

# Complaints Policy

## Introduction

St John's CE VC Primary School aims to work in partnership with parents and carers in the best interests of the children. Any complaint will be given careful consideration and will be dealt with fairly and honestly. We will provide sufficient opportunity for it to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

The formal procedure set out in this policy is aimed primarily at complaints by parents or carers of pupils registered at the school. Where the term 'parent' is used, it should be taken also to refer to carers and guardians. However, this policy also applies (with such modifications as the Headteacher or Chair of Governors may consider appropriate) to other complainants, such as pupils, ex-pupils or members of the general public.

## Informal discussions

This Complaints Policy is not intended to replace the informal discussions that take place between parents and staff about pupils at the school. Any concern that a parent may have should be discussed as soon as possible with the appropriate class teacher. We envisage that most concerns can be resolved through informal dialogue, without the need to embark on the formal complaints procedure.

Concerns might include such matters as a child's work or progress, relations with staff, relations with other pupils or personal welfare. Appointments to discuss such matters can be made by e-mailing the class teacher directly, or through the school office. Please bear in mind that teachers require time immediately before school to prepare for the day, and may be involved with clubs or staff meetings after school, so are not always available at short notice.

After the informal discussion, the class teacher may consider it appropriate to refer the matter to the Year Group Leader (YGL) and/or Deputy Head, or to seek his or her advice or involvement. The class teacher (or the YGL or Deputy Head, where applicable) will make sure that the parent is clear what steps (if any) have been agreed and, if appropriate, will record this in writing. Where no satisfactory solution is achieved within ten school days (i.e. excluding weekends, school holidays and inset days), the class teacher (or the YGL or Deputy Head) will advise the parent to contact the Headteacher (Stage One of the formal procedure) and will provide him or her with a copy of this Complaints Policy.

## Formal procedure

### General principles

The following principles apply to any formal complaint brought under this policy:

- Any complaint should be brought to the attention of the school as soon as possible, and normally within three months of the incident.
- The complaint will be handled with care and sensitivity.
- Confidentiality will be respected at all times.
- All stages of the complaints procedure will be investigatory rather than adversarial.
- Any investigation will be thorough and fair, and will address all the points at issue.
- Responses to any complaint will be prompt (timescales are detailed below).
- The parent will be given adequate feedback and kept informed of timescales.

Status: Approved

Version: 1.1, 2019

Date Approved: 5 November 2019



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- At the end of each stage of the procedure, the parent will be informed of the procedure for taking the complaint to the next stage if he or she is dissatisfied with the outcome.

### Special categories of complaint

The majority of formal complaints against the school will fall within the remit of the Headteacher and Governing Body and will be subject to the procedure set out in this policy. However, there are certain categories of complaint to which separate procedures apply:

- admission to the school
- statutory assessment of a child's special educational needs
- school reorganisation proposals
- exclusion of pupils from the school
- school transport
- home schooling
- child protection
- whistleblowing
- staff grievances and disciplinary procedures
- complaints about services provided by third parties who may use school premises or facilities.

In any of these cases, the parent should contact the school office, which will advise him or her of the appropriate procedure for the complaint.

If the complaint is about the Headteacher, the Chair of the Governing Body will carry out Stage One of the formal procedure unless the Chair decides that it is necessary to move directly to Stage Two.

Complaints against the Chair or Governors or any individual governor should be made in writing to the Clerk to the Governing Body. If the complaint is about the Governing Body as a whole, the parent should contact the Strategic Director for Children, Young People and Skills at Bristol City Council.

### Stage One: Headteacher

If a parent feels that a concern has not been resolved through an informal discussion with the class teacher, or that it is of a sufficiently serious nature, he or she should request an appointment to discuss it with the Headteacher, indicating that the meeting is regarding a complaint (Stage One of the formal procedure).

The parent is encouraged to send details of the complaint to the Headteacher in writing. Any such written complaint will be acknowledged in writing by the Headteacher within three school days of receipt.

