

# **Lympstone C of E Primary School**



## **Complaints Procedure**

Adopted by Governors 2018

## **Introduction**

The school has adopted this procedure to allow any individual (not just parents/carers of children at the school) to raise a concern or complaint relating to the school. This procedure does not apply to concerns and complaints relating to the following, which are dealt with under separate Devon County Council policies:

- Exclusions
- Admissions

The school is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair, and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible. The school welcomes feedback, because if anyone is unhappy with any aspect of our school, we would like to know.

## **Procedure**

### **Stage 1 (informal): Complaint heard by staff member**

1.1 We would always hope to resolve any concern or complaint at the earliest possible stage. If anyone has any issues they wish to raise then they should approach the appropriate class teacher in the first instance, or if they feel this is inappropriate, the Deputy Head, without the need to resort to the formal procedure. The school values informal meetings and discussions and encourages parents/carers or anyone else with an issue to approach staff with any concerns they may have, and aims to resolve all issues with open dialogue and mutual understanding. It is always helpful if you can fully explain the nature of the concern and identify the outcome you are looking for. The member of staff dealing with your concern will make sure that you are clear on what action (if any) has been agreed. This may be put in writing if appropriate.

1.2 If the concerns are about the Headteacher then these should be referred directly to the Chair of Governors under Stage 3.

1.3 There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion, although it would be expected that most issues will be resolved within 15 school days. Where no satisfactory solution has been found, you will be advised that if you wish your concerns to be considered further you should write to the Headteacher and raise your complaint formally as described in Stage 2.

### **Stage 2: (formal) Written Complaint to Headteacher**

2.1 If your concerns are not resolved under Stage 1 or you wish your concerns to be dealt with immediately as a formal complaint, you should put your complaint in writing and send this to the Headteacher.

2.2 Your written complaint should include details which might assist the investigation, such as the nature of the complaint, details of how the matter has been dealt with so far, the names of potential witnesses, dates and times of events and copies of all relevant documents. It is

very important that you include a clear statement of the actions that you would like the school to take to resolve your complaint. You may wish to use the Complaint Form provided in Annex 1.

2.3 Your complaint will normally be acknowledged in writing within 5 school days of receipt. The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This will normally be within 15 school days of receipt.

2.4 The Headteacher will usually invite you to a meeting to clarify your complaints and to explore possible resolutions. If you accept that invitation, you may be accompanied by one other person, such as a friend, relative, advocate or interpreter, to assist you. Where possible, this meeting will take place within 10 school days of receipt of the written complaint.

2.5 If necessary, witnesses will be interviewed and statements taken from those involved. If the complaint centres on a pupil, the pupil may also be interviewed with their parent or carer present.

2.6 Once all the relevant facts have been established as far as possible, you will be provided with a written response to the complaint, including a full explanation of the decision and the reasons for it. This will include what action the school will take to resolve the complaint (if any). You will be advised that if you are dissatisfied with the outcome of the complaint, you may request that your complaint be referred to the Chair of Governors.

2.7 If in the early stages of the investigation, the Headteacher considers that the complaint is best dealt with immediately at Stage 3, it will be passed to the Chair of Governors and you will be informed of this action without delay.

### **What if the complaint is about the Headteacher?**

If the complaint is about the Headteacher, or if the Headteacher has been closely involved at Stage 1, your complaint should be sent to the Chair of Governors who will deal with the complaint under Stage 3 procedures.

### **What if the complaint is about a Governor?**

You should contact the Chair of Governors who will investigate the concerns in accordance with Stage 3.

If the complaint is about the Chair of Governors you should contact the Vice Chair of Governors who will investigate under Stage 3 procedures.

## **Stage 3: (formal) Referral to the Chair of Governors**

3.1 If you are not satisfied with the response of the Headteacher you should write to the Chair of Governors to request that your complaint is considered further.

3.2 Your complaint will normally be acknowledged in writing within 5 school days of receipt. The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This will normally be within 15 school days of receipt. The response from the Chair of Governor's will include details of the Stage 4 process if you wish to take the matter further.

#### **Stage 4 (formal) complaint hearing by Governing Body's Complaints Panel**

4.1 If you are dissatisfied with the decision under Stage 3, you should write to the Clerk to Governors and request that a Complaints Appeal Panel be convened to consider your complaint. This should be done within 15 days of your receiving notice of the outcome of Stage 3.

4.2 The Chair, or if the Chair has been involved at any previous stage in the process, a nominated governor, will convene a Governing Body complaints panel. The panel will consist of 3 members of the Governing Body. Individual complaints will not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

4.3 Every effort will be made to enable the hearing to take place within 20 school days of the receipt of your request. As soon as reasonably practicable and in any event at least 5 school days before the hearing, you will be sent written notification of the date, time and place of the hearing, together with brief details of the panel members who will be present. Fair consideration will be given to any bona fide objection to a particular member of the Panel. The notification will also inform you of your right to be accompanied to the meeting by a friend, relative, advocate or interpreter and explain how the meeting will be conducted.

4.4 You should notify the Clerk in advance if you intend to bring anyone to the hearing. Legal representation will not be permitted. A copy of the complaint and any other documents provided by you in support of your complaint, or by the school in relation to the complaint, will be provided to the Complaints Panel as soon as practicable upon receipt. Copies of these documents shall also be provided to you or the Headteacher (as applicable) at least 3 school days before the hearing. The Complaints Panel reserves the right not to consider any documentation presented by either you or the school fewer than 3 school days prior to the hearing.

4.5 The hearing will be conducted in such a way as to ensure that each party has the opportunity to address the Complaints Panel. Whilst this is part of the formal complaints procedure, we aim to make the meeting as informal as possible so that all parties can put forward their views in a positive and respectful manner. The procedure to be followed during the hearing will be set out to the parties by letter in advance of the hearing. Unless otherwise stated, each party will speak to the panel in turn without the presence of the other party and the Complaints Panel will then retire to consider their decision. The Clerk will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken or actions agreed.

4.6 After the hearing, the Complaints Panel will consider their decision and inform you and the Headteacher of their decision in writing within 15 school days. The letter will set out the decision of the Panel together with the reasons underpinning that decision. The Panel can (by a majority if necessary):

- 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 happen again.

## **5. Appeal to Department for Education**

5.1 If you are dissatisfied with the decision taken by the Panel, you may appeal to the Secretary of State for Education, by writing to The School Complaints Unit (SCU) at:  
Department for Education  
2nd Floor, Piccadilly Gate  
Manchester  
M1 2WD

**Annex 1**

**Complaint Form**

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)?