

Complaints Policy



Approved by:

Date:

Last reviewed on: January 2018

Next review due by: January 2019

MISSION

We provide a safe and inclusive learning environment where everyone is valued and encouraged to reach their full potential.

RATIONALE

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.

AIMS

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.

GUIDELINES

For a general complaint:

Step 1: If a parent is concerned about anything to do with the education or support that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher; most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress. If a parent feels that they are unable to talk to the class teacher they should address their complaint with either the Learning Mentor or Assistant Headteacher.

Step 2 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 head teacher. The head teacher will consider all matters of concern very seriously and investigate each case thoroughly. Most complaints would normally be resolved at this stage.

Step 3 Only when an informal complaint fails to be resolved by the head teacher should a formal complaint be made to the governing body. This complaint must be made in writing, stating the nature of the complaint, who has been spoken to already and the preferred outcome. The parent should send this written complaint to the chair of governors via the school office.

For a complaint about the head teacher:

Step 1 If a parent is concerned about anything to do with the behaviour, leadership or management of the head teacher, they should, in the first instance, discuss the matter with the head teacher; most matters of concern can be resolved positively in this way.

Step 2 Where a parent feels that a situation has not been resolved through contact with the head teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the chair of the governing body. The chair will consider all matters of concern very seriously and investigate each case thoroughly. Most complaints would normally be resolved at this stage.

Step 3 Only when an informal complaint fails to be resolved by the chair should a formal complaint be made to the governing body. This complaint must be made in writing, stating the nature of the complaint, who has been spoken to already and the preferred outcome. The parent should send this written complaint to the governing body via the clerk to the governors (Mrs K Newton via the school office).

For a complaint from Parents of children with SEND about support provided by the school:

Parents / Carers who are not happy with their child's assessment may appeal through the LEA to a SEND tribunal. They are entitled to have with them in any discussion with the LEA a person who will help them express their views and offer them support. All SEND concern should be taken up in the first place with the SENDCo who will liaise with the Headteacher.

Parent and young people have two months to register a SEND appeal with the tribunal, from the date the Local Authority sent the notice containing a decision which can be appealed or one month from the date of a certificate which has

been issued following mediation or the parent or young person being given mediation information, whichever is the latest. In some cases parents and young people will not register the appeal within the two month limit. Where it is fair and just to do so the tribunal has the power to use its discretion to accept appeals outside of the two month time limit.

PLEASE NOTE LA FLOW CHARTS ATTACHED TO THIS POLICY THAT SHOW SUMMARY OF DEALING WITH COMPLAINTS, INCLUDING THOSE AGAINST THE HT

Governing body complaints committee

The governing body must consider all written complaints **within 21 school working days** of receipt.

The chair of governors will nominate a governor to co-ordinate the procedure and will appoint a **complaints panel** consisting of 3 governors who are not employees of the school. The nominated co-ordinator will chair the complaints panel.

The co-ordinator will arrange a meeting of the complaints panel to discuss the complaint and will invite the person making it to attend the meeting so that they can explain the complaint in more detail. The school will give the complainant at least five days' notice of the meeting. If the complainant cannot attend the suggested date, a further date will be set. If the complainant does not attend the second date, a third and final date will be set, at which time the meeting will proceed without the complainant present.

The head teacher will write a report addressing the complaint and ensure that the complaints panel members and the complainant receive a copy 4 days before the meeting. (If it is a complaint about the head teacher, the Chair of Governors will write the report).

The complainant is invited to write a report addressing the issue and must ensure that the complaints panel members and the head teacher (or Chair of Governors) receives a copy 2 days before the meeting. Other written evidence will not be accepted at the meeting, except in exceptional circumstances.

Check list for a panel hearing

The panel must take the following points into account:

- the hearing is as informal as possible;
- after introductions, the complainant is invited to explain their complaint (with the support of parent partnership or other advocate if required);
- the panel members and head teacher (or Chair of Governors) may ask questions;
- the head teacher (or Chair of Governors) is then invited to explain the school's actions (with support of Assistant HT, SENCo or other supporter if required);
- the panel members or complainant may ask questions;;
- the complainant is then invited to sum up their complaint;
- the head teacher (or Chair of Governors) is then invited to sum up the school's actions and response to the complaint;
- the chair of the panel explains that both parties will hear from the panel within 3 working days;
- both parties leave the meeting while the panel decides on the issues.

When the panel has fully investigated the complaint, the chair of the panel, on behalf of the governing body, will write to the complainant confirming the outcome of the complaint and any agreed action to be taken. The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on 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.

Investigating Complaints

At each stage, the person investigating the complaint should make sure that they:

- establish **what** has happened so far, and **who** has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them;
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

Resolving Complaints

At each stage in the procedure we will look for a way in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

It should be noted that an admission that the school could have handled the situation better is not the same as an admission of negligence.

