

Complaints Policy

Introduction

The policy of the school is to work in partnership with parents and the wider community and we aim to create a sense of joint purpose and co-operation between those employed at the school, children's families and community.

From time to time however we recognise that parents and members of the school community may express a concern or make a complaint, either orally or in writing, about some aspect of the conduct or operation of the school, the conduct of the Headteacher, an individual member of staff, the Governing Body or an individual governor. The school will always give serious consideration to concerns and complaints that are brought to its attention, however anonymous complaints will not normally be considered. In considering concerns or complaints, the school will ensure that they are dealt with effectively and with fairness to all parties. Where possible complaints will be resolved informally but where a complaint has not been resolved informally, then the formal procedures set out below will be followed.

What is a concern or 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 generally defined as an expression of dissatisfaction however made, about actions taken or a lack of action.

Concerns or complaints relating to any of the following are not covered by these procedures, as separate procedures apply.

- Child protection
- Freedom of Information Access
- Functions of the County Council
- Pupil Exclusions
- School Admissions
- Services provided by other organisations on the school site or through the school.
- Staff grievance
- SEND assessments and EHCPs
- Whistleblowing by an employee.

- Serious complaints or allegations relating to the abuse of children, assault, criminal or financial matters are also subject to separate procedures.

Making a complaint

If the complaint is about:

- Something that has happened or failed to happen in school, contact the Headteacher.
- The actions of the Headteacher, contact the Chair of Governors via the school.
- The actions of a governor, contact the Chair of Governors via the school.
- The Chair of Governors, contact the Clerk to Governors, via the school.
- The actions of the governing body, contact the Clerk to Governors, via the school.

In the case where the complaint may result in a conflict of interests for the Chair of Governors, the Vice Chair will step in to manage the process.

The school and governing body would in most cases hope to resolve concerns and complaints at an informal stage, but the procedures allow for formal consideration of a complaint and an appeal stage if matters cannot be resolved.

The school is committed to dealing with complaints as quickly as possible and would plan to complete each stage within 20 school days. From time to time, it may not be possible to complete the process in that timescale. Where that is not possible the complainant will be informed of any delays.

Where complaints are made against an individual member of staff that person will be informed of the complaint at the earliest opportunity.

The Complaints Procedure

Informal Stage

It is in everyone's interests that complaints are resolved at the earliest possible stage. Many issues can be resolved informally without the need to invoke formal procedures. The school will take informal concerns seriously and make every effort to resolve the matter as quickly as possible. The school will seek to resolve concerns or complaints informally with the member of staff or governor concerned and encourage the complainant to discuss with them the matters causing them concern, however, if that does not resolve the problem then the matter should be formally brought to the attention of the Headteacher.

Meetings between parents and Headteacher should, where possible, be pre-arranged and, preferably, not in front of the pupil. Both parties should invite such support as they believe necessary and set out their concerns orally.

The Headteacher (or Chair of Governors) will then seek to resolve the matter informally and will:

- Acknowledge the complaint
- Make enquiries to establish the facts
- Seek advice as appropriate
- Attempt to resolve the matter informally
- Establish whether or not the complaint is satisfied
- Advise complainants of the next stage if they wish to proceed to a formal consideration of the complaint
- Make a brief note of the complaint and the outcome.

This stage would normally be expected to be completed in 20 school days. A complainant wishing to proceed to the formal stage of the procedure should normally notify the Headteacher/Chair of Governors within 20 school days of being notified of the outcome of the informal stage.

The informal stage will not be used if the allegations made refer to:

- Criminal activity which may require the involvement of the police
- Financial or accounting irregularities
- Abuse of children

Formal Stage

Where an informal complaint has not been resolved to the satisfaction of the complainant or the complainant has indicated they wish to go straight to the formal stage the Headteacher (or Chair of Governors) will:

- Ensure the complainant is aware of the procedures
- Require a written record of the complaint
- Formally acknowledge the complaint
- Seek advice as appropriate
- If the complaint concerns a member of staff (or governor) inform them and provide them with a copy of the original complaint
- Arrange for a full investigation of the complaint
- In addition to the written representations submitted by each party, both parties should be given the opportunity to re-state their position orally. Both parties should invite such

support as they believe necessary.

- Prepare a report as a result of the investigation and consider actions to be taken
- Advise the complainant of the outcome. Where it is considered no further action is needed or the complaint is unsubstantiated, the complainant should be advised in writing. They should also be informed of their right to appeal to the complaints appeals committee within 20 school days.
- Make a record of the complaint and its outcome; this should be retained for school records.

This stage would normally be expected to take no more than 20 school days. The governing body should be informed in general terms of all formal complaints however

Appeals Stage

The Complaints Appeals Committee of the Governing Body will consider complaints where the Headteacher (or Chair of Governors) has not been able to resolve the complaint to the satisfaction of the complainant and the complainant wishes to appeal. Any appeal must be made in writing to the Clerk to the Governing Body. The committee will be convened by the Clerk to the Complaints Appeals Committee and will:

- Consider the written materials
- consider the complaint and the Headteacher's (or Chair's) action
- invite the Headteacher or Chair of Governors (as appropriate) and the complainant to the meeting
- Seek advice and support as necessary.

At the end of their consideration the Committee will:

- determine whether to dismiss or uphold the appeal in whole or part, including, if appropriate, referring the matter back to the Headteacher/Chair of Governors for further consideration
- where upheld, decide on appropriate action
- advise the complainant and Headteacher of their decision
- Advise the complainant of any further action they could take if they remain dissatisfied.

The Clerk to the Committee will arrange for the School's Complaints Register to be amended to include a brief summary of the complaint and the decision of the Complaints Appeals Committee and for the matter to be reported to the Governing Body.

This stage would normally be expected to take no more than 20 school days.

In cases where the matter has been referred back for further consideration the Complaints Appeals Committee will be reconvened.

Further stages

The complaints procedure does not include a further appeal to the Local Authority and in the case of Church Schools, the Diocesan/Church Authority, but complainants who remain unsatisfied with the outcome may refer the complaint to the Secretary of State for Education. Parents may refer certain complaints to Ofsted/Her Majesty's Chief Inspector of Schools. Please see contact information in Appendix 1.

Withdrawal of a complaint

If the complainant wishes to withdraw their complaint, they will be asked to confirm this in writing.

Complaints about a governor, the Chair of Governors or the Governing Body

Complaints about a governor should be referred to the Chair of Governors who will investigate and respond to the complainant. In dealing with this matter the Chair should seek advice from the Local Authority's Governor Services Team or Gloucester Diocese Board of Education.

Any appeal against the Chair's response would be dealt with by the Complaints Appeals Committee.

Complaints about the Chair of Governors must be referred to the Clerk to Governors who would arrange for the complaint to be considered by the Complaints Appeals Committee of the Governing Body. Clerks to Governors should seek advice from the Local Authority's Governor Services or Gloucester Diocese Board of Education. Governor Services or the Diocese may be able to assist with any investigation.

The role of the Local Authority (LA) or Diocesan Board of Education

The Local Authority or, in the case of church schools, the Diocesan Church Authority's role is prescribed by legislation. There is no further right of appeal to the Local Authority, and in the case of Church Schools the Diocesan Board of Education.

In responding to complaints about schools the LA will explain to the complainant:

- that schools are self-managing and are responsible for administering procedures that deal with complaints made against them

- the appropriate procedures for their complaint and refer them to the Headteacher, Chair of Governors or Clerk as appropriate
- Source of potential assistance, if appropriate.

Next stages

Anyone can complain to the Secretary of State for Education if he or she believes the governing body is acting "unreasonably" or is failing to carry out its statutory duties. However, intervention can only occur if the governing body or the LA has failed to carry out a legal duty or has acted "unreasonably" in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State for Education could instruct either party to do to put matters right.

The Education and Inspections Act 2006 allows a parent who remains unsatisfied with the outcome of certain complaints to refer the matter to Ofsted.

Complaints Record

The School will maintain a written record of all formal complaints, how they were dealt with and the outcome in a complaints register.

Serious allegations or complaints

If the allegations refer to criminal activity which may require the involvement of the Police, the Headteacher should inform the Chair of Governors and seek the advice of the County Council.

If the allegations relate to financial or accounting irregularities involving misuse of public funds or assets or any circumstances which may suggest irregularities affecting cash, stores, property, remuneration or allowances, the Headteacher should inform the Chair of Governors and seek the advice of the Senior HR Officer and/or Senior Schools Finance Officer so that the complaint can be investigated under the procedures normally applied for suspected financial irregularities. The Scheme for Financing Schools requires the appropriate local authority finance office to be notified immediately of all such irregularities.

If the allegations relate to the abuse of children, the Headteacher should seek the advice of the Local Authority Designated Safeguarding Officer, Senior HR Officer and other agencies such as Children's Social Care. Serious allegations of this nature must be referred under Child Protection Procedures to Children's Social Care. Reference should also be made to the separate procedure "Staff Facing Allegations of Physical/Sexual Abuse".

In all the above, consideration needs to be given to the possible suspension from duty, on full

pay, of any member of staff concerned in accordance with the School's Disciplinary and Dismissal Procedure. Investigations at school level and the stages set out in this procedure are unlikely to proceed where external agencies are involved. Subsequently, an internal school investigation and other procedures (e.g. Disciplinary) may be involved.

Vexatious Complaints

The school will, however, resist abuse of the complaints procedure and may reserve the right not to investigate complaints considered to be vexatious or malicious or where the headteacher or chair of governors is satisfied with the action that the school has already taken or proposes to take to resolve the complaint.

Appendix 1: Further sources of information

Department for Education: Best Practice Advice for School Complaints Procedures 2016: Departmental advice for maintained schools. January 2016

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/489056/Best_Practice_Advice_for_School_Complaints_2016.pdf

If you wish to make a complaint about the school to Ofsted or the Department for Education please visit:

<https://www.gov.uk/complain-about-school/state-schools>

St Mary's CE VA Primary School Complaint Form

If you wish to make a complaint about the school, please complete this form and return it to the Headteacher (or clerk to the Governing Body) who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name	
Your address	
Daytime telephone number	
Evening telephone number	

Relationship with the school e.g. parent of a child at the school.	
Child's name (if relevant to the complaint).	

Please give concise details of your complaint (including dates, names of witnesses etc.) to allow the matter to be fully investigated. Please complete on additional pages if necessary.

What action, if any, have you already taken to try and resolve your complaint? (ie whom have you spoken with or written to and what was the outcome?)

What do you hope might reasonably contribute to a resolution of the problem at this stage?

Signature:

Date:

School Use:

Received by:		Date	
Acknowledgment sent by:		Date	
Complaint referred to:			
Name		Date	
Name		Date	
Name		Date	