



COMPLAINTS POLICY

Statement on school website (Procedure Summary)

We hope that your child is happy at our school. Occasionally, however, a problem may arise. We hope that we will be able to resolve any **concern** speedily, in a helpful, informal manner. We accept that on occasions our initial attempts to resolve an issue may be unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. For these occasions, a staged procedure is outlined below. This has been created to ensure that all problems and difficulties can be resolved.

The general procedure for dealing with **concerns** of any kind, is summed up as follows:

- 1) In the majority of circumstances, the matter should be raised with the classteacher.
- 2) If a satisfactory conclusion is not felt to have been achieved, then an appointment should be made with the Deputy Headteacher or Headteacher. This meeting should take place as soon as possible, and normally within three working days.
- 3) Occasionally the person raising the concern may be of the view that the issue should go directly to one of the senior professionals at the school. If this is the case the matter should be raised in the first instance with the Deputy Headteacher or the Headteacher.
- 4) If a satisfactory conclusion is not reached after a meeting with the Deputy Headteacher or the Headteacher, a second follow up meeting can be requested.
- 5) If the matter remains unresolved following this, or if the complainant does not want to attend a second informal meeting a formal letter of **complaint** should be made to the school's Chair of Governors. The letter should be addressed to the Chair of Governors, sealed and left at one of the school offices.

Important definition

- 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"*.

Procedure in full

Informal Complaints

In the majority of cases the **concern** should be raised with the class teacher. If it is felt that a satisfactory conclusion has not been achieved, then an appointment should be made with the Deputy Headteacher, or the Headteacher. This meeting should take place as soon as possible, and normally within three working days. If following this meeting it is still felt that a satisfactory conclusion has not been reached then the person making the complaint may either:

- request a second meeting with the Deputy Headteacher or Headteacher
- make a formal **complaint** in writing.

Concern heard by a staff member

It is in everyone's interest that concerns are resolved as quickly as possible. The sensitive handling of the initial concern will be crucial in determining whether the issue will escalate. It might be sufficient to acknowledge that the concern is valid in whole or in part. In addition, it might be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently
- an assurance that the school will do everything in its power to ensure that the issue complained about will not reoccur
- An explanation of the steps that will be taken to avoid it happening again
- An undertaking to review any relevant school policies in the light of the complaint

If a member of staff directly involved feels unable to deal with the concern objectively the matter may be referred to another member of staff. The ability to consider the concern impartially is crucial.

Overview

This **complaints** policy outlines a clear procedure and the actions of the school. It covers complaints by parents, carers or members of the general public about the actions (or inaction) of individual members of staff, including the Headteacher. It does not cover complaints by employees about other colleagues. Employees wishing to complain about other colleagues should follow the employee grievance procedure.

Principles when dealing with complaints

Our procedures will:

- whenever possible encourage resolution of problems by informal means
- be simple, easily accessible and publicised
- be impartial and non-adversarial
- allow swift handling, with established time limits for action and ensure people are kept informed of progress

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- ensure a full and fair investigation by independent persons where necessary
 - respect people's wish for confidentiality
 - address all the points at issue and provide an effective response and appropriate redress, where necessary
 - 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
 - provide information to the school's Leadership Team so that services can be improved
 - aim to give the complainant the opportunity to complete the complaints procedure in full
 - ensure we publicise the existence of this policy and make it available on the school website
 - be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals

Legislation and guidance

This document meets the requirements of section 29 of the [Education Act 2002](#), which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on [guidance for schools on complaints procedures](#) from the Department for Education (DfE), including the model procedure, and model procedure for dealing with unreasonable complaints.

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
- exclusion
- whistle-blowing
- staff grievances
- staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with special educational needs and disabilities (SEND) about the school's support are within the scope of this policy. Concerns should first be made to the Headteacher; they will be referred to this complaints

policy if satisfactory resolution is not possible. Our SEND policy includes information about the rights of parents of pupils 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.

Roles and responsibilities

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, including on social media, as this could prejudice any investigation into the matter by the school.

The investigator

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

- interview all relevant parties, keeping notes
- consider records and any written evidence and keep these securely
- prepare a comprehensive report to the Headteacher, or complaints committee, which includes the facts and potential solutions.

Formal Complaints

Complaints should be in writing to either the Headteacher or the Chair of Governors

- complaints about the actions of individual staff should, in the first instance, be taken up with the Headteacher.
- complaints about the actions of the Headteacher should be taken up with the Chair of Governors.
- complaints about the actions of a school governor or the Governing body should be taken up with the Chair of Governors, or the Headteacher.

If complainants are in any doubt about where to direct their complaint, they should ask the office staff, who will then make the necessary arrangements or advise the complainant about what steps to take.

Dealing with Complaints: formal procedures

The Headteacher is responsible for the day-to-day operation and management of the school complaints procedure.

Principles for investigation

When investigating a complaint, we will try to clarify:

- what has happened

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- who was involved
 - what the complainant feels would put things right

Timescales

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 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. 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

Investigating Complaints

At each stage, the person investigating the complaint will:

- establish what has happened so far, and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant, or contact them
- clarify what the complainant feels would put things right
- interview those involved and/or those complained about and allow them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to be persistent in the questioning
- keep notes of the interview

Review panel meeting

A review panel meeting will be convened, at which 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 panel will be made up from a minimum of 3 non-staff governors.

The complainant must be allowed to attend this panel hearing and be accompanied by a suitable companion if they wish. We don't encourage either party to bring legal representation but will consider it on a case-by-case basis. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by their union.

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 will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting 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 subject of the complaint, and make a copy of the findings and recommendations available for inspection by the headteacher.

The outcome

The panel can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the panel will:

- decide the appropriate action to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

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

Complaints against the headteacher, a governor or the governing board

Stage 1: informal

Complaints made against the Headteacher should be directed to the Chair of Governors, via the Key Stage 1 school office. All other complaints should be directed to the Headteacher.

If the complaint is about the Headteacher or one member of the governing board (including the chair or vice-chair), a suitably-skilled and impartial governor will carry out the steps at stage 1.

Stage 2: formal

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, an independent investigator will carry out the steps in stage 1. They will be appointed by the governing board and will write a formal response at the end of their investigation.

Stage 3: review panel

If the complaint is jointly about the chair and vice-chair, the entire governing board or the majority of the governing board, a committee of independent governors will hear the complaint. They will be sourced from the local authority and will carry out the steps at stage 1.

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 School Complaints Unit (SCU), which investigates complaints relating to maintained schools on behalf of the secretary of state.

The SCU will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The SCU also looks at whether the school's statutory policies adhere to education legislation. It may direct the school to re-investigate the complaint where it is clear the school has acted unlawfully or unreasonably.

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.

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 has 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. For example, refuses to articulate the complaint, refuses to co-operate with this complaint's 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.

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

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.

Record keeping

The school will record the progress of all complaints, including information about actions taken at all stages, 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 the Secretary of State (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point. Where the governing board 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. Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

Learning lessons

The governing body will review any underlying issues raised by complaints with the Headteacher 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.

Monitoring arrangements

The governing body will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. They will also track the number and nature of complaints, and review any underlying issues.

Status
<ul style="list-style-type: none">• Reviewed by: Pay & Personnel Committee• Last reviewed: September 2019• Next Review: September 2022