



St Nicholas Priory CE VA Primary School

Complaints Policy

At St Nicholas Priory CE VA Primary School, we provide a safe and inclusive learning environment where everyone is valued and encouraged to reach their full potential.

Under Section 29 of the Education Act 2002, Governing Bodies of all maintained schools in England have been required to have in place a procedure to deal with complaints relating to the school. The law also requires the procedure to be publicised.

There is a difference between a concern and a complaint; taking informal concerns seriously at the earliest stage will reduce the number that develop into formal complaints. The formal procedures will need to be invoked only when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

We will endeavour to be fair, open and honest when dealing with any complaint and will always put the interests of our children above all else. We will give careful consideration to all complaints and we aim to resolve any complaint through dialogue and mutual understanding.

Our complaints procedure will:

- Encourage resolution of problems by **informal** means wherever possible.
- Be easily **accessible** and **publicised**.
- Be **simple** to understand and use.
- Be **impartial** and **non-adversarial**.
- Allow **swift** handling with established **time-limits** for action and keeping people informed of the progress.
- Ensure a full and **fair** investigation by an independent person where necessary.
- Respect **confidentiality**.

- Address all the points at issue and provide an **effective** response and **appropriate** redress.
- Provide **information** to the school's senior management team and governors so that services can be improved.
- Assure parents that correspondence, statements and records will be kept confidentially and the school will retain a written record for at least 3 years

Stage 1 – Concerns (Informal Stage)

We encourage parents / carers to share any concerns they have with their child's teacher as their first point of contact, or the school office if it is a community concern. Any concerns regarding SEND provision should be raised with the SENDCo in the first instance.

Parents / carers are also welcome to discuss their concerns with the Deputy Headteachers or the Headteacher if they feel it is more appropriate or they are unhappy with the outcome of their discussion with the child's class teacher or the school office.

Any concerns should be raised as soon as possible so they can be resolved promptly.

Where a concern is brought to the school's attention, it can often be resolved with a single conversation. Sometimes an issue is more complex and will take more than one discussion to resolve. Occasionally, despite the best efforts of all parties, these discussions do not resolve the concern which then may become a complaint.

Stage 2 – Complaint to the School Leadership (Formal Stage)

The complainant will be asked to confirm the complaint in writing (by email or by post) to the Headteacher, or to the Chair of the Governing Body if the complaint is about the Headteacher. The complaint will be acknowledged in writing, normally within 2 school days. The Headteacher or the Chair of the Governing Body will copy any relevant papers to any members of staff named in the complaint.

Complaints will be investigated as soon as possible after they have been received and the Headteacher or Chair of the Governing Body will discuss the result of the investigation of the Complaint with the Complainant as soon as is practical and normally within no more than 20 school days.

Complaints should be raised as soon as possible after the Complainant feels concerns have not been addressed satisfactorily.

The school will keep a record of all complaints and of whether they are resolved at Stage 2 or proceed to a complaint to the Chair. Correspondence, statements and records relating to individual complaints will be kept confidential.

Stage 3 – Complaint to the Chair of Governors

- (i) The complainant requests a review of their complaint by writing to the chair of governors, making it clear why they are complaining, who they have already spoken to and what they want to happen as a result of their complaint.

Complaints received by the Chair should be acknowledged within 7 school days with a substantive response within 20 school days. The Chair may need to hold interviews with the Head Teacher and possibly other members of staff and notes should be kept of those meetings. Chairs may also wish to take advice on particular issues from relevant officers of the Council. At this stage the LEA's governor support team should be informed that the governing body is dealing with a complaint at this level.

- (ii) Again, the letter conveying the Chair's findings should include details of the next stage of the procedure
- (iii) This stage should also serve as the first point at which complaints specifically about the Head Teacher, an individual governor or the actions of the governing body should be considered (should the complaint be about the Chair, the Vice-Chair should undertake the investigation).
- (iv) In acknowledging any complaint, the Chair may need to explain the powers of the governing body in the matter in question and the extent to which it may or may not be possible to achieve the outcome desired by the complainant. For example, a parent may be unhappy with their child's class placement. Whilst the governors can look at whether the decision about the class placement was made in a fair, reasonable and consistent way, they do not have the powers to change the placement. In such instances it is important that the complainant is made aware at the outset of the scope of the investigation. However, where it is not within the remit of a governing body to change a decision, it may make a recommendation for the Head Teacher to consider.

Stage 4 – Complaint to the Governing Body (Hearing Stage)

This can be made only if the complainant has:

Sought to resolve the concern through Stages 1 and 2
Allowed reasonable time (normally no more than 20 school days) for the investigation of the complaint
Accepted any reasonable offer by the school to discuss the result of the investigation of the complaint
Taken part in any process of mediation offered by the school
Put the complaint clearly in writing, normally within two months of the event.

