taken or planned

### **Stage 2: Review by Governing Body / Complaints Committee**

- Submit written request for review within 5 school days of Stage 1 response.
- Panel of at least three impartial governors is formed and plan to hold a hearing.
- If the panel decide to invite the complainant to the hearing, the Complaints Co-ordinator will write to the complainant to inform them of three offered dates of the appeal panel meeting. These will be within 25 school days. The complainant will be given notice of at least 10 school days of these dates.

- If the complainant rejects the offer of three proposed dates, without good reason, the panel will decide when to hold the meeting on one of the dates. It will then proceed in the complainant's absence. If the complainant wishes to provide any further written material to the panel this must be done so at least 5 school days before the meeting.
- Complainant may bring a friend, relative, or advocate.
- Decision letter issued within 10 school days after hearing, stating:
  - Whether the complaint is upheld
  - Any further actions to be taken

### **Stage 3: External Appeal**

- 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 Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by SMOTA. They will consider whether SMOTA has adhered to education legislation and any statutory policies connected with the complaint.
- The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for Education  
Piccadilly Gate  
Store Street  
Manchester , M1 2WD.

### **Additional Provisions**

- Anonymous complaints: Typically not pursued unless exceptional.
- Unreasonable complainants: School may restrict communication.
- Complaint withdrawal: Allowed in writing at any stage.
- Time limit: Complaint must be raised within 3 months of the issue unless justified otherwise.