

BANWELL PRIMARY SCHOOL

Complaints Procedure and Log

Last Update:
January 2018

Approved:
FGB
January 2018

Next Update:
January 2021

To be reviewed every three years

FGB free to determine approval responsibility

1. Introduction

We are dedicated to providing the best possible education and support for all our 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.

Complaints usually come from parents and carers, but anyone can make a complaint to the school including neighbours, members of the local community and people hiring our facilities, for example.

We will use this procedure to investigate if someone expresses their dissatisfaction with:

- the conduct or operation of our school
- the conduct, actions or lack of action by a member of school staff, the Governing Body or an individual governor
- an unacceptable delay in dealing with a matter, or
- the unreasonable treatment of a pupil or other person

This procedure is for **all staff**, and must be used when a concern, issue or complaint is made.

You must make sure that parents and carers are told about this procedure, and that they then follow it, whenever an issue arises that causes them concern. We have produced a guidance leaflet for parents and carers that shows the process. You should make sure that the parent or carer is given a copy of that leaflet.

2. What this procedure does NOT cover

We have separate arrangements for complaints that fall under other statutory procedures, in particular, those about:

- the curriculum
- sex education
- collective worship
- pupil admissions
- pupil exclusions
- special educational needs statementing
- staff grievances, and
- serious complaints relating to the abuse of children, criminal or financial matters (including fraud).

If you are told about any of the above, you must check the relevant school policy to make sure you are clear about what you must do. The Headteacher or Chair of Governors may be able to provide guidance and/or support with any such cases.

3. When an issue or concern first arises

We encourage parents and carers to approach staff with any concerns they may have. We aim to resolve all issues with open dialogue and mutual understanding.

If a parent or carer tells you that they have a concern that they would like to take up with the school you should make sure that they first tell a member of staff either in person, over the telephone or in writing (this includes email).

3.1 *If a parent or carer contacts you with an issue*

In most cases you should make sure that the parent or carer talks to the child's teacher first as they will be best placed to help, either directly or by finding out which other member of staff they should be speaking to.

If the complaint is about a member of staff, you should make sure that the parent or carer first raises this with the headteacher either in person or in writing. A meeting can be arranged with the headteacher to discuss the issue.

If the complaint is about the headteacher, you should tell the parent or carer to raise their concern in writing with the Chair of the Governing Body. The Chair of Governors may refer complaints that are taken straight to them back to the appropriate member of staff if they do not warrant the governing body's involvement at that point.

If the complaint is about a governor, you should tell the parent or carer to raise their concern in writing with the Clerk to the Governing Body. The contact details for the Clerk can be got from our Bursar.

You should tell the parent or carer that they may be asked to give a written explanation of their concern. This is so that it is easy to know what the initial problem was if their complaint is taken further or needs to be reviewed in the future. They will then be invited to an informal meeting with the member of staff most appropriate for dealing with their concern.

4. Serious complaints

Concerns relating to the abuse of children, safety, criminal or financial matters (including fraud) must be immediately reported to the Headteacher or Chair of Governors.

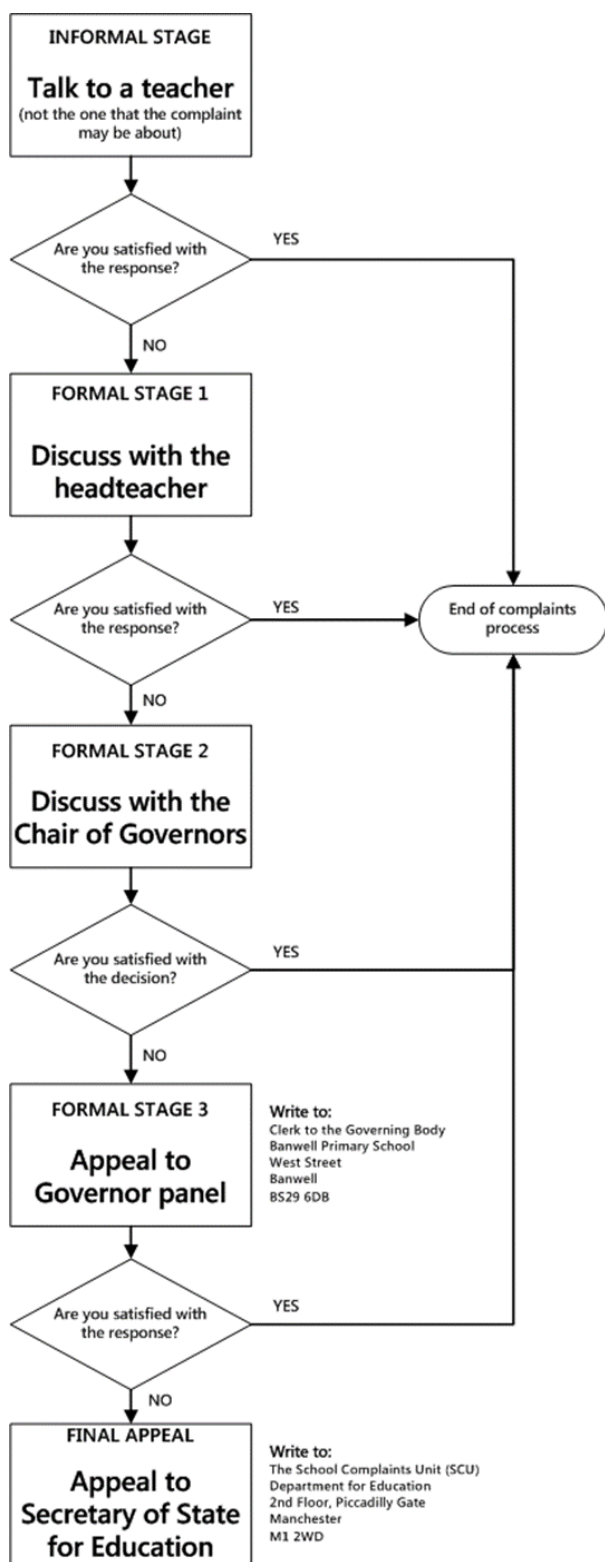
5. Confidentiality

We will treat all concerns and complaints with discretion. However, some information may need to be shared with those involved to enable a proper investigation to take place. Information about anyone else involved will be treated sensitively and not shared with anyone else inappropriately.

We will normally disregard anonymous complaints; but the Headteacher and/or the Governing Body have discretion to investigate an anonymous complaint if they decide that the gravity of it warrants an investigation.

6. The process

The diagram below shows how parents and carers should apply our process:



6.1 Informal meeting

The parent or carer is welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent to this meeting. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

We have a responsibility to make sure that the parent or carer understands any actions that have been agreed in this meeting. You must write down a summary of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

The parent or carer should be told that they can make a formal complaint if they cannot come to an agreement, or are dissatisfied with the outcome of the meeting. The formal complaint must be made in writing (this includes email) to the Headteacher.

6.2 Formal complaints

To make sure that complaints are processed efficiently and effectively, we deal with formal complaints in three stages:

Stage 1 – Headteacher's actions

You must acknowledge receipt of a formal complaint in writing within **five school days**. If you have already investigated the situation you may give your decision (if there is one to be made), and any action to be taken as a result of the complaint.

You may call the parent or carer in for a meeting to discuss the decision, possible solutions, or to explain what has or will happen as a result of the complaint. You must keep write a summary of all conversations with other staff, meetings and decisions made in reference to the complaint.

If the complaint is against a member of staff, you must talk to that employee. If it is an allegation of abuse, a formal investigation may be started by the school or external child welfare authorities to whom the school reports. Please refer to our **allegations of abuse against staff policy** for how this procedure works.

You must investigate the complaint. This is likely to involve talking to those involved and may, on rare occasions, involve reviewing school CCTV footage or

reviewing paper records. You must start a complaint log entry (see Appendix A) to record the details of the complaint and progress towards resolving it.

You must respond to the parent or carer in writing, normally within **five school days** but this may be up to ten school days if the issue is complex. You must give your response to the parent or carer's concern, and any action that has or will be taken. If you have decided not to take any further action on the issue, you must explain what you have decided and how you have reached this decision. You must also tell the parent or carer

that they have a right to take the matter further and, if they choose to do so, that they should now complain in writing to the Chair of the Governing Body.

There may be occasions where a complaint leads to a disciplinary procedure. This will delay the complaints procedure. In such a case, you must tell the parent or carer, without going into detail, that other school processes have started and that you will keep in touch with them to update them about any likely further delay. The outcome of the disciplinary process may affect the complaint, so the parent or carer must be told, again without going into detail, that action has been taken.

Stage 2 – Chair of the Governing Body's actions

If the complaint is against a member of staff, you should make sure that the employee is given the opportunity to write a response, which must be sent to you within **five school days** of the complaint being lodged with you. You must investigate the complaint. This is likely to involve talking to those involved and may, on rare occasions, involve reviewing school CCTV footage or reviewing paper records.

You must respond to the parent or carer, in writing, within **ten school days**. You must give your response to their concern, and any action that has or will be taken. If you have decided not to take any further action on the issue, you must explain what you have decided and how you have reached this decision. You must tell the parent or carer that they have the right to appeal your decision and that they must write to the Clerk to the Governing Body to do so.

7. Appeals

Stage 3 – Clerk of the Governing Body's actions

If the parent or carer lodges an appeal following the outcome of a formal complaint at stage 2, you must arrange an appeals panel of the governing body. You must acknowledge the parent or carer's request within **five school days**. The appeal panel should usually meet within **twenty school days** from the acknowledgement being sent. Where it is not possible to find a mutually convenient date within that timescale, you must agree a new timescale with the parent or carer.

You must make sure that all parties involved in the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents. The headteacher must be invited to attend the hearing.

The appeals panel

The appeals panel will be made up of members of the governing body, excluding staff governors. No member of the governing body can sit on the appeals panel if they have had any former knowledge or involvement in the case that is being dealt with at that time. The panel will consist of three governors and a chair will be nominated from within that group. All panel members will be familiar with and have access to the complaints policy and this procedure.

Stage 3 – Governing Body appeals panel's actions

Appeals panel hearing

You must give careful consideration to how the parent or carer and other people involved in the complaint can be made to feel most comfortable presenting to the panel, especially in the case of a young child having to present or explain information.

During the appeals hearing the panel Chair will introduce the people present. The Chair must then ask the parent or carer to explain what their complaint. You must then ask the headteacher to explain what they have done.

The parent or carer must be invited to ask the headteacher questions, and the appeals panel may also ask the headteacher questions about their actions. The headteacher and panel may also ask the parent or carer questions. The Clerk to Governors, or member of school staff not connected with the complaint, may be there to take notes about what is discussed.

Once the panel believes it has a clear understanding of the complaint and the headteacher's actions, the parent or carer should be told that you will now consider the complaint and that you will write to them with your decision, normally within **ten school days**. The headteacher and the parent or carer must then be asked to leave. You must then discuss what you have heard and attempt to reach a decision. You may decide that you need more information before you can reach a decision. If this is the case, you must make sure that this is done promptly.

You must write to the parent or carer with your decision, usually within ten school days of the appeal hearing (it may be longer if you have had to gather more information). The letter must give the decision of the panel together with the reasons for that decision. The letter may set out recommendations which will be made to the governing body and will set out any further rights of appeal.

The appeals panel may:

- dismiss all or part of the complaint
- uphold all or part of the complaint
- decide on the appropriate action to be taken to resolve the complaint, or
- recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

You must tell the parent or carer that the panel's decision is final, and that if they are unhappy with the outcome, they may put their complaint to the Secretary of State. Complaints should be sent to the School Complaints Unit, DfE, 2nd Floor, Piccadilly Gate, Manchester M1 2WD.

8. Vexatious complaints

There may be rare occasions where a complainant continues to be dissatisfied with the school and the outcomes that it creates.

Where a complainant attempts to re-open an issue which has already been dealt with under the complaints procedure, the Chair of the Governing Body must contact them to tell them that the matter has already been dealt with. The Chair must explain that either that stage of the procedure has been exhausted or that the complaints procedure has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the school will be under no obligation to respond to that correspondence.

9. Monitoring complaints

The headteacher must review all complaints no matter how far they are taken or what the outcome is. The Governing Body must monitor all complaints and evaluate their significance. This is to make sure that we are able to learn from what has happened and improve what we do so that similar problems are avoided in the future.

10. Staff complaints

Staff who have a concern about a colleague or a volunteer member of staff should use our **whistleblowing policy**.

The procedure for dealing with any other staff complaints or employment grievances is set out in the school's **staff discipline, conduct and grievance policy**.

COMPLAINT LOG

Complainant's name

Pupil's name

Complainant's relationship to the pupil or school

Address

Contact number(s) / e-mail

Date Complaint Raised

Summary of the complaint

FORMAL STAGE 1 – HEADTEACHER

Summary of the investigation and actions, if any, that have already been taken to try and resolve the complaint

List who have you spoken to, the date you spoke to them, the response and any other evidence you have reviewed

Date complainant
told of your
decision

Complaint
closed?

Date
closed

FORMAL STAGE 2 – CHAIR OF GOVERNORS

Date you received written complaint

Summary of your investigation and actions, if any, that have already been taken to try and resolve the complaint

List who have you spoken to, the date you spoke to them, the response and any other evidence you have reviewed

Date complainant
told of your
decision

Complaint
closed?

Date
closed

FORMAL STAGE 3 – GOVERNOR PANEL

| | |
|----------------------------------|--|
| Date you received written appeal | |
|----------------------------------|--|

| | |
|-----------------------|--|
| Chair of appeal panel | |
|-----------------------|--|

Summary of your investigation, actions, if any, that have already been taken to try and resolve the complaint

List who have you spoken to, the date you spoke to them, the response and any other evidence you have reviewed

| | |
|--|--|
| Date complainant told of your decision | |
|--|--|

| | |
|-------------------|--|
| Complaint closed? | |
|-------------------|--|

| | |
|-------------|--|
| Date closed | |
|-------------|--|

HEADTEACHER AND/OR CHAIR OF GOVERNORS

What further actions do you feel might resolve the problem?

List what actions will be taken, the person responsible for taking them and when they will be taken. You are responsible for checking that they are completed and that the complaint is closed.

Are you attaching any paperwork? List documents here and keep copies with this record