

# St James' Church of England Primary School

## Complaints Policy

### 1. Introduction

At St James' C of E Primary School we believe in the concept of the learning community and lifelong learning. Through our teaching we aim to equip children with the skills, knowledge and understanding necessary to become independent learners, with the ability to make informed choices about the important things in their lives. We believe that appropriate learning and teaching experiences help children to continue to develop and explore their potential.

We believe that the school seeks to provide a good education for all the children, and that the headteacher and other staff work hard to build positive relationships with all parents.

The school has procedures in place in case there are complaints by parents and guidance is offered below as to how such concerns should be raised.

This policy sets out the procedure that should be followed in such cases.

### 2. Aims and objectives

The school aims to be fair, open and honest when dealing with any concern or complaint.

Careful consideration should be given to all complaints and they should be dealt with as swiftly as possible, where feasible through dialogue and mutual understanding.

**In all cases, the interests, safety and wellbeing of the child are paramount.**

Sufficient opportunity should be provided for any complaint to be fully discussed, and then resolved.

Appendix 1 provides information to support selecting the most appropriate procedure in the event of a complaint.

### 3. The process

#### 3.1 How to share a concern

If a parent is concerned about anything to do with the education their child is receiving, they should, in the first instance, discuss the matter with their child's class teacher.

Most matters of concern can be dealt with in this way.

All teachers work to ensure that each child is happy at school, and is making good progress; they always want to know if there is a problem, so that they can take action before the problem seriously affects the child's progress.

*Parents are advised to arrange a mutually convenient time to see the class teacher, so that appropriate time and attention may be given to the concern.*

#### 3.2 What to do if the matter is not resolved through informal discussion with a teacher

Where a parent feels that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Headteacher or a member of the Senior Leadership Team. The Headteacher or member of the Senior Leadership Team should consider any such complaint seriously and investigate each case thoroughly. It is expected that most complaints would normally be resolved at this stage.

#### 3.3 How to take the matter further

If an informal discussion with a teacher or a discussion with the Headteacher or member of the Senior Leadership Team does not resolve the issue, then a letter summarising the concerns should be sent to the Headteacher. **A written response will be provided within 5 school days outlining what next steps will be taken.** This letter may detail who should re-investigate the complaint and the time frame needed for this investigation. Following the investigation a written response will be provided to the complainant outlining action taken to resolve the situation and how it will be monitored if necessary.

### 3.4 How to make a formal complaint

Only if an informal 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 complainant should send this written complaint to the Chair of Governors via the school office or the Clerk to the Governing Body.

The Chair of Governors may seek advice from the Local Authority (or their designated representatives) to ensure that all parties are treated fairly and legally during the investigation.

*The Chair of Governors may consider and investigate the complaint alone, or may choose to involve other governors with specific specialist knowledge or responsibility (eg Safeguarding) or where the complaint is particularly complex.*

*Discretion should be exercised by the Chair of Governors in sharing information with other governors. In some cases (eg where the complainant is personally known to the Chair), s/he may delegate the investigation to another governor.*

**All written complaints must be investigated within three weeks of receipt.** Please note that the three weeks does not include school holidays, so complaints received during a week before a holiday will be dealt with within two weeks after the return to school. Where necessary and appropriate, the investigating governor may arrange a meeting to discuss the complaint, and invite the person making it to attend the meeting, so that s/he can explain her complaint in more detail. The school must give the complainant at least three days' notice of the meeting.

**After hearing all the evidence, the governor(s) will come to a decision and inform the parent about it in writing. The governors will seek to do all they can at this stage to resolve the complaint to the complainant's satisfaction.**

### 3.6 Who to appeal to next

If the complaint is not resolved, a parent may make appeal to the Governing body to re-examine the evidence. A panel of three governors will reconsider the complaint, and may seek advice from the Local Authority Management Support Services Team (in Manchester LA this is based at OneEducation) who will ensure that all sides have been fairly heard and considered.

### 3.7 Further referral

If any complainant is still not content that the complaint has been dealt with properly, then s/he is entitled to appeal to the Secretary of State for Education through contacting Ofsted. (Contact details are available from the school office).

## **4. Making a complaint about the Headteacher**

### 4.1 Sharing a concern

Should a parent have a complaint about the headteacher, s/he should first make an appointment to see the headteacher to discuss the matter.

