



# Complaints Policy

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## **Introduction**

We believe that our school provides a good education for all our children, and that the Headteacher and other staff work very hard to build positive relationships with all parents. However, the school is obliged to have procedures in place in case there are complaints by parents. The following policy sets out the procedure that the school follows in such cases.

## **Aims and objectives**

Our school aims to be fair, open, and honest when dealing with any complaint. We consider all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding, and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

## **The complaints process:**

### **Stage 1 – informal complaint**

If parents are concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher or one-to-one teacher. Most matters of concern can be dealt with in this way. All teachers work extremely hard to ensure that each child is happy at school and are making satisfactory progress; they always want to know if there is a problem, so that they can act before the problem seriously affects the child's progress.

The teacher will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within 10 working

days or in the event that the teacher and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint as below.

Where parents feel that a situation has not been resolved through contact with the class teacher or one-to-one teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Headteacher. The Headteacher considers any such complaint seriously and investigates each case thoroughly. The Headteacher will acknowledge any complaint made by phone, in person, by email or in writing within 24 hours. The Headteacher will investigate a matter thoroughly and will provide a decision from the investigation within 5 working days of the acknowledgement.

Most complaints are normally resolved at this stage.

### **Stage 2 – complaint made in writing to Chair of Governors**

Should parents have a complaint about the decision of the Head Teacher, they can first approach the Chair of Governors, who will normally appoint a governor to investigate. The governor in question will do all he/she can do to resolve the issue through a dialogue with the school and parent and will seek to do this within 5 working days. If the parents are unhappy with the outcome, they can make a formal complaint, as outlined below.

### **Stage 3 -formal complaint, Governing Body makes provision for a hearing before a panel**

Only if a stage 2 complaint fails to resolve the matter should a formal complaint be made to the governing body. This complaint must be made in writing, stating the nature of the complaint and how the school has handled it so far. The parents should send this written complaint to the Chair of the Governors within 5 working days. There is a form at the end of this document to be completed to assist parents with their written complaint. There is also a list of the roles and responsibilities of each party at the end of this document.

The Chair of Governors, who has been appointed by the Governors to call hearings of the Complaints Panel, will then refer the appeal to the Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the School. The Complaints Panel will appoint one of the Panel members to act as the Chair of the Panel. The Chair of Governors on behalf of the Panel, will then acknowledge the complaint within 5 working days and schedule a hearing to take place within 20 working days.

If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing or further investigation be carried out. Copies of such particulars shall be supplied to all parties not later than 5 working days prior to the hearing.

The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. The Head shall also be entitled to be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not normally be appropriate. The Panel will decide whether it would be helpful for witnesses to attend.

The remit of the Panel shall be at the discretion of the Chair of Governors and the manner in which the hearing is conducted shall be at the discretion of the Panel.

If possible, the Panel will resolve the parents' complaint without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.

After due consideration of the merits of the complaint and all facts they consider relevant, the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and decide whether to:

- dismiss the complaint(s) in whole or in part;
- uphold the complaint(s) in whole or in part; and
- make recommendations.

The Panel will write to the parents informing them of its decision and the reasons for it, within 5 working days of the hearing (although additional time may be required if it is necessary to carry out further investigations following the hearing). The decision of the Panel will be final. A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about as well as the Chair of Governors and the Head. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Chair of Governors and the Head.

### **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.

All complaints will be handled seriously, sensitively and within clear and reasonable timescales.

It is in everyone's interest to resolve a complaint as speedily as possible: the School's target is to complete the first two stages of the procedure **within 21 working days**. Stage 3, the Panel Hearing, will be completed **within a further 25 working days**.

Please note that, for the purposes of this procedure, **working days** refers to weekdays (Monday to Friday) during term time, (all bank holidays, school holiday dates are all considered non-working days for this purpose).

### **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.

It may also take longer to resolve a complaint during periods of significant disruption to School life or as a consequence of unavoidable staff absence, however deviation from the normal timescale for resolving a complaint during term time will only occur

on an exceptional basis, and the School will take all reasonable steps to limit any such delay.

### **Recording Complaints and use of personal data**

Following resolution of a complaint, the School will keep a written record of all complaints, whether they are resolved at the Stage 1 (informal stage), Stage 2 or proceed to a Panel hearing (Stage 3) and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld).

The School processes data in accordance with its Privacy Notice. When dealing with complaints the School (including any Panel member appointed under the Stage 3 process) may process a range of information, which is likely to include the following:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name and contact details of member (s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)
- Notes/minutes of the hearing, and
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's *Privacy Notice* but potentially including, for instance, information relating to physical

or mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School's Data Protection Policy.

The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its Privacy Notice, Data Protection Policy and Retention of Records Policy.

### **Stage 3 Formal Complaints:**

**During the 2015-2016 Academic year there were no formal complaints received by the school.**

**During the 2016-2017 Academic year there were no formal complaints received by the school.**

**During the 2017-2018 Academic year there were no formal complaints received by the school.**

**During the 2018-2019 Academic year there were no formal complaints received by the school.**

**During the 2019-2020 Academic year there were no formal complaints received by the school.**

**During the 2020-2021 Academic year there were no formal complaints received by the school.**

**During the 2021-2022 Academic year there were no formal complaints received by the school.**

**During the 2022-2023 Academic year there were no formal complaints received by the school.**

**During the 2023-2024 Academic year there was one formal complaint received by the school.**

Reviewed: September 2024

Date of next review: September 2026

## Complaint Form

Please complete and return to the Chair of Governors who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>

**Your relationship to the pupil (if relevant):**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Please give details of your complaint, including whether you have spoken to anybody at the school about it.**



**What actions do you feel might resolve the problem at this stage?**

**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By who:**

<b>Complaint referred to:</b>
<b>Date:</b>

## **Roles and Responsibilities**

### **Complainant**

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

### **Investigator**

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- interviewing staff and children/young people and other people relevant to the complaint
- consideration of records and other relevant information

- analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

***Complaints Co-ordinator*** (this could be the headteacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure

- be aware of issues regarding:  
sharing third party information
- be aware additional support may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records

## **Clerk to the Governing Body**

The Clerk is the contact point for the complainant and the committee and should:

ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)

set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible

collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale

record the proceedings

circulate the minutes of the meeting

notify all parties of the committee's decision.

## **Committee Chair**

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting

the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person the remit of the committee is explained to the complainant

written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself

the issues are addressed

key findings of fact are made

the committee is open-minded and acts independently

no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure

the meeting is minuted

they liaise with the Clerk (and complaints co-ordinator, if the school has one).

## **Committee Member**

Committee members should be aware that:

the meeting must be independent and impartial, and should be seen to be so

No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

the welfare of the child/young person is paramount.