Ashton St. Peter's Church of England Voluntary Aided Primary School

Complaints Procedure Policy

Ratified in July 2018
Update in July 2019

1 Purpose

We want all pupils and their families to be happy with the education we offer and the policies and procedures we follow. Most queries or concerns can be resolved satisfactorily through discussion or by providing clarification or further information. Parents or carers share day-to-day concerns about particular aspects of school life through informal conversations with staff. However, when a more serious concern is raised, the school has adopted a procedure that explains how to complain and what to expect in response.

The purpose of this procedure is to ensure a fair and consistent approach to dealing with complaints, in the interests of all parties.

2 Scope

The Complaints Procedure provides a supportive framework for dealing with all matters relating to the conduct and actions of staff and the application of school procedures as they affect individual pupils.

Separate arrangements apply in relation to pupil admissions and exclusions. If a complaint is made about statutory provision in relation to special educational needs, the national curriculum or collective worship, the complainant may appeal to the Local Authority or the Diocesan Board of Education if she/he is not satisfied with the school's response.

The procedure may be used by a parent, carer, local resident, or any person within the community who has a genuine interest in the school. An anonymous complaint will not be investigated under the procedure unless there are exceptional circumstances.

All complaints will be investigated by an appropriate person. Depending upon the nature of the complaint, this may be a teacher, a senior member of staff or the headteacher. If the complaint is against the headteacher, the chair of governors will investigate and may draw on the LA for assistance.

As part of any investigation, all relevant parties will be given an opportunity to comment.

3. Principles

Comments, concerns or complaints should be brought to the attention of the school as soon as possible. They will be dealt with:
• fairly, thoroughly and speedily
• safely - nobody will be victimised as a result of a complaint being made
• efficiently and helpfully Outcomes could include:
• an explanation or clarification
• an apology from either party
• an assurance, where appropriate, that the same thing will not happen again
• action to put matters right

4. Timescales

Complaints should be raised as soon as possible. Any complaint raised more than one month after the incident has occurred will not be considered, unless there are exceptional circumstances.

The designated timescales apply during term time and additional time will be required over school holiday periods.

Where, for reasons beyond his/her control, such as the complexity of the complaint or the availability of witnesses etc., the headteacher or chair of governors is unable to comply with the timescales, she/he will inform the complainant within seven calendar days of receipt of the complaint when the outcome will be communicated.

5 Procedure

5.1 Part A: Complaint relating to a member of staff, other than the headteacher

5.1.1 Stage 1 - Informal Stage

Many areas of concern can be dealt with quickly and harmoniously through discussion. Any concerns or complaints should be referred initially to the member of staff concerned and this may be by letter, by telephone or in person by an appointment made at a mutually convenient time. A comment form is available for completion, which is attached as Annex 1.

The person dealing with the matter will make every effort to resolve it and bring about a speedy resolution that is satisfactory to all parties.

In the case of more serious concerns, it may be appropriate to discuss these with a senior member of staff or directly with the headteacher, who will normally be able to resolve the matter and take any necessary actions to put matters right.

At Stage 1, the member of staff will respond to the complainant within seven calendar days of receipt of the complaint.

5.1.2 Stage 2 – Formal Stage

If the complaint is not resolved at the informal stage, the complainant must write to the headteacher within fourteen calendar days of receiving the outcome of the Stage 1 complaint. The headteacher will provide a copy of the complaint to the member of staff and investigate it. Complainants will be asked to complete a Complaint Form and suggest a preferred resolution to their concerns. This form is attached as Annex 2. Members of staff will be advised to record their recollection of the event for future reference.

The complainant should include details that might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. In addition, the headteacher may meet with the complainant, who may be accompanied by a friend, to clarify the complaint.

The headteacher will be responsible for collecting such other evidence as she/he deems necessary. Where this involves an interview with a member of staff, who is the subject of the complaint, the employee may be accompanied by a work colleague or representative. In addition to receiving a copy of the complaint, the member of staff will be provided with any additional evidence presented by the complainant or collected by the headteacher.

The investigation will be undertaken as soon as possible and will be completed within fourteen calendar days of receipt of the formal complaint. The headteacher will inform the complainant and the member of staff concerned, in writing, of the outcome. This may be to the effect that:

- the concern is not substantiated by the evidence;
- the concern is substantiated in part or in full and an explanation and/or an apology given. Some details may then be given of action the headteacher and governing body may be taking to put matters right or an assurance, where appropriate, that the same thing will not happen again. However, details of the investigation or of any disciplinary procedures will not be released;
- there is insufficient evidence to reach a conclusion, so the complaint cannot be upheld;

The headteacher will confirm that consideration of the complaint is now concluded.

If the complainant is not satisfied that the procedure has been followed correctly, the complainant may request that the governing body reviews the headteacher's handling of the complaint. Any such request must be made in writing within fourteen calendar days of receiving notice of the outcome from the headteacher, and should include a statement specifying clearly any perceived failures. The procedure described in Part C will be followed.

5.2 Part B - Complaint relating to the headteacher

5.2.1 Stage 1 - Informal stage

Most areas of concern can be dealt with quickly and harmoniously through discussion. Any concerns or complaints should be referred initially to the headteacher and this may be by letter, by telephone or in person by an appointment made at a mutually convenient time.

The headteacher will make every effort to resolve the issue and bring about a speedy resolution that is satisfactory to both parties.

Many concerns can be resolved by simple clarification or by providing further information and it is anticipated that most complaints will be resolved by this informal stage. The matter may be resolved by involving the chair of governors or advice from the LA.

At Stage 1, the headteacher will respond to the complainant as soon as possible and within seven calendar days of receipt of the complaint.

5.2.2 Stage 2 - Formal Stage

If the complaint is not resolved at the informal stage, the complainant must write to the chair of governors within fourteen calendar days of receiving the outcome of the Stage 1 complaint. The chair of governors will provide a copy of the complaint to the headteacher and will investigate the complaint. Complainants will be asked to complete a Complaint Form and suggest a preferred resolution to their concerns. This form is attached as Annex 2.

The complainant should include details that will assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. In addition, the chair of governors will invite the complainant to meet him/her to give the complainant the opportunity to present oral evidence or to clarify the complaint. The complainant may be accompanied by a friend. The chair of governors will provide a note taker for the meeting to record the details of the complaint and a copy of the notes will be provided to the complainant and the headteacher.

The chair of governors will collect such other evidence as is deemed necessary. This may include the interviewing of witnesses and others who may provide relevant information.

In addition to receiving a copy of the complaint, the headteacher will be provided with any additional evidence presented by the complainant or collected by the chair of governors Once there has been an opportunity for the headteacher to consider the evidence, she/he will be invited to meet separately with the chair of governors, in order to present written and oral evidence in response. The headteacher may be accompanied at this meeting by a work colleague or representative.

The investigation will be undertaken as soon as possible and will be completed within twenty one calendar days of receipt of the formal complaint. The chair of governors will inform the complainant and the member of staff concerned, in writing, of the outcome. This may be to the effect that:

- the concern is not substantiated by the evidence;
- the concern is substantiated in part or in full and an explanation and/or an apology given. Some details may then be given of action the headteacher and governing body may be taking to put matters right or an assurance, where appropriate, that the same thing will not happen again. However, details of the investigation or any disciplinary procedures will not be released;
- there is insufficient evidence to reach a conclusion, so the complaint cannot be upheld;

The complainant will be told that consideration of his/her complaint by the chair of governors is now concluded.

If the complainant is not satisfied that the procedure has been followed correctly or that his/her complaint has been addressed appropriately, she/he may request that the governing body reviews the chair of governors' handling of the complaint. Any such request must be made in writing within fourteen calendar days of receiving notice of the outcome from the chair of governors, and should include a statement specifying clearly any perceived failures. The procedure described in Part C will be followed.

5.3 Part C: Review Process

The governing body's complaints panel will undertake any review of the process undertaken by the headteacher or the chair of governors if requested by the complainant.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations will be considered sympathetically.

The panel will invite the complainant to submit written evidence of his/her complaint.

This information will then be given to the headteacher or chair of governors, as appropriate, and s/he will be invited to make a response to the complaint.

The panel may also have access to the records kept of the details of the original complaint.

The panel will meet within twenty one calendar days of receipt of the request for the review to consider the evidence and decide:

- whether the complaint should be upheld or denied
- the reasons for their decision
- any action to be taken
- any recommendation they wish to make to the headteacher or the governing body

The chair of the panel will send a letter to the complainant and the headteacher or chair, as appropriate, within five calendar days, notifying them of the outcome.
This may be to the effect that:

- the complaint is not substantiated by the evidence;
- the complaint is substantiated in part or in full but the procedural failure did not affect the outcome significantly and therefore the matter is now closed;
- the complaint is substantiated in part or in full and the governing body will take steps to rectify the situation (where this is practicable) or to prevent a recurrence;
- there is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.

The panel itself does not have any power to take remedial action. If it reaches a conclusion that disciplinary action may be appropriate, it can only recommend such action to the appropriate person.

If the panel wishes to make a recommendation regarding a change to the school's policy or procedures, this will be referred to the governing body for consideration.

This effectively ends the complaints procedure. There is no appeal stage beyond the governing body, although the complainant may pursue the matter with the Secretary of State for Education and Skills.

Vexatious Complainants

There may be rare occasions when the complainant is deemed to be "vexatious". This could be because it is clear that the complainant has insufficient grounds for complaint and is seeking to annoy, or that a complaint has been investigated and is found not to be justified, but the complainant persistently engages in making further accusations

relating to the same issues.

Any such case will be dealt with on an individual basis but the headteacher and chair of governors reserve the right to close the complaint if the complainant is deemed to be "vexatious", and to determine that the matter is now concluded.

Review Procedures

The School's policy will be reviewed when:

- Annually July 2019
- The School wishes to review the policy.
- If amendments are required by the LA

Ratified by: Date: July 2018

Chair of Governors

Ashton St. Peter's Church of England Voluntary Aided Primary School

Complaints Procedure Policy

COMMENT FORM APPENDIX 1

Please use this form if you would like to comment on any aspect of school and/or to record discussion points from a meeting with a member of staff about issues you have raised.

Name

Signed

Date

Name of member of staff spoken to

Comments

Ashton St. Peter's Church of England Voluntary Aided Primary School

Complaints Procedure Policy

COMPLAINT FORM APPENDIX 2

Name

Address

Telephone (day):

Telephone (evening)

Please give concise details of your complaint to allow the matter to be fully investigated.

Have you complained to the Headteacher?

Yes No

When did you do this? Date:

What happened when you complained to the Headteacher?

What would you like us to do to put things right?

Signed

Date

Please return this form to the Headteacher or Chair of Governors