

Complaints Procedure for All Saints' CE(VC) Primary School

The Governing Body is required to deal with all complaints relating to the school.

Introduction

This policy has been approved by the Governing Body of All Saints' CE(VC) Primary School. It is written with reference to the guidelines issued by Staffordshire LEA. The Governing Body is required to deal with all complaints relating to the school. The LEA is required to deal with complaints that are dealt with in accordance with statutory provision.

Our Approach

At All Saints we aim to deal with all concerns and complaints in a positive and supportive manner. In most cases the class teacher is the first point of contact and we try to deal with all concerns quickly and effectively. If the parent/carer is not happy with the way the concern has been dealt with, the stages below offer clear guidance as to the action to be taken.

Advice and guidance for parents / carers

The LEA will provide advice and guidance to Parents, Headteacher and Governors at any stage of the complaints process.

Throughout any part of this process **the complainant and the school** will keep the complaint **confidential** except in so far as they need to be shared with people who might contribute to their resolution.

Stage 1: Initial contact/Expressing Concerns with the school

Many concerns will be dealt with **informally** when you first make them known to the school. In most cases we would expect the class teacher to be the first point of contact, either preferably in person or by telephone.

If the parent/carer wishes to meet with the class teacher we respectfully ask them to make an appointment to discuss the situation either directly or through the school office. This ensures that:

- We allocate sufficient time to listen carefully to your complaint
- Lessons can start on time and are uninterrupted.
- If for any reason the teacher is unable to meet with the parent, he/she will either arrange an alternative appointment or arrange for another member of the year group team to speak with the parent/carer
- Ask the Headteacher or her representative to informally meet with the parent/carer

If possible we prefer all concerns/complaints to be dealt with as quickly as possible and to everyone's satisfaction. It is preferable for concerns to be handled without the need for formal procedures. We pride ourselves on honest and genuine relationships within our school; such values extend to all relationships with children, parents and members of our wider school community. However, we do appreciate that there may be times when more formal procedures are required and we will treat all complaints with respect and with good manners. In most cases we hope that the class teacher will be the first contact and we will endeavour to resolve issues on the spot. All concerns will be investigated with respect and integrity. Occasionally these discussions do not always resolve your concern and if you are still dissatisfied you may wish to take the matter further by making a formal complaint.

Stage 2: Formal Consideration of your complaint

If a formal complaint is made to the School you will be provided with a copy of this complaints policy.

You will be asked to confirm the complaint in **writing** to the Headteacher (or Chair of Governors if the complaint is about the Headteacher), either in a letter or using the form

attached (Appendix 2), and it will be acknowledged in writing. **All details of a complaint will be kept confidential by both the complainant and the school**, except in so far as they need to be shared with people who might contribute to their resolution. The complaint will be dealt with in line with the school's complaints procedure.

In most cases it will be your choice as to whether to mount a formal complaint, but the School reserves the right to utilise the formal complaint procedures where the School feels that 'informal' methods of resolving concerns have been exhausted but a complainant clearly remains dissatisfied.

It should be noted that some outcomes of a complaint may lead to action being initiated under other formal procedures, such as safeguarding or disciplinary matters and this will be decided by the Headteacher (or the Chair of Governors if the complainant is about the Headteacher). Where this is the case you will be advised and informed of the procedures that are to be followed.

It should be noted, however, that the school will not necessarily be able to provide you with the details of the outcome of those procedures for data protection reasons or otherwise, depending on the circumstances.

Please be aware that the School reserves the right not to review a complaint made by a complainant that has not been brought to the attention of the school **within 8 weeks of the alleged incident occurring**. However, the School will consider any complaint outside of that timescale in certain circumstances.

It may be that the Headteacher has not been aware of the concern raised prior to this point. At this stage the headteacher will seek to investigate your concerns, as well as attempting to resolve the matter to the satisfaction of all concerned. This may involve having a discussion/meeting with the complainant.

If the complaint is about the head teacher it will be considered by the Chair of Governors ("the Chair") at this stage. The Chair will seek to resolve the matter **through discussion with the head teacher and the complainant**. In doing so and, if considered appropriate, the Chair may wish to meet with you in person.

The School will endeavour to respond in writing to a Stage 2 complaint within 15 working days after receiving the complaint.

As part of the school's consideration of your complaint, you may be invited to a meeting to discuss the complaint and to discuss any further details. If you wish, you can ask someone to accompany you, to help you explain the reasons for your complaint.

The Headteacher or Chair of Governors will carry out a full investigation of all matters relating to your complaint. He/she, where necessary, will talk to witnesses and take statements from others involved. If the complaint centres on a pupil the school will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question. If the complaint is against a member of staff, it may be dealt with under the school's internal, confidential procedures and not this policy.

The Headteacher or Chair of Governors will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documents.

Once the school has established all the relevant facts, they will send you a written response to your complaint. This will give a full explanation of the Headteacher's/Chair of Governor's decision and the reason for it. If follow-up action is needed, the school will indicate what it is proposing to do.

Stage 3: Consideration by the Governing Body

All matters at this stage will remain confidential to both the complainant and the school. Any breach of this may result in the complainant not being followed up.

If your concern has already been through Stage 1 and 2 and you are not happy with the outcome, the next step is to make a formal complaint to the Governing Body. You should contact the school's Chair of Governors by letter, enclosing a copy of the written complaint originally submitted, indicating which matters remain unresolved and why, in your opinion, they are not resolved. This cannot be that you do not agree with the decision, you must identify which parts of your original complaint are not resolved and give the reasons why. No new complaint may be included.