### 4.2 Taking the matter further

If the matter is not resolved, a letter outlining the concerns should be sent to the headteacher, who will ask that a member of the governing body act as a third party/mediator for further discussion of the issues, and where possible put together a course of action which will result in resolution of the areas of concern.

### 4.2 Making a formal complaint about the headteacher

The complainant should send a letter outlining their complaint to the Chair of Governors.

The Chair of Governors may seek advice from the Local Authority (or their designated representatives) to ensure that all parties are treated fairly and legally during the investigation.

*The Chair of Governors may consider and investigate the complaint alone, or may choose to involve other governors with specific specialist knowledge or responsibility (eg Safeguarding) or where the complaint is particularly complex. Discretion should be exercised by the Chair of Governors in sharing information with other governors. In some cases (eg where the complainant is personally known to the Chair, s/he may delegate the investigation to another governor.*

#### 4.3 Who to appeal to next

If the complaint is not resolved, a parent may make appeal to the Governing body to re-examine the evidence. A panel of three governors, excluding the Chair of Governors, will reconsider the complaint, and may seek advice from the Local Authority Management Support Services Team (in Manchester LA this is based at OneEducation) who will ensure that all sides have been fairly heard and considered.

## **5. Monitoring and review**

### *5.1 Governors' responsibilities*

The governors should monitor the complaints procedure, in order to ensure that all complaints are handled properly. The headteacher should log all complaints covered in section 3.3 of this policy received by the school and record how they were resolved. A designated Governor should examine this log on an annual basis and report back to the Full Governing Body in order to inform subsequent reviews.

### *5.2 Review and modification*

Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is available to all parents via the school website, so that they can be properly informed about the complaints process.

*Date: January 2016*

*Date of Next Review: January 2019*

## **Appendix 1 – Selecting the most appropriate procedure**

<b>Nature of contact</b>	<b>Appropriate person to receive contact</b>	<b>Relevant procedure/policy</b>
Request for published information	School office	FOI Act; Charging and Remissions Policy
Request for personal pupil information	Headteacher or SLT member	Charging and Remissions Policy
Complaint about GB policy (content or application of)	Clerk or Chair of Governors	Complaints Policy
Concern about provision of facilities or services by the school	Headteacher or Chair of Governors (if concern is linked to Headteacher)	Complaints Policy
Allegation about conduct of a member of staff	Headteacher or Chair of Governors (if allegation against Headteacher)	Discipline, Grievance and Related Issues Policy (confidential to school and employee)
Allegation of verbal or physical assault by employee on pupil	Headteacher, or Designated Person, or Chair of Governors (if allegation against Headteacher)	Local Child Protection Procedures (Confidential to school, LA CPO and parents of alleged victim)
Allegation about capability of a member of staff	Headteacher or Chair of Governors (if allegation against Headteacher)	Capability Policy (Confidential to school and employee)
Conduct of another pupil (e.g. bullying)	Class teacher, SLT member, Headteacher	Anti-Bullying Policy (Confidential to school and parents of alleged perpetrator)
Discipline of a pupil	Class teacher, SLT member, Headteacher	Behaviour and Discipline Policy
Content of/Failure to maintain a statement of SEN/EHC Plan	SENCO, SLT Member, Headteacher, LA	LA procedures
Admissions	Clerk or Chair of Governors	Admissions Policy; LA Appeals procedure
Exclusion	Clerk or Chair of Governors	LA Exclusion Appeals procedure
Failure to provide NC entitlement or Inappropriate Curriculum	Headteacher, Clerk, LA	LA procedure
External Extended Schools Services	Manager of relevant services	Procedures of Service Provider
Decision to remove licence for a person to enter school premises (banning)	Clerk	GB Appeal Committee

## **Appendix 2 – Model Letters**

### **a) Response to spurious complainant**

Following receipt of your communications and careful consideration of the same, I regret that I am unable to deal with this matter under the Governing Body's complaints procedure as:  
(It may be appropriate to include SOME of the following statements)

- You have not identified any specific actions of which you might complain.
- Your concerns are presented as conclusions rather than specific actions of which you complain.
- The concerns that you identify relate to historical actions and any evidence which might have enabled an objective investigation of your complaint is no longer available.
- The substance of your complaint has been addressed under this procedure already.
- The concerns that you raise do not fall within the scope of this procedure.
- You have not identified any potential sources of evidence which might allow the matter to be investigated.

