



SCHOOL COMPLAINTS PROCEDURE

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School Complaints Procedure

Section 29 of the Education Act 2002 states that the Governing Body of a school shall establish procedures for dealing with all complaints relating to the school, other than those to be dealt with in accordance with any other statutory provision.

The following procedure is based on Best Practice Advice for School Complaints Procedures issued by the Department for Education January 2016.

A full version of the Department for Education's guidance document (Best Practice Advice for School Complaints Procedures January 2016) can be found on the DfE website – <https://www.gov.uk/government/publications/school-complaints-procedures>

The Complaints Procedure does not cover concerns about the following, for which there are separate statutory procedures:

- Admissions to schools
- Statutory assessments of Special education Needs (SEN)
- School re-organisation proposals
- Matters likely to require a Child Protection Investigation
- Exclusion of children from school
- Whistleblowing
- Staff Grievances and disciplinary procedures
- Complaints about services provided by other providers who may use school premises or facilities.

School Complaints Procedure

Our school is committed to providing a safe, stimulating, consistent and accessible service to children and their parents/carers. We always aim to provide high quality services for everyone, but accept that sometimes things do not always go to plan. In such circumstances, we want to know so that we can put them right and learn from any mistakes. Albany Village Primary School will expect complaints to be made as soon as possible after an incident arises; the acceptable time frame in which to lodge a complaint is within three months, however, the school will consider exceptions. A complaint may be made in person, by telephone or in writing.

At Albany Village Primary School we aim to have an easily accessible complaints procedure whereby procedures are reviewed annually to ensure they comply with any new legislation and guidance and meet our aims.

Albany Village Primary's Complaints Procedure

- Encourages informal resolution. (Stage One)
- Is easily accessible, publicised and included on the school web site
- Is simple to understand and use
- Is impartial and non adversarial
- Allows swift handling and establishes timescales for dealing with a complaint
- Ensures a full and fair investigation by an independent person if necessary
- Maintains confidentiality of all involved
- Addresses all points of complaint, provides an effective response and offers appropriate redress where appropriate
- Provides information to the school's senior management team so that services can be improved

General Principles

There is a three stage process for dealing with formal complaints. The three stages are:

Stage 1 – complaint heard by member of staff. Under normal circumstances, at stage one, a minor, low level complaint is heard by a member of staff.

Stage 2 – complaint heard by Head Teacher. At stage two it is the Head Teacher, or Deputy Head Teacher, who will be responsible for managing complaints.

Stage 3 – complaint heard by Governing Bodies Complaints Appeal Panel.

If a complaint is made against the Head Teacher then the Governing Body will conduct the investigation. (See Stage 3).

The Local Authority does not investigate any complaints and may only become involved in school related complaints where the complaint involves school admissions and allocations, assessment of Special Educational Needs, or exclusion of children from school.

At all stages the person investigating the complaint will ensure they:

- Acknowledge the complaint, investigate and resolve issues as soon as possible.
- Establish what has happened to date and who has been involved.
- Clarify the nature of the complaint and what remains unresolved.
- Meet with the complainant or contact them to verify information provided or gain further information.
- Clarify what the complainant feels would resolve issues – establish desired outcomes.
- Interview those subject of, and involved in, the complaint (interviewees may be accompanied if they so wish).
- Conduct the interview with an open mind and be prepared to persist in the questioning.
- Keep notes of all interviews.

Implementation of the School Complaints Procedure will ensure complaints are not protracted or vexatious. If a complainant tries to reopen the same issue the Chair of the Governing Body will write to the complainant explaining that the complaint has been through all stages of the procedure and the matter is now closed.

Stage One - Initial contact with School

If a parent/carer has a complaint about some aspect of an activity or about the conduct of a member of staff, it will often be possible to resolve the problem by simply speaking with the individual concerned. As a school we are committed to open and regular dialogue and we welcome all comments on its services, regardless of whether they are positive or negative.

In the first instance parents/carers are encouraged to speak to the relevant member of staff or their line manager with Teaching and Learning responsibilities (TLR); if deemed appropriate. If not, the Head Teacher should be approached and they will try to resolve the problem.

Every effort will be made to resolve a complaint informally in the first instance, without the need to invoke the formal complaints procedure. In most cases this is achieved by a discussion between the class teacher and the complainant.

Stage Two - Formal Consideration of your Complaint

If informal discussions of a complaint or problem have not produced a satisfactory resolution to the situation, parents/carers should put their complaint in detail and in writing to the Head Teacher. Relevant names, dates evidence and other important information on the nature of the complaint should be included. As part of the schools consideration of a complaint, parents/carers may be invited to a meeting to discuss the complaint. If parents/carers wish, they can ask someone to accompany them to help explain the reasons for the complaint.

The Head Teacher will act as Complaints Co-ordinator at this stage.

The Complaints Co-ordinator will be responsible for the following:

- Acknowledging receipt of the complaint and notification of the anticipated timescales for dealing with the complaint.
- Effective recording of the complaint received.
- Monitoring responses.
- Ensuring responses are made within a reasonable timescale.
- Identifying trends and themes arising from complaints and reporting to school's senior management team.

If the Head Teacher has good reason to believe that the situation has child protection implications, the Head Teacher will inform the designated Child Protection Officer and ensure the local Children's Services department is contacted, according to the procedure set out in the Child Protection Policy. If any party involved in the complaint has reason to believe that a criminal offence has been committed, then they will contact the Police.

The Head Teacher will arrange a time to meet the parents/carer concerned and any other relevant individuals, such as members of staff, to discuss the complaint and any response to it.

Stage 3 – Consideration by the Governing Body

If a concern has already been through Stages 1 and 2 and parent/carers are not happy with the outcome, or the complaint is in relation to the Head Teacher, the next step is to make a formal complaint to the Governing Body.

The complainant needs to write to the Chair of the Governing Body giving full details of the complaint and the reason why he/she remains dissatisfied with previous attempts to resolve the complaint.

On receipt of the complaint The Chair, or a nominated Governor, will convene a Governing Body Complaints Panel

The Governing Body Complaints Panel consists of 3 to 5 governors. The panel does **not** include all of the school's Governors. This is so impartiality may not be compromised in case a panel is then required for a disciplinary hearing against a member of staff as a result of a complaint. The Governors on the panel will be those that have not had any prior involvement in the complaint.

The Complaints Panel will aim to reach an outcome in respect of the complaint (i.e. upheld, partially upheld, not upheld, unable to substantiate), decide and agree on appropriate action to be taken as a result of the complaint and make any recommendations.

One Governor will be appointed as the Chair of the Complaints Panel.

The role of the Chair of the Complaints Panel includes:

- Ensuring that the correct process has been followed
- The remit of the panel is explained to each party at the beginning of the proceedings – i.e. that all parties have the opportunity to have their say without being interrupted
- That all issues are fully addressed
- Ensuring that complainants are put at ease.
- Ensuring the hearing is conducted informally and that all parties treat each other with courtesy and respect
- Ensuring that the panel is open minded and acts independently
- Confirming that no panel member has had any previous involvement in the complaint
- Ensuring all parties are given the opportunity to see any written documentation and to comment on it.

A clerk to the panel will also be appointed (this could be the Complaint Co-ordinator or another member of staff). The clerk will be responsible for the following:

- Arranging the time, date and venue for the hearing.
- Collating and distributing any written information, including details of the previous stages of the complaint, to all parties in advance of the hearing.
- Meeting and welcoming the parties as they arrive.
- Notifying all relevant parties of the panel's decision.

The panel hearing will be held in private and the aim will be to resolve the complaint, achieve reconciliation between the school and the complainant and assure the complainant that his/her concerns have been taken seriously.

The Chair of the Complaints Panel will also ensure that the complainant is informed of the Panel's decision, in writing, within 15 working days of the Panel hearing. This letter will inform the complainant of their right of appeal should they remain dissatisfied (i.e. Ofsted or The Secretary of State for Education).

Escalation of School Complaints following Stage 3

Should a complainant remain dissatisfied following a Stage 3 complaint they have a right to escalate their complaint to the following bodies:

Local Authority

The Local Authority MAY consider school related complaints where the complaint involves school admissions and allocations, assessment of Special Educational Needs, or exclusion of children from school.

Children's Services Complaints & Feedback Manager
Commercial & Corporate Services
Civic Centre
Sunderland
SR2 7DN

Telephone: 0191 5611276

Email: children.complaints@sunderland.gov.uk

Secretary of State for Education

If a complainant feels that a school has or is proposing to act unreasonably, or has failed to discharge a duty under certain legislation they can contact the School Complaints Unit.

Department for Education School Complaints
Unit 2nd Floor,
Piccadilly Gate
Store Street
Manchester
M1 2WD

National Helpline Telephone: 0370 000 2288

Website: <https://www.gov.uk/complain-about-school>

Website Contact Us Link: www.education.gov.uk/help/contactus

Ofsted

Ofsted can consider complaints if they affect the school as a whole.

Ofsted Enquiries – National Business Unit
Royal Exchange Buildings
St Ann's Square
Manchester, M2 7LA

Telephone: 0300 1231231

Email: enquiries@ofsted.gov.uk

Online complaints form: <http://live.ofsted.gov.uk/onlinecomplaints>

Local Government Ombudsman

The Local Government Ombudsman currently considers school complaints in relation to special educational needs, school admissions, permanent exclusions and children who are out of school.

Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

Telephone: 0300 061 0614 (8.30 am to 5pm Monday to Friday)

Fax: 0330 403 4001

Text 'call back': 0762 481 1595

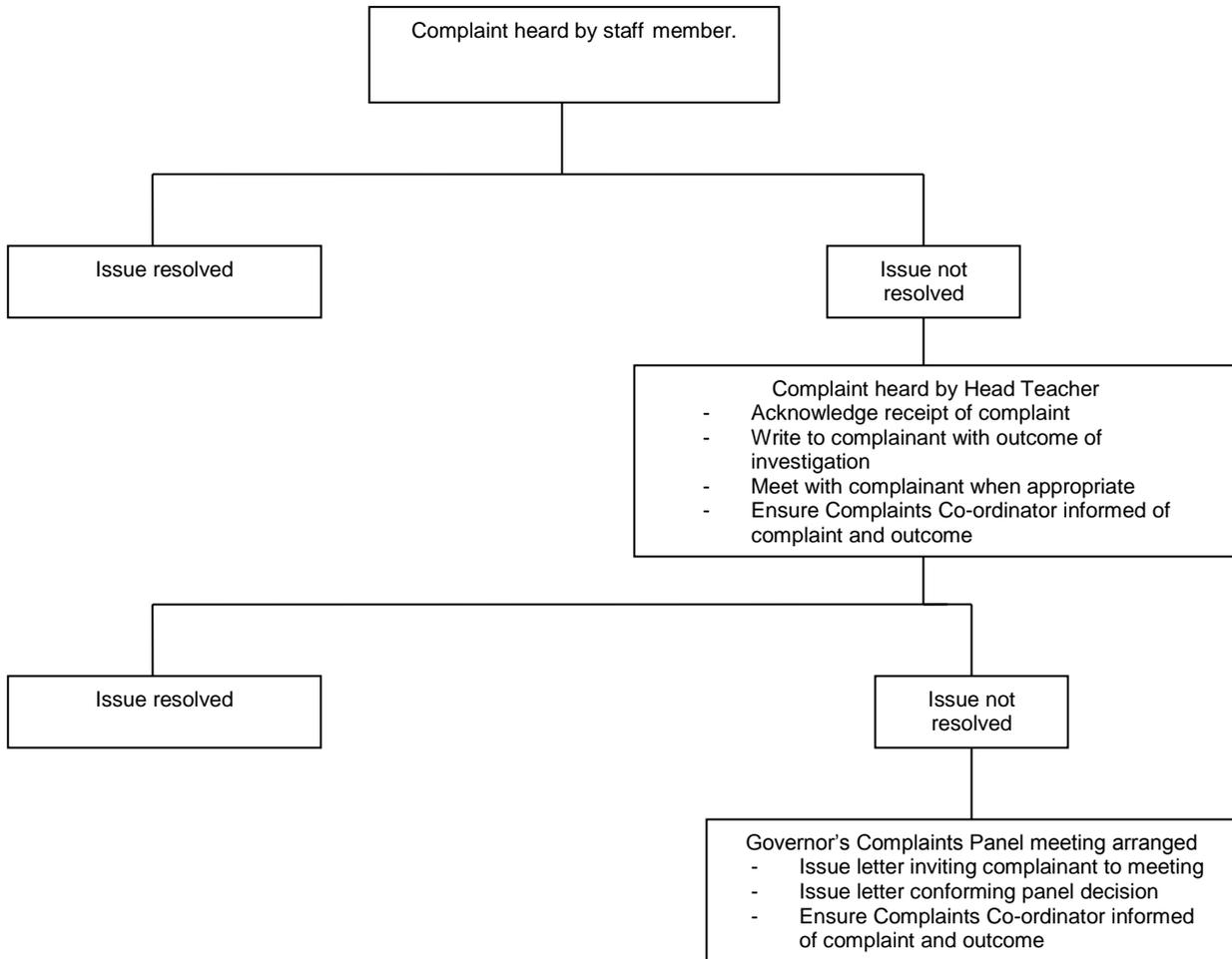
Website: <http://www.lgo.org.uk/>

Making a Complaint Link: <http://www.lgo.org.uk/making-a-complaint/>

APPENDICES

Appendix 1

Flowchart - Summary of Dealing with Complaints



Appendix 2 – Complaint form



Your name:

Address:
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Contact tel no:

Pupil's name:

Relationship to pupil:

Please give full details of your complaint (please continue on a separate sheet if necessary):

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

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What actions do you feel might resolve the problem at this stage?

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

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Signed:

Date:

PLEASE RETURN COMPLETED FORM TO THE HEAD TEACHER WHO WILL ACKNOWLEDGE RECEIPT AND EXPLAIN WHAT ACTION WILL BE TAKEN.

OFFICIAL USE	
Date received:
By who:
Date acknowledgement sent:
Complaint referred to:
Date:

Checklist for a Panel Hearing

The panel may take the following points into account:

- The hearing should be as informal as possible
- Witnesses are only required to attend for the part of the hearing in which they give their evidence
- After introductions, the complainant should be invited to explain their complaint and to be followed by the witnesses. There should be no interruptions during this process
- The Head Teacher may question both the complainant and the witnesses after each has spoken
- The Head Teacher is then invited to explain the school's actions and be followed by the school's witnesses
- The complainant may question both the Head Teacher and the witnesses after each has spoken
- The panel may ask questions at any point
- The complainant is then invited to sum up their complaint
- The Head Teacher is then invited to sum up the school's actions and response to the complaint
- Both parties leave together while the panel decides on the issues during the closed panel session
- The chair explains that both parties will hear from the panel within a set timescale