Letters should be sent to:

Chair of Governors, All Saints' CE(VC) Primary School

It should be marked Confidential

The Chair of Governors has discretion to agree to a complaint review panel if she/he feels it would be helpful in resolving the complaint. The aim of the complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent(s)/carer(s). However, it may sometimes only be possible to establish facts and to make recommendations, which will reassure you that the complaint has been taken seriously. The Chair of Governors or the Complaints Panel will endeavour to provide you with a response within 15 working days.

The format of a Complaints Panel meeting would be for you to attend, to present your case and allow the governing body to take evidence. A separate meeting will then take place to allow the school staff to do the same. Should the Chair agree to hold a complaints review meeting you will be informed of the date, time and place of the meeting by letter. The letter will also explain what will happen at the meeting and inform you that you are entitled to be accompanied at the meeting.

With agreement of the Chair of the Panel, the Headteacher, at their meeting with the panel, may invite members of the staff directly involved in matters raised by you to attend the meeting.

As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants.

The Chair of the panel will send you and the Headteacher a written statement outlining the decision of the panel within 15 working days.

Outcomes of Investigations

Whether the complaint has been investigated by the head teacher, Chair of Governors or a complaints committee, a written response will be sent to you outlining the outcome of the investigation, detailing how the conclusion has been reached, and enclose a copy of the minutes of any panel meeting. The letter will also tell you where to take the complaint next, if you are not satisfied with the response provided.

The Complaints Committee may reach the following conclusions:

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

The aim of the investigation or review will always be to resolve the complaint and achieve reconciliation between you and the school. Nevertheless, it is acknowledged that sometimes you may not be satisfied with the outcome if matters are not found in your favour.

Persistent or Vexatious Complaints

You may remain dissatisfied despite all the procedures having been followed and reasonable responses being provided. It may be the case that it is not possible to resolve all your concerns and meet all your wishes. **Sometimes it is preferable to 'agree to disagree' and move on. All matters in connexion with the complaint continue to remain confidential and this is binding on both the complainant and the school.**

If you do continue to make representations to the school on the same issues, the Chair of Governors, on behalf of the Governing Board, reserves the right to inform you, in writing, that the appropriate procedures have all been followed, that all reasonable actions have been taken to try to resolve the issue and that the matter is now closed. Should you then write to the School again on the same issue (s), there is no obligation on the School to respond to you in that case.

If you continue then the Chair, on behalf of the Governing Board, may be obliged to take further action.

Correspondence received from any complainant subsequent to closure will be kept on file, indefinitely, as will notes of telephone calls and any further personal calls referring to the matter.

Complaints to the Local Authority

The Governing Board's decision will usually be final; however, if you wish to pursue the matter further, you can ask the LEA whether your complaint is one that can be heard by them. In the majority of cases, unless your complaint relates to issues for which there are separate arrangements laid down by law there is no right of formal complaint to the Local Education Authority. So long as the governing body followed a proper procedure and considered the complaint in a reasonable manner, then the Local Authority will simply inform you of that fact. In any event, It cannot reverse a decision made by the Chair on behalf of the Governing Board.

If the LEA receives an anonymous complaint, the details will be passed to the school, but it will be at the school's discretion if this is investigated. N.B. this will not apply in relation to issues connected with Child Protection.

Complaints to the Secretary of State

If you wish to pursue the complaint, you have recourse to the Secretary of state or, if the complaint is against action taken, or not taken by the LEA, it is possible for that complaint to be referred to the Local Government Ombudsman.

We would advise that, unless the school or LEA has acted unreasonably or not to have followed their own procedures, there is little further action that can be taken. This is because Governing Boards are empowered to deal with many issues without reference to either the LEA or Secretary of State.

Author: P Jordan Chair of Governors

Date: 03/07/18

Appendix 1: Governing Board Complaints Committee set up by the Chair (the Panel) – Procedure

The Panel will want to ensure that the nature of the complaint is understood and, where possible, will seek to establish from you what actions you feel might resolve the problem. In helping to reach a conclusion, the Panel will seek to identify possible sources of information and advice to help collate the necessary evidence.

The complainant will be given the opportunity to attend a meeting of the complaints panel and will have the right to bring a friend/family member or other supporter. In normal circumstances the head teacher and/or chair of governors may also attend the meeting, but will not take any part in the decision-making process. A typical complaints panel meeting may adopt the following structure:

- Each meeting will be as informal as possible.
- Witnesses may be required to attend but only for the part of the meeting in which they give their evidence.

At the first meeting of the panel:

- After introductions, the complainant will be invited to explain their complaint and why they feel it is unresolved.
- The Panel may ask questions or seek clarification at any point.
- The complainant will then be invited to sum up their complaint and to say what actions they feel might resolve the problem
- The panel chair will explain that once a decision has been made all parties will hear from the Panel in writing within a set time scale.(Normally 15 working days after the final meeting, unless there are special circumstances)

At the second meeting of the panel:

- The head teacher / chair of governors will be invited to explain the school's actions and why they feel they have resolved the problem. Witnesses, if any, will be called following this.
- The head teacher / chair of governors will be invited to sum up the school's actions and response to the complaint. The panel may ask how they think the matter could be resolved.
- The Panel may ask questions or seek clarification at any point.
- The panel chair will explain that once a decision has been made all parties will hear from the Panel in writing within a set time scale.(Normally 15 working days unless there are special circumstances)

The above procedures for the complaints meeting may vary with the approval of all parties

Appendix 2 All Saints' CE(VC)Trysull complaint form

Please complete and return to The Headteacher or Chair of Governors who will acknowledge receipt and explain what action will be taken. Please mark Confidential

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

E-Mail address:

Please give details of your complaint.

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

What actions 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:

Complaint referred to:

Date: