

John Fletcher of Madeley
———— *Primary School* ————

School Complaints Policy

Date approved: 19 June 2019

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At John Fletcher of Madeley Primary School, we undertake to provide a friendly and safe environment where every child is valued and is helped to achieve their full academic and social potential.

We recognise that things can sometimes go wrong and parents and members of the public may need to raise concerns they have about the school. This policy sets out what should be done in these cases. There are special procedures for complaints regarding school admissions, exclusions and for complaints about religious education and religious worship, but all concerns about the school should first be raised informally - as set out below.

Our guiding principle is that we welcome feedback, even if the message may be uncomfortable for the school. It is helpful if any concerns are raised as soon as possible to inform any action that may be required. In any instance, it would be expected that concerns raised relate to issues no more than three months old.

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 and to any community facilities or services that the school provides. It is also based on guidance for schools on complaints procedures from the Department for Education (DfE).

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 concerns or 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 issues.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances

Arrangements for handling complaints from parents of children with SEND about the school's support are within the scope of this policy. Such complaints should first be made to the special educational needs co-ordinator (SENDCO); they will then be referred to this complaints policy.

Informal Stage 1

We believe that most matters of concern can be resolved informally and quickly. Please raise the matter in the first instance with your child's teacher. This will allow you to discuss the issues. It is likely that your concern will be resolved at this stage.

Informal Stage 2

If you are not satisfied with the outcome of meeting the class teacher, or if your concern is about the class teacher, please contact the office to make an appointment to meet the Phase Leader who will listen to your concerns and attempt to resolve them with you.

Informal Stage 3

If you are not satisfied with the outcome of meeting the Phase Leader, or if your concern is about the Phase Leader, please contact the office to make an appointment to meet the Assistant Headteacher or Deputy Headteacher who will listen to your concerns and attempt to resolve them with you.

Informal Stage 4

If you are not satisfied with the outcome of Informal Stage 3, please contact the office to make an appointment to meet the Headteacher who will listen to your concerns and attempt to resolve them with you.

Please be prepared to allow time at any of the above stages for changes in school practice to be implemented before progressing to the next stage. Please let us know if, at any stage, you wish this informal concern to be recorded using the school's "Record of Concern" pro-forma. Any actions will also be recorded.

If you are not happy with the school's response to the Informal process, you have the option of making a formal complaint; the school may also decide to refer your concern as a formal complaint.

Formal Procedure - Stage 1

If the complainant is not satisfied with the outcome of the informal procedure then they may invoke the formal process. In the first instance the complainant will put in writing the nature of the complaint to the school complaints co-ordinator (the Deputy Headteacher) who will arrange for an investigation to be carried out. If the appointed complaints co-ordinator is the subject of the complaint, then the complaint should be addressed in a sealed envelope marked confidential to the Headteacher. The Headteacher will then appoint another appropriate person to conduct an investigation. If the subject of the complaint is the Headteacher the complaint should be addressed in a sealed envelope marked confidential to the Chair of Governors and given to the office at school.

Upon receipt of the complaint an investigation will be undertaken and the complainant be informed within 5 working days

(a) the outcome of the investigation or

(b) that further investigation is required which will take no longer than a further 5 working days.

If a complainant makes the first approach to a governor, the governor should refer the complainant to the appropriate person and the school procedure. It is not appropriate at this stage for an individual governor to be involved in the process.

Stage 2

If the complainant is not satisfied with the outcome of Stage 1, they can request the Headteacher to review the case, which may involve a re-investigation. This request must be received by the school within 5 working days of Stage 1 being completed. The Headteacher may delegate the information gathering process to another member of staff, but only the Headteacher can make a decision on the action to be taken.

This process and a report back to the complainant on the outcome of the complaint will be completed within 5 working days.

Stage 3

If the complainant is still not satisfied with the outcome at the end of Stage 2, they may ask for the matter to be referred to the school's governing body Complaints Appeal Panel. This request must be received by the school within 5 working days of Stage 2 being completed.

Whilst the difficulty of getting panels of the Governing Body together is acknowledged, this process (including communicating the outcome to the complainant) should not normally take longer than 15 working days.

It is not appropriate for the Full Governing Body to be involved at this stage as it would compromise the impartiality of any panel set up for a disciplinary hearing.

The Governing Body can give delegated powers to this panel, which will consist of three members. If any members of the Governing Body have been previously involved in the complaint, in particular the Head Teacher or Chair of Governors, they cannot be a member of the panel. The panel can choose their own chair.

The panel can:

- Dismiss the complaint in whole or part
- Uphold the complaint in whole or part
- Decide on appropriate action to resolve the complaint
- Make recommendations to ensure that such, or similar problems do not occur again.

At each stage the person investigating the complaint should:

- Clarify the nature of the complaint.
- Establish what has happened and who has been involved.
- Meet with the complainant or contact them.
- Interview those involved in the matter allowing them to be accompanied if they wish by a trade union/professional association representative, workplace colleague or friend.
- Conduct the interview with an open mind and without bias.
- Ensure agreed notes are kept of the interview.

Only when the school's procedure has been completed should any complaints be referred to Ofsted.

Complaints About Governors

If you have a concern or complaint about a Governor, please inform the Chair of Governors in writing in a sealed envelope marked "confidential" via the school office.

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.

If the complaint is regarding the Chair of Governors, this should be in writing in a sealed envelope marked "confidential" for the attention of the Clerk to the Governors and handed to the school office.

The Chair of Governors, or nominated representative of the Governing Body, will call 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. 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 Chair of Governors (or other person appointed by the Chair of Governors for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 10 school working days.

Learning Lessons

The Governing Body will review any underlying issues raised by complaints with the Headteacher, 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.

Monitoring Arrangements

The Governing Body will ensure that complaints are handled properly. They will monitor the effectiveness of the Complaints Policy by tracking the number and nature of complaints, and will review underlying issues as stated above.

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 same issue, 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

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

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.

Unreasonably Persistent Complaints

If a complainant makes persistent, unreasonable complaints to the school, the Head Teacher and Chair of Governors will jointly write to the complainant either by letter or email, to explain that their complaints will no longer be actioned.

NB Whenever the word "parent" is used, it is done so considering Section 576 of the Education Act 1996 (EA

1996), where a "parent" in relation to a child or young person is defined as:

- *The biological parents of a child, whether they are married or not.*
- *Anyone who although not a biological parent has parental responsibility for a child.*
- *Any person, who although not a biological parent and who does not have parental responsibility, has care of a child or young person.*
- *A person typically has care of a child or young person if they are person with whom the child lives, either full or part time and who looks after the child, irrespective of their biological or legal relationship with the child (for example, a foster carer or family and friends' carer who has been delegated responsibility for taking day-to-day decisions about the child but does not have parental responsibility).*