The Headteacher will ensure that the parent has received a copy of this Complaints Policy and will arrange a meeting with the parent. This meeting is designed to offer the parent the opportunity to supplement any information already provided and to discuss possible solutions. The parent may be accompanied by a friend, relative or representative who can offer support and/or speak on his or her behalf.

Where appropriate, the Headteacher will speak to any individuals connected with the complaint (e.g. teachers or pupils) to gather their views or responses. In the case of a serious allegation concerning a pupil, that child should normally be spoken to with a parent, guardian or other member of staff present. Any member of staff who is the subject of a complaint must be interviewed.

The Headteacher will keep written records of meetings and telephone conversations and copies of relevant documentation. He or she may delegate the task of collating the information to another staff member but may not delegate the decision on the action to be taken.

Once the relevant facts have been established (as far as possible) and the parent has been given an opportunity to meet the Headteacher, the Headteacher will send a written response, including a full explanation of the decision and the reasons for it. Where appropriate, this will detail what action the school

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will take to resolve the complaint. The written response will normally be sent within fifteen school days of the date on which the complaint was notified to the Headteacher.

## Stage Two: Governors' Complaints Panel

If the matter has not been resolved to the parent's satisfaction at the end of the Stage One procedure, he or she should write to the Chair of Governors setting out details of the complaint within twenty school days of the date of the Headteacher's written response (Stage Two of the formal procedure). The parent should use the form in the **Appendix** for this purpose.

The Chair of Governors will write to the parent within five school days acknowledging receipt of the complaint and notifying him or her of the action to be taken. If the matter falls within the scope of this policy and Stage One has been completed, the normal course of action is for the Chair to arrange a meeting of the Governors' Complaints Panel.

### Composition of the panel

Certain members of the Governing Body have delegated powers to hear complaints. When a Stage Two complaint is received, the Chair of Governors will draw a Governors' Complaints Panel from these nominated members to consider the matter, and will appoint a clerk to the panel. The panel will consist of three members and will select its own chair (the Chair of the Panel).

When determining the panel's composition, the Chair of Governors will try to ensure that it is an appropriate cross-section of the categories of governor and be sensitive to issues of race, gender and religious affiliation. It is important that the panel is independent and impartial and that it is seen to be so. It is not appropriate for the Headteacher to sit on the panel, and no governor may sit on the panel if he or she has had prior involvement in the complaint or the circumstances surrounding it. Staff governors will not normally be appointed as panel members because this may lead to a conflict of interest.

Individual complaints will not be heard or discussed in detail by the whole Governing Body at any stage, as this could compromise the impartiality of the Governors' Complaints Panel or any panel set up for a disciplinary hearing involving a member of staff.

Governors should not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages of a complaint (informal discussions/Stage One) in case they are needed to sit on the Governors' Complaints Panel at Stage Two. Where a parent approaches a governor at any stage of the process, the governor should make the parent aware of this Complaints Policy and refer him or her to the class teacher, Headteacher or Chair of Governors as appropriate.

### The panel meeting

The meeting with the Governors' Complaints Panel should normally take place within twenty school days of the date on which the Chair of Governors received the Stage Two complaint. The clerk to the panel will set the date, time and venue, ensuring that the date is convenient to all attendees and that the venue and proceedings are accessible. The clerk will confirm the date, time and venue to the attendees at least five school days in advance, and inform the parent of his or her right to be accompanied by a friend, relative or representative.

The Headteacher will be invited to attend the meeting and will be asked to prepare a written report for the panel in response to the complaint. The Headteacher may also invite members of staff directly involved in matters raised by the complaint to respond in writing or in person. The clerk will collate any written material and will send it to the parties and the panel members at least five school days before the meeting.

The meeting will be held in private. Its aim is to resolve the complaint and achieve reconciliation. The Chair of the Panel has a key role at the meeting, ensuring that:

- the panel's remit is explained to the parties and each party has the opportunity of putting their case without undue interruption
- the issues are addressed

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- key findings of fact are made
- parents and others who may not be used to speaking at such a meeting are put at ease
- the meeting is conducted in an informal manner, and everyone is treated with respect and courtesy
- the panel is open-minded and acts independently
- no member of the panel has a vested interest in the outcome of the meeting or any involvement in an earlier stage of the procedure
- each side is given the opportunity to state their case and ask questions
- written material is seen by all parties, and all parties have the opportunity to consider and comment on any new issue that may arise.

