

Complaints Procedure

Brixworth CEVC Primary School



Approved by:	Governing Board
Date:	September 2022
Next Review Date:	September 2024

1. Introduction

Governing bodies are required by law (Section 29 of the Education Act 2002) to have a procedure in place to deal with complaints relating to aspects of the school or the provision of facilities or certain services at the school. The law requires that this procedure must be publicised.

Brixworth CEVC Primary School is committed to taking concerns seriously and dealing with them at the earliest opportunity in the hope of keeping the number of formal complaints to a minimum and without needing to use the formal procedure. We believe that the majority of concerns and complaints can be resolved informally. However in some cases, it may be necessary to follow the schools formal complaints procedure in order to resolve the complaint as fairly and speedily as possible.

2. Aims

This policy aims to:

- encourage the resolution of concerns and complaints by informal means wherever possible
- provide effective and appropriate responses to concerns and complaints
- ensure that complaints are dealt with quickly, fully and fairly within defined time limits
- maintain good relationships between the school and all those involved.

3. Scope

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions). Complaints are not limited to parents or carers of children that are registered at the school.

The following areas fall outside the Governing Boards complaints policy and are dealt with under other statutory procedures: school admissions and exclusions, child protection issues, complaints about other Council departments, staff grievance or disciplinary procedures, national curriculum issues, religious education and collective worship, and special educational needs provision or assessments.

A concern or unresolved problem becomes a complaint only when the complainant asserts that the school has acted wrongly in some significant decision, action or failure to take action.

Even when the complaint has been made it can be resolved or withdrawn at any stage.

4. Dealing With Concerns Informally

A wide range of concerns can be adequately dealt with informally, and where possible this is the preferred approach.

Where there is a concern or query about any aspect of the school or child's education or well-being, this should be raised in the first instance with the child's class teacher followed by their phase leader if necessary. Ideally they will be able to address concerns immediately or can arrange a meeting to discuss the issue.

Complainants will be asked at the earliest stage what they think might resolve the issue.

The member of staff dealing with the concern should make sure that the complainant is clear what action (if any) or monitoring of the situation has been agreed. This should be put in writing.

5. Stage 1 Complaint (Headteacher Review)

If the person raising a concern feels that the matter is serious, this formal process can be used. An informal process may have been previously attempted but this is not necessary.

The complainant should either make an appointment to meet with the Headteacher or put the complaint in writing. A template complaint form can be found at Appendix B.

5.1 The Headteacher will acknowledge the complaint in writing within 5 school working days. In some cases the Headteacher will have already been involved in looking at the matter; in others it will be his/her first involvement.

5.2 The Headteacher may offer an opportunity for the complainant to meet him/her. The complainant will, if she/he wishes, be allowed to be accompanied by a friend or relative who may assist the complainant in presenting their complaint. Interpreting facilities will be made available if required.

5.3 If necessary, the Headteacher will interview any witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil may also be interviewed, normally with parent/guardian present. In some circumstances this may not be possible or appropriate and a senior member of staff with whom the pupil feels comfortable will attend with him/her.

5.4 The Headteacher will keep written records of meetings, telephone conversations and other documentation.

5.5 Once all the relevant facts have been established, the Headteacher will either write to the complainant or arrange a meeting to discuss or resolve the matter. This meeting will be followed up with a letter, within 10 school working days, summarising the outcome of the meeting. The complainant will be advised in this letter that if they remain unhappy with the outcome, she/he may appeal to the Chair of Governors.

5.6 Stage 1 should be completed within 20 school working days. However, it is recognised that where the case is complex, it may prove difficult to meet this timetable. In such cases, the Headteacher should write to the complainant giving a revised target date.

5.7 Complaints against the Headteacher

If the complaint is wholly or mainly about the Headteacher, the Governing Board should consider the complaint in accordance with Stage 2 of the procedure described below.

6. Stage 2 Complaint (Chair of Governors Review)

Where the complainant is dissatisfied with the outcome of Stage 1 and wishes to appeal against the Headteacher's decision, they will need to let the school know within 10 school working days of receiving the response that they wish to appeal against the outcome, or they wish to make a complaint against the Headteacher. The school will then consider the complaint at the next stage:

6.1 The complainant should either make an appointment to meet with the Chair of Governors, or write to them, care of the school, using template B, in an envelope addressed for the attention of the Chair of Governors and marked Urgent, Private and Confidential. This should provide details about the nature of the complaint, why they are unhappy with any existing steps that have been taken, and what they think would be a satisfactory resolution.

6.2 The Chair of Governors will arrange for the complaint to be acknowledged within 5 school working days of receiving it and a meeting may be convened to discuss the matter further.

6.3 Following an investigation, the Chair of Governors will aim to provide a written response within 5 school working days of completing the investigation. However, if a complaint is more complex to review this can be extended to 20 school working days. The school will provide details of the new deadline and an explanation for the delay.

6.4 If the complainant is dissatisfied with the result at stage 2, they will need to let the school know within 10 school working days of receiving the response that they wish to appeal against the outcome. The school will then consider the complaint at the next stage.

6.5 Complaints about the Chair or an individual member of the Governing Board.

If the complaint is wholly or mainly about the Chair or an individual member of the Governing board, the complainant should write to the Clerk of the Governing Board explaining the issue and what resolution they are seeking. If the complaint is about an individual governor, the Chair, or a designated governor, we will investigate the issue and write to the complainant with the findings within 10 school working days.

If the complaint is about the full governing board then the complainant must write to the Clerk. The Clerk will liaise with the Local Authority or Diocese to resolve the issue. The Local Authority or Diocese will assist the school in the resolution of the complaint.

7. Stage 3 (Panel of Governors)

If the complainant is not satisfied that their complaint has been dealt with fully and properly or they have a concern about the Chair of the Governing Board or an individual governor which has not been resolved to their satisfaction they will need to let the school know within 10 school working days of receiving the response that they wish to appeal against the outcome:

7.1 The complainant should write to the Clerk to Governors, care of the school, using template B, in an envelope or email addressed for the attention of the Clerk of Governors and marked Urgent, Private and Confidential. This should provide details about the nature of the complaint, why they are unhappy with any existing steps that have been taken, and what they think would be a satisfactory resolution.

7.2 The complaint will be acknowledged within 5 school working days of receiving it. A panel of governors will be convened to review the complaint, this will usually take place within 15 school working days of sending the acknowledgment. However, as Governors are volunteers with other commitments, it may be necessary to extend this.

7.3 The Panel of Governors will review the case and investigate further as required.

7.4 All parties will be notified of the Panel's decision in writing within 5 school working days after the date of the hearing.

8. Complaint to the Secretary of State, Department for Education

If after completing the schools procedure the complainant remains dissatisfied with the outcome, they have the right to refer their complaint to the Secretary of State for Education who has a duty to consider all complaints received. The Secretary of State will however only intervene when the Governing Board has acted unlawfully or unreasonably and where it is expedient and practical to do so.

The complaint can be submitted through the Department for Education online "School complaints form" in the attached link:

<https://www.education.gov.uk/schools/leadership/schoolperformance/schoolcomplaints-form> or in writing to Secretary of State, Department for Education, Sanctuary Buildings, 20 Great Smith Street, London, SW1P 3BT

APPENDIX A

Guidelines for Governors

There are several points which any governor sitting on a complaints panel needs to remember:

- a) It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- b) The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant where possible.
- c) The panel will elect a Chair.
- d) The panel will ensure that the facts, events and circumstances are considered without fear or favour, so that a fair and impartial conclusion can be reached.

Remit of the panel

The complaints 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 problems of a similar nature do not recur.

It may:

- consider and, if appropriate, criticise the way in which an operational decision was communicated — **but cannot overturn the decision itself**
- consider the thoroughness with which the Headteacher investigated a complaint about a member of staff — **but cannot expect the Headteacher to provide details about confidential discussions with that staff member**
- consider the manner in which a complaint about any decision was addressed and ask for the decision to be reviewed — **but cannot expect the Headteacher to have changed the decision**
- consider and, if appropriate, identify limitations in a policy or procedures — **but cannot make changes to the policy.** (It can, however, recommend that the policy be reviewed by the governing board to ensure that problems of a similar nature do not recur, and individual panel members can subsequently play their part in improving the policy)
- consider whether it should recommend that the governing board offer appropriate redress.

APPENDIX B

Brixworth CEVC Primary School COMPLAINT FORM

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

Your Name:
Pupil's Name (if relevant):
Your relationship to the pupil (if relevant)
Address:
Postcode:
Daytime 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: