

Grendon CE Primary School
Complaints Procedure

1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school and others

When responding to complaints, we aim to:

Be impartial and non-adversarial

Facilitate a full and fair investigation by an independent person or panel, where necessary

Address all the points at issue and provide an effective and prompt response

Respect complainants' desire for confidentiality

Treat complainants with respect

Keep complainants informed of the progress of the complaints process

Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

2. Legislation and guidance

This document meets the requirements of section 29 of the Education Act 2002, which states that schools must have and make available a procedure to deal with all complaints relating to their school.

It is also based on guidance for schools on complaints procedures from the Department for Education (DfE).

3. Definitions and scope

The DfE guidance explains the difference between a concern and a complaint.

A **concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought".

The school will resolve concerns through day-to-day communication as far as possible.

A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action".

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)

- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with SEN about the school's support are within the scope of this policy. Such complaints should first be made to the Head Teacher; they will then be referred to this complaints policy. Our Inclusion Policy includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

4. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The school expects that complaints will be made as soon as possible after an incident arises and no later than 1 month afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

5. Stages of complaint

Stage 1: informal

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the Head Teacher as appropriate, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office.

The school will acknowledge the receipt of an informal complaint within 2 working days. There is no specific timescale for the duration of an investigation although it is acknowledged by the school that it is in the best interests of all parties for the investigation to be conducted in a timely way.

The informal stage will involve a meeting between the complainant and the Head Teacher as appropriate.

If the complaint is not resolved informally, it will be escalated to Stage 2: a formal complaint. This should be initially to the Head Teacher. In the event that the complaint is about the Head Teacher or if the informal complaint was dealt with by the Head Teacher, the complaint should be escalated to the Chair of Governors.

Stage 2: formal

Inform the Head Teacher or Chair of Governors in writing

This letter should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

The Head Teacher (or Chair of Governors) will offer a meeting to clarify concerns, and seek a resolution. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance. Likewise, the Head Teacher (or Chair of Governors) may also request representation which may include a clerk to minute the meeting.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

The Head Teacher or Chair of Governors will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant in a timely way.

If the complainant is dissatisfied with the outcome of Stage 2 of the investigation and wishes to proceed to the next stage of the procedure, they should inform the Clerk to Governors in writing within 14 days of the date on the outcome letter.

Stage 3: submit the complaint to a review panel

The review panel consists of members of the Governing Body. It is important should a complaint reach the panel stage that the governing body is impartial and independent and is seen to be so. Panel members should have no knowledge of and no prior involvement with the complaint. Governors who may have a conflict of interest will not be eligible to be on the panel. The Chair of Governors may be on the review panel unless they were involved at the earlier stage. Governing Bodies should have regard to the advantages of having a mix of types of governor on the panel and be sensitive to issues of equal opportunity in the composition of the panel. These individuals will have access to the existing record of the complaint's progress (see section 8).

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish.

The panel should elect a chairperson who should ensure that proper minutes of the meeting are taken. The chair of the panel should try to ensure that the proceedings are sufficiently informal as possible and that the complainant and other participants feel at ease.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, the evidence will then be considered.

The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the headteacher.

The school will inform those involved of the decision in writing within 28 days.

6. Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the School Complaints Unit (SCU), which investigates complaints relating to maintained schools on behalf of the secretary of state.

The SCU will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The SCU also looks at whether the school's statutory policies adhere to education legislation. It may direct the school to re-investigate the complaint where it is clear the school has acted unlawfully or unreasonably.

For more information or to refer a complaint, see the following webpage:

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

7. Persistent complaints

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the Chair of Governors (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the similar issues, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the school's position and their options (if any), *and*
- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, *and/or*
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, *and/or*
- The individual makes insulting personal comments about, or threats towards, school staff

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

8. Record-keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing body.

9. Learning lessons

The Chair of Governors will review any underlying issues raised by complaints with the Head Teacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

10. Monitoring arrangements

This policy will be reviewed and approved by the Head Teacher and Chair of Governors every two years.

Appendix A

Dealing with Complaints about Racism in Schools

1. Racist Behaviour to a Child or Student
The procedures to be followed are contained in the Schools Service's guidance "Notification of Racist Incidents"
2. Racist Incident Alleged Against School Staff
 - i. The report/complaint should be made to the head teacher, or if the head teacher is the subject of the report/complaint, to the Chair of Governors;
 - ii. As racism is a disciplinary offence, the normal disciplinary procedures are followed.
3. Institutional Racism
Parents who perceive that racist practice or policies are operated by the school should pursue these through the school's Complaints Procedure