The procedure at the meeting will be determined by the Chair of the Panel but will normally be as follows:

- After introductions, the parent will be invited to explain the complaint, followed by any witnesses.
- The Headteacher may question the parent and witnesses after each has spoken.
- The Headteacher will then be invited to explain the school's actions, followed by the school's witnesses.
- The parent may question the Headteacher and the school's witnesses after each has spoken.
- The panel may ask questions at any point.
- Witnesses are only required to attend for the part of the meeting in which they give their evidence.
- The parent will be invited to sum up the complaint.
- The Headteacher will be invited to sum up the school's actions and response to the complaint.
- The Chair of the Panel will explain the timescale within which the parties will hear from the panel.

The clerk to the panel will take notes recording the points raised and the evidence presented at the meeting. The notes do not need to be verbatim but should be sufficient to remind the panel of the content of the meeting.

## **Decision**

After the meeting, the Governors' Complaints Panel will consider the complaint and the evidence presented and reach a majority decision. The panel can:

- 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 Chair of the Panel will send a written decision to the parent and the Headteacher within five school days of the meeting, including a full explanation of the panel's decision and the reasons for it. The outcome will also be reported back to the next meeting of the full Governing Body (FGB). Only a summary will be provided to the FGB, with no detailed or named information. This will ensure that any further actions will not be jeopardised.

The school will ensure that a copy of all relevant correspondence, notes and minutes is kept on file. These records should be kept separately from the pupil's personal records.

If the parent is not satisfied that the Governors' Complaints Panel has followed the complaints procedure correctly, he or she may appeal in writing to the Chair of Governors within ten school days of receiving the panel's written decision.

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## Stage Three: Secretary of State

If the school's complaints procedure has been exhausted and the parent remains dissatisfied, he or she can refer the complaint to the Secretary of State for Education: [www.gov.uk/complain-about-school/state-schools](http://www.gov.uk/complain-about-school/state-schools). The Secretary of State has a duty to consider all complaints raised but will intervene only where the Governing Body has acted unlawfully or unreasonably and where it is expedient or practical to do so. This is the final stage of the complaint process.

## Staff disciplinary procedures

It may be necessary to suspend the complaints procedure if a complaint indicates that there may be a need for disciplinary action to be taken against a member of staff. The parent will be notified that the complaints procedure has been suspended and advised of the likely timescale for its reactivation. The details of any disciplinary proceedings will not be shared with the parent.

## Anonymous complaints

An anonymous complaint will not be investigated under this policy unless there are exceptional circumstances. A complainant who requests anonymity will be urged to identify themselves in the interests of fairness and of dealing effectively with the complaint. If an anonymous complaint is of a sufficiently serious nature, the Headteacher or Chair of Governors will decide whether action is appropriate. If an anonymous complaint raises child protection issues, the complaint will be referred immediately to the Local Authority.

## Unreasonable conduct

The school is fully committed to dealing with all complaints fairly and impartially, in a friendly, respectful and professional way, and parents will appreciate the need to behave in a similar manner. The school does not expect its staff or governors to tolerate unreasonable behaviour by parents (for example, abusive, offensive or threatening conduct) and will take action to protect staff and governors from any such behaviour.

If the Headteacher and Chair of Governors consider that a parent's behaviour is unacceptable or unreasonably persistent, they may take action to restrict his or her contact with the school. We anticipate that such behaviour will be a very rare occurrence, and any restrictions imposed will be appropriate and proportionate. In identifying and dealing with unreasonable conduct, the school will follow the 'Best Practice Advice for School Complaints Procedures 2016' (Department for Education, January 2016) (see the section on 'Serial and persistent complainants').

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## Appendix: Complaint to the Governing Body (Stage Two) Form

Please complete and return to the Chair of Governors, 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:

E-mail:

Please give details of your complaint:

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

What actions do you feel might resolve the problem?

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

Signature:

Date: