

COMPLAINTS PROCEDURE



SEPTEMBER 2022

Reviewed, Approved, Adopted & ratified by the Governing body: 28.09.2022

St Thomas' Leesfield CE Primary School

General Complaints Procedures

Mission Statement

St Thomas' Leesfield CE Primary School promotes Christian values through the experiences it offers to all children. As an intrinsic part of the community we aim to provide high quality teaching and learning where each and every child matters. We endeavour to create an atmosphere in which excellence and quality are paramount because everyone is encouraged to be the best they can in the sight of God.

Rationale

Occasionally, individuals may wish to raise concerns or make a particular complaint about the school. It is good practice to have clearly set out procedures, which are available to any interested parties, to inform them how their concerns can be dealt with.

These procedures do not cover those aspects of school life for which there are specific statutory requirements, for example, school admission procedures, issues around collective worship and religious education or special needs assessments. There are also specific procedures for dealing with complaints about child abuse, financial improprieties or other criminal activities. Persons wishing to raise complaints of this nature should ask the Headteacher or the Local Authority for information about any of these specific procedures.

Background

This procedure is based on the General Complaints Procedures advocated by the Local Authority and the Departmental Advice issued by the Department for Education (DfE) in August 2014. It has also been created following recent guidelines – January 2021 - Best Practice Advice for School Complaints Procedures 2020 which was also issued by the DfE. Furthermore, it also follows guidance from Section 29 of the Education Act 2002 with regards to complaints around the provision for children with Special Educational Needs (SEND). Please note that the same procedure is followed for complaints from parents of children with SEND.

St Thomas' Leesfield believes in a partnership between home, school and the wider community and our Mission Statement highlights our determination to create an ethos which will enhance good relationships. We would hope that persons who have concerns would feel able to talk with either a class teacher, the Learning Mentor or the Headteacher to resolve their anxieties as amicably as possible.

The purpose of these formal procedures is to outline the stages which may be followed if persons feel that their concerns have developed into grounds for a complaint.

Any complaints against the Chair of Governors or any individual governor should be made in writing to the Clerk to the Governing Body.

There are four stages to the procedures.

Stage 1: The first contact.

Individuals must feel able to raise concerns with any member of staff without any formality, either in person, by telephone or in writing. The vast majority of concerns can be resolved informally through the class teacher. A person may want to have a preliminary discussion about an issue to help decide whether he or she wishes to take the matter further.

It would assist the procedure if the school respected the views of a person raising a concern who indicates that he/she have difficulty discussing a concern with a particular member of staff. In these cases, the complaints Headteacher can refer the person to another staff member. Where the concern relates to the Headteacher, the complaint can be referred to the chair of governors. Should the complaint be about the SEND support provided by school, it is advised that the concern is discussed with our Special Educational Needs Co-ordinator (SENCO) in the first instance.

Similarly, if the member of staff directly involved feels too compromised to deal with a concern, the Headteacher may consider referring the person raising the concern to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is crucial.

Where the first approach is made to a governor, the next step would be to refer the person raising the concern to the appropriate person and advise them about the procedure. It would be useful if governors did not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure

Persons have the opportunity to discuss their concerns with an appropriate member of staff who will reassure them that the school wants to hear about their concerns. The member of staff may explain to the person how the situation happened and will try to identify with them the sort of outcome that the person is looking for.

- 1.1 If the member of staff cannot immediately deal with the matter, s/he should make a clear note of the date, name, contact address or phone number.
- 1.2 The member of staff dealing with the concern should make sure that the person is clear what action (if any) or monitoring of the situation has been agreed, putting this in writing only if this seems to be the best way of making things clear.
- 1.3 If the member of staff initially approached feels unable to deal with the concern, or is the subject of the complaint, s/he should refer it immediately to a member of the Senior Leadership team or Headteacher.

Stage 2: Referral to the Headteacher.

The Headteacher has responsibility for the day-to-day running of the school and has, therefore, the responsibility for the implementation of the complaints procedure, including the decision about their own involvement at various stages. The Headteacher at St. Thomas' Leesfield are the complaints co-ordinator.