If you wish my decision to be reviewed then you may take advantage of the procedure set out in the school's formal complaint procedure, by writing to the Clerk to the Governing Body.  
Yours sincerely,

Head Teacher Or Chair of Governing Body

### **b) Acknowledgement of receipt of formal complaint and invitation to meet**

Dear

I have received your formal complaint, dated ..... I am grateful that you have brought this to my attention.

The school and governing body take any complaint most seriously. Therefore I would like to meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend, if you would find this helpful. Please telephone ..... in order to arrange an appointment./ I can offer you an appointment at ..... on ..... Please let me know if this is convenient.

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place. This should begin within 5 days of our meeting.

Yours sincerely,

Head Teacher Or Chair of Governing Body

**c) Acknowledgement of receipt of formal complaint referred by a third party (e.g. LA, Diocese, MP)**

Dear

I have received a copy of the documentation that you sent to ..... setting out a complaint about ..... This has been passed to the school as it has responsibility for these matters. The school and governing body take any complaint most seriously. Therefore I would like to meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend, if you would find this helpful. Please telephone ..... in order to arrange an appointment./ I can offer you an appointment at ..... on ..... Please let me know if this is convenient.

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place. This should begin within 5 days of our meeting.

Yours sincerely,

Head Teacher Or Chair of Governing Body

**d) Acknowledgements of receipt of formal complaint and advising complainant that the matter has been referred**

Dear

I have received your formal complaint, dated ..... I am grateful that you have brought this to my attention.

However, the matters that are of concern to you are the responsibility of the governing body/pupil discipline committee/LA/Diocese/service provider, so I have forwarded your documentation to ..... You should be contacted, in the near future, to be advised of how they intend to proceed.

If I can be of any further assistance, please do let me know.

Yours sincerely,  
Head Teacher

e) Acknowledgements of receipt of formal complaint and advising complainant that the matter is being dealt with under a confidential school procedure

Dear

I have received your formal complaint, dated ..... I am grateful that you have brought this to my attention.

The school and governing body take any complaint most seriously. Therefore I have initiated an immediate investigation. It is possible that the investigator will wish to meet with you to clarify the evidence that you have provided so far. If so, he/she will write to you to make suitable arrangements.

As your concerns relate to the conduct/capability of a member of staff, the investigation will be carried out under the school's personnel procedures. This means that the detail of the procedure and its outcome must remain confidential to the school and the member of staff concerned. OR As your concerns relate to the behaviour of a pupil, the investigation will be carried out under the school's pupil conduct and disciplinary procedures. This means that the detail of the procedure and its outcome must remain confidential to the school and the parents of the child concerned. In due course, I may be able to provide you with some information about the outcomes of the investigation and the processes that have been followed, but in any event will let you know when the matter has been concluded.

If I can be of any further assistance, please do let me know.

Yours sincerely,

**f) Notification of decision regarding formal complaint**

Dear

Following receipt of your complaint and careful consideration of all the available relevant evidence, I/the panel have/has concluded that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld. If you are able to provide additional evidence forthwith I/we will reconsider this decision. OR

- The concern is not substantiated by the evidence in that .....

The concern was substantiated in part/in full, as ..... The school will review its practices/procedures ..... with the intention of avoiding any reoccurrence. Parents will be informed in due course of any policy changes. OR

- In order to address fully the matters investigated, the school has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, that the circumstances that gave rise to your complaint should not recur OR

- In order to address fully the matters of concern that you identified, the panel recommended that the governing body should review its ..... policy, as a matter of urgency. We are confident that this should prevent similar concerns arising in future.

I hope that we may now put this matter behind us and work together for the benefit of your child's progress.

Yours sincerely,

Head Teacher/Chair of Governing Body/Chair of Panel

**g) Review outcome notification**

Dear

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint.

Summary of reasons ..... Therefore, the matter is now closed as far as the school is concerned.

Or

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint except .....

Therefore, the following action will be taken .....

Once this action has been completed the school will consider the matter to be closed.

Or



Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint except .....

However the panel determined that this procedural failure did not affect the outcome of the consideration of your complaint so, while we regret this error, we will now consider this matter to be closed as far as the school is concerned.

Yours sincerely,

Chair of Complaints Review Panel  
c.c. Head Teacher Chair of Governors