Unresolved complaints

From 1 August 2012 complaints about maintained schools not resolved by the school that would have been considered by the Local Government Ombudsman or the LA should be addressed to the Secretary of State for Education.

Further information can be obtained by calling the National Helpline on 0370 000 2288 or going online at: www.education.gov.uk/help/contactus or by writing to: Department for Education, School Complaints Unit, 2nd Floor, Piccadilly Gate, Store Street, Manchester, M1 2WD

Policy agreed: LEADERSHIP AND MANAGEMENT COMMITTEE -
Policy review date - 3 YEARS OR LA REVIEW (3 YEARS January 21)

SUTTON GREEN (ANNEX D)

Please complete and return to HT who will acknowledge receipt and explain what action will be taken.

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 paperwork? If so, please give details.

Signature:

Date:

.....

Official use

Date acknowledgement

sent: By who:

Complaint referred

to:

Date:

**Parental Complaint/Concern – INFORMAL SUTTON GREEN
PRIMARY SCHOOL**

This form is for use regarding a parent/carer who has come back to you re a concern, or an issue that you feel may lead to them wishing to take it further by speaking to the HT. It is a useful record of WHAT STAFF MEMBERS HAVE DONE to seek to resolve in an INFORMAL WAY. It may also be used to log any notes of conversations with parents raising a concern.

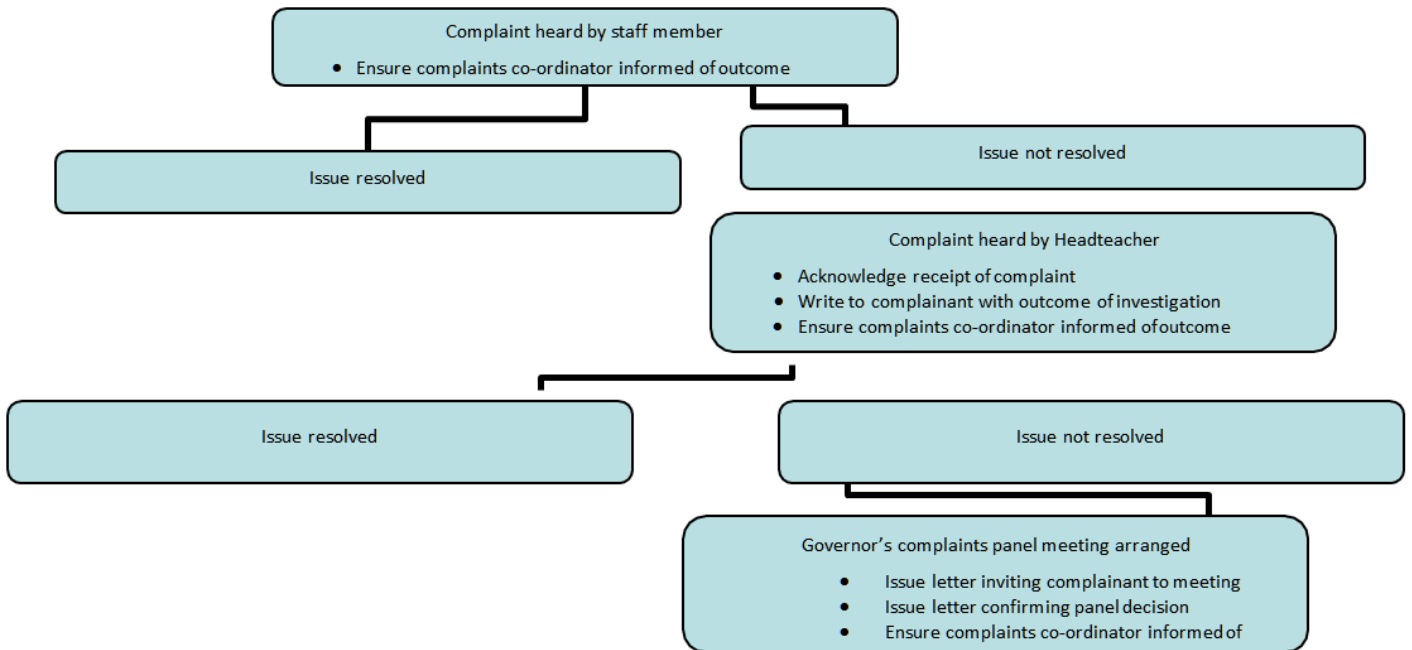
Name of Parent		Date	
Name of Child		Seen by	
Class		Year group	

Nature of concern – logged by
Agreed actions discussed with parent/carer
Signature
Follow up by class teacher Name Date
Actions taken
signature
Resolved/Additional actions

COPY GIVEN TO HT ON:

Annex C – Flowcharts

COMPLAINTS



COMPLAINT AGAINST HEADTEACHER