The complainant should write to the Clerk of the Governing Body requesting a meeting of the Complaints Committee. Enclosed with the letter should be a copy of the initial complaint and indicating which matters remain unresolved. No new complaint may be included.

The Clerk of the Governing Body will immediately contact the Chair of the Governing Body to ensure a Complaints Committee meeting is set. The Clerk will immediately send the text of the formal complaint to the Headteacher and to the Chair of the Governing Body. The Headteacher may have up to 10 school days from receipt of this notification to submit a response to the Clerk. The Complaints Committee meeting will be arranged as soon as possible and no later than 20 school days after receipt of the complainant's request for a formal meeting. If there is difficulty agreeing a date, the Chair of the Complaints Committee will make the final decision.

The Complaint Committee's responsibility is to hear and decide about formal complaints which have not been resolved at the earlier stages.

The Complaints Committee will consist of 3 governors who have not previously been involved in dealing with the complaint. The Chair of the Complaints Committee will be named. The Headteacher will not be a member of the Complaints Committee.

Any documents from either the Complainant or the Headteacher to be considered by the Complaints Committee and the names of witnesses who might attend must be received by the Clerk to the Governing Body at least 5 school days before the meeting date. The Headteacher will copy any relevant papers to any members of staff named in the complaint.

The Complainant may bring a friend, interpreter or advocate to the meeting.

The Headteacher may bring a friend or professional representative.

If teachers or other members of staff are asked by the Headteacher to be present at a Complaints Committee meeting, then they have the right to bring a friend or professional representative.

It is not appropriate for a child / pupil to attend a Complaints Committee meeting.

The Complaints Committee will consider the complaint on the basis of the papers they receive and what is said at the meeting. In the event of either party not attending the meeting, the Chair of the Complaints Committee has the discretion to proceed or adjourn at any stage.

The Chair of the Complaints Committee controls the meeting and will aim to complete all the business at a reasonable hour without the need to adjourn to another day. It is important that all participants help by being clear about the points they wish to make, by keeping to the point and by being courteous throughout. The Clerk should take full minutes which must be confidential.

The Complaints Committee can:

- Dismiss the complaint in whole or in part and give the reasons why

Or

- Uphold the complaint in whole or in part and decide on the appropriate action to be taken to resolve the complaint, as well as recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur

The Clerk will send to the Complainant, Headteacher, any member(s) of staff named in the complaint and to Governor Services a letter with the outcome of the meeting within 7 days of the meeting.

No further appeal to the Governing Body is available in the matter of the complaint. In respect of a grievance arising from a member of staff this will be heard separately under existing grievance procedures.

Stage 5 – Complaint to the Local Authority

- (i) If, having been given the governing body's decision, a complainant believes that a complaint was not handled according to the school's complaints procedure, they can write to the Children and Learning Department.
- (ii) The complainant should explain their complaint, and give evidence that shows that the school did not follow its complaints procedure. The Department will acknowledge the complainant's letter within 3 working days and inform the appropriate School Improvement Adviser that a complaint has been received. The SIA will investigate whether the school has dealt with the complaint according to its procedure and respond to the complainant within 10 working days.
- (iii) The Council is not able to re-investigate the original complaint nor can it seek to substitute the Council's judgement for that of the governing body if the governors have followed a proper procedure and considered the complaint reasonably. If the results of an investigation show that there had been a breach of procedure the matter will be referred back to the governing body, with a copy to the Head Teacher and the complainant will be informed of the outcome of the investigation. The governing body may consider reinvestigating the original complaint.

Stage 6 – Complaint to the Secretary of State for Education

This can only be made if the complainant has sought to resolve the concern through Stages 1, 2 and 3.

If the complainant still feels the matter has not been resolved adequately, he / she may put his / her concerns in writing to The Secretary of State for Education. All relevant documentation including correspondence should be included.

More information can be found on the Department of Education website:

www.education.gov.uk

Closure of Complaints

Very occasionally we will need to close the complaint, where the complainant is still dissatisfied. We, and the local authority, where appropriate, will do all we can to help to resolve a complaint against the school, but sometimes it is simply not possible to meet all of the complainant's wishes.

If a complainant persists in making representations to the school, to the Headteacher, Chair of Governors or anyone else this can be extremely time consuming and can detract from our responsibility to look after the interests of all the children in our care. For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and that the complaint has exhausted our official process. The Local

Authority will support us in this position, especially where the complainant's action is causing distress to staff and / or pupils.

Complaints about the whole school

- Complaints can be made to Ofsted if the complainant feels that there are issues about the way the school is being run. Ofsted will **NOT** look at problems with individual pupils, such as exclusion
- Complaints can only be made to Ofsted if the complainant has already followed the school's Complaints Policy

Ratified by the Governing Body:

To be reviewed: November 2018

Signed Date

Chair of Full Governing Body

Signed Date

Headteacher