- 2.1 The Headteacher should give an opportunity for the complainant to meet with him within 3 working days to supplement any information previously provided. The complainant may be accompanied by a friend, relative or representative who can speak on his/her behalf. The Headteacher may also be accompanied by another member of staff.
- 2.2 Once all the relevant facts have been established, the Headteacher will meet with the complainant to discuss and resolve the matter directly. The Head may delegate the task of collating the information to another staff member but not the decision on the action to be taken.
- 2.3 If there is no resolution for the above. The complainant will be asked to complete the complaint form (Appendix 1).

Stage 3: Referral to the Chair of Governors.

If the matter is not resolved or the complaint is against the Headteacher, it will be referred to the Chair of Governors.

- 3.1 A meeting will be arranged between the complainant, the Chair of Governors and a parent Governor (who will refer to 2.3). The complainant may be accompanied by a friend, relative or representative who can speak on his/her behalf. The aim of this meeting is to resolve the matter informally, if necessary by a further meeting involving the Headteacher and any staff involved.
- 3.2 The Chair of Governors and parent Governor may undertake further investigation and report back to the complainant in writing.

Stage 4: Review by the Governing Body

In the unlikely event that the matter has not been resolved at this point, the parent will be asked to complete a complaint form and submit it to the Chair of Governors within 5 working days. At this stage the Chair may take advice from the Local Authority or the Diocesan Board of Education. Where the Chair has any previous involvement in the complaint, the panel will be convened by the Vice-Chair or nominated Governor.

- 4.1 On receipt of the complaint form, the Chair, Vice-Chair or nominated Governor will arrange a formal hearing by a panel of 3 members of the Governing Body. The Chair, Vice-Chair or nominated Governor must ensure that no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- 4.2 The Chair/Vice-Chair/nominated Governor will ensure that the complaint is heard by the Panel within 20 working days of receiving the complaint form. All relevant correspondence regarding the complaint should be given to each Panel member as soon as the composition of the Panel is confirmed.

- 4.3 The Chair/Vice-Chair/nominated Governor will inform the complainant, the Headteacher and any relevant witnesses of the date, time and place of the meeting at least 5 working days in advance of the meeting. The letter will also inform the complainant of their right to be accompanied by a friend/representative or advocate. The letter will also explain the format of the meeting and of the complainant's right to submit further written evidence to the Panel.
- 4.4 The Chair/Vice-Chair/nominated Governor will invite the Headteacher to attend the Panel meeting and to prepare a written report for the Panel in response to the complaint. The Head may also invite members of staff directly involved to respond in writing or in person to the complaint. The Governors take the wellbeing of all staff seriously and will offer pastoral care and support as needed, although Governors who will sit on the Panel must not be involved in this support. All relevant documents must be received by all concerned at least 5 working days prior to the meeting.
- 4.5 The involvement of staff other than the Head is at the discretion of the Chair/Vice-Chair/nominated Governor.
- 4.6 It is the responsibility of the Chair of the Panel to ensure that the meeting is properly minuted. The clerk to the panel will be impartial and have no prior involvement with the complaint.
- 4.7 The aim of the meeting is to resolve the complaint and to achieve a reconciliation between the complainant and the school. It must be recognised, however, that sometimes it may only be possible to establish facts and make recommendations which will satisfy the complainant that their complaint has at least been taken seriously.
- 4.8 The Chair of the Panel should ensure that the proceedings are as un-intimidating as possible as many complainants would be quite unused to dealing with groups of people in formal situations.
- 4.9 The meeting:
- The hearing is as informal as possible.
 - Witnesses are only required to attend for the part of the hearing in which they give their evidence.
 - After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
 - The Headteacher may question both the complainant and the witnesses after each has spoken
 - The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
 - The complainant may question both the Headteacher and the witnesses after each has spoken.
 - The panel may ask questions at any point.
 - The complainant is then invited to sum up their complaint.
 - Witnesses are only required to attend for the part of the hearing in which they give their evidence.
 - The Headteacher is then invited to sum up the school's actions and response to the complaint.

- **If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence and this must be recorded on a separate appendix 1 form.**
 - If the complainant fails to attend the hearing without good reason the complaint will be deemed to have been withdrawn and the procedure will be at an end.
- 4.10 The Chair of the Panel will explain to the complainant and the Headteacher that the Panel will now consider its decision, and a written decision will be sent to both parties within 15 working days. The complainant and the Headteacher will then leave the meeting.
- 4.11 The Panel will then consider the complaint and all the evidence presented in order to reach a unanimous, or at least a majority, decision on the complaint and decide upon the appropriate action to be taken to resolve the complaint. If it is appropriate, the Panel may suggest changes to the school's system or procedures to ensure that problems of a similar nature do not happen again.
- 4.12 A written statement outlining the decision of the Panel will be sent to the complainant and the Headteacher.
- 4.13 The school must ensure that a copy of all correspondence and notes are kept on file in the school's records. These records must be kept separate from the children's records.
- 4.14 The complainant should be notified of their right to appeal to the Secretary of State for Education if they remain dissatisfied with the complaints process

MONITORING AND REVIEW

The Headteacher monitors procedures in school and the policy is reviewed regularly by Governors – annually unless earlier is deemed necessary.

Headteacher: Mr J Whittaker

Chair of Governors: Mrs Rebecca Ashton

Date approved (committee): 28.09.2022

Date adopted (full governors): 28.09.2022

Stages for Handling Complaints

Stage 1: Informal

- Expression of concern to a member of staff.
- Satisfactory outcome reached?
Yes – no further action taken.
No – proceed to Stage 2.

Stage 2: Headteacher's investigation

- Complainant makes a complaint to the Headteacher.
- Investigation conducted and reported to the complainant.
- Satisfactory outcome reached?
- Yes – no further action taken
- No – proceed to Stage 3.
- Complainant to complete complaint form appendix 1.

Stage 3: Referral to Chair of Governors

- Complainant meets with Chair of Governors and a parent Governor
- Chair of Governors and parent Governor conduct further investigation from complainant's paperwork and report to complainant.
- Satisfactory outcome reached?
Yes – no further action taken.
No – Complainant asked to review complaint form and proceed to Stage 4.

Stage 4: Governors' review

- Complainant submits complaint form to the Chair of Governors.
- Panel meeting of 3 Governors which the complainant and the Headteacher is invited to attend.
- Complainant and Headteacher advised of Governors' decision, and of their right to appeal to the Secretary of State.

A full copy of the General Complaints Procedure is available in school, and on the school's website.

Complaint form

Please complete and return to the Headteacher / Chair of Governors (dependent on stage) who will acknowledge receipt and explain what action will be taken.

Appendix 1 – Complaint form

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

**What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?**

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

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

Name:

Signature:

Date:

Official use

Date acknowledgement sent:

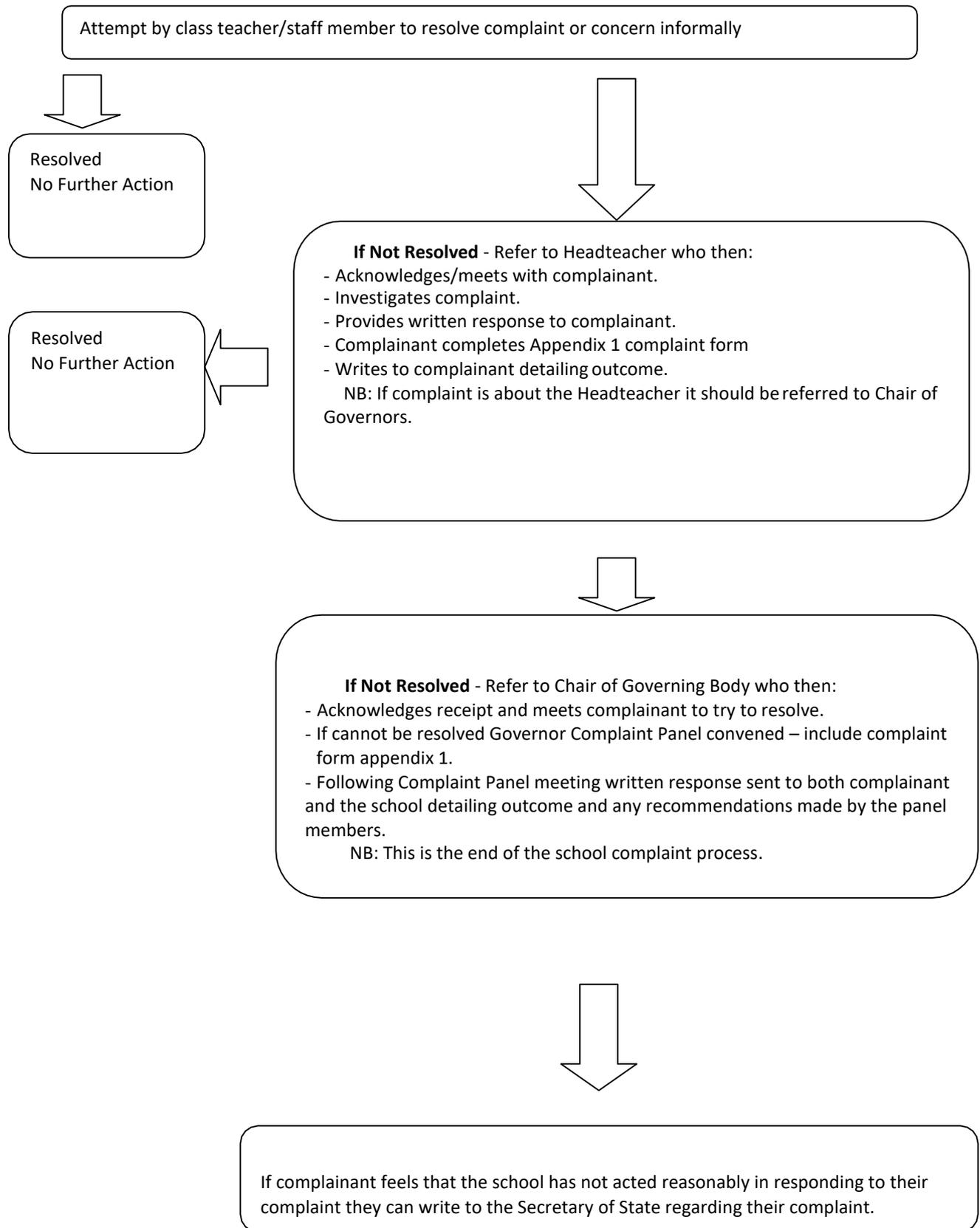
By whom:

Complaint referred to:

Date:

Appendix 2

COMPLAINTS FLOWCHART



DATA PROTECTION STATEMENT

The procedures and practice created by this policy have been reviewed in the light of our Data Protection Policy. All data will be handled in accordance with the school's Data Protection Policy.

Data Audit For The Complaints Policy					
What ?	Probable Content	Why ?	Who ?	Where ?	When ?
Written information regarding the complaint	Name D.O.B. Written information regarding specific children and specific staff and their actions within the complaint	For a fair and consistent approach for Head/Governors to review the complaint	Headteacher Governor	Paper copies stored securely by Head or Governor in a locked cabinet in Heads office	Held on File throughout complaint and then destroyed. If Complaint goes to Panel review then meeting is minuted and information is held securely by Panel lead (who will then take legal advice as to when the information is destroyed or where it is to be held and until when)

As such, our assessment is that this policy:

Has Few / No Data Compliance Requirements	Has A Moderate Level of Data Compliance Requirements	Has a High Level Of Data Compliance Requirements
		✓

This policy will be reviewed every three years or sooner if legislation / school assessment systems change.