

Complaints Policy

Date agreed by Governors: 23rd March 2017

Date Reviewed: 1st March 2017

Date of next Review: March 2019

General Introduction:

This policy supports the work of the school in promoting its mission statement, aims and values.

Mission statement:

St Michael's VC School endeavours to provide a happy, safe, caring and stimulating learning environment, based on Christian principles in which all members of the school community are valued as individuals and are encouraged to reach their full potential.

School aims:

At St Michael's we value every member of our school community and our aims are for every child, whatever their background or circumstances, to have the support they need to:

- Develop their understanding of the value of leading a healthy lifestyle
- Work and play in a secure and safe environment in which they are encouraged to develop moral values and mutual respect
- Experience an exciting curriculum which fosters their enthusiasm, develops an enquiring mind and enables every child to achieve his/her full potential
- Access an education for life which promotes British Values that enable all learners to become effective and reliable members of the wider community
- Foster ambition and expectation to carry through to adult life

To achieve these aims all learners, staff, parents and governors will work together to promote our **core values** of peace, courage and respect.



Rationale:

At St Michael's Church of England Primary School, we aim to provide the best possible opportunities for our pupils and to maintain positive relationships with pupils, parents and the wider community. The school recognises, however, that there may be times when a member of our community has a concern or wishes to make a complaint about the standard of service, actions or lack of actions by the school.

This Complaints Policy and the accompanying Procedure is available on the school website or from the school office and is included in information given to new parents and in lettings agreements.

Broad Guidelines:

The prospectus, school policies and the Home-School Agreement expand upon the school's commitment to pupils and their parents and upon the school's expectations.

Problems are less likely to arise if pupils, parents and the wider community feel that the adults who work in the school are open to their concerns. We believe that constructive suggestions can be used for positive discussion which develops mutual understanding and should lead to improvements.

All concerns and complaints will be handled seriously. Concerns can usually be resolved informally at an early stage, but all formal complaints will follow the Complaints Procedure.

There are some complaints that fall outside this Procedure because there are other procedures to address such matters. These include Staff Grievances and Disciplinary matters.

St Michael's Church of England Primary School expects that any third party providers offering community facilities or services through the school premises, or using school facilities, will have their own Complaints Procedure in place.

Principles:

The school will always endeavour to:

- Ensure that the Complaints Policy and Procedures are simple to understand and use and accessible to all;
- Encourage resolution of problems by informal means wherever possible;
- Ensure that complaints are handled impartially and in a non-hostile manner;
- Deal with concerns and complaints within the established time limits, keeping those involved informed of progress;
- Ensure a full and fair investigation by an independent person where necessary;
- Address all the points at issue, provide an effective response and take appropriate action where necessary.

In addition:

- Confidentiality will be respected.
- Relevant information will be shared with the school's Senior Leadership Team so that services can be improved as appropriate.
- Where the complainant is unable to put the complaint in writing, the School will accept a complaint written on their behalf as long as it is signed and dated.



Complaints Co-ordinator:

The school will appoint a Complaints Co-ordinator who will have responsibility for the operation and management of the school's Complaints Procedure.

Investigation of Complaints:

At each stage in the Complaints Procedure, the person investigating the complaint should:

- Establish what has happened so far and who has been involved;
- Clarify the nature of the complaint and what remains unresolved;
- Meet with the complainant or contact them if clarification or further information is necessary;
- Clarify what the complainant feels would put things right;
- Interview those involved in the matter, allowing them to be accompanied if they wish;
- Conduct the interview with an open mind and be prepared to persist in the questioning;
- Keep notes of the interview or arrange for an independent note-taker to record the meeting.

Resolving Complaints:

There are a number of ways in which a complaint can be resolved. This may involve:

- Acknowledging that the complaint is valid in whole or in part;
- Offering an apology;
- Offering an explanation;
- Admitting that the situation could have been handled differently or better;
- Offering an assurance that the event complained of will not recur;
- Offering an explanation of the steps that have been taken to ensure that it will not happen again;
- Offering an undertaking to review school policies in the light of the complaint.

Time limits:

- The Complaints Co-ordinator will acknowledge complaints by letter or email within 5 school working days. This will include a summary of the complaint and a date for a meeting to discuss it, or for when a full response may be expected.
- The Complaints Co-ordinator, or another member of staff appointed by the Complaints Co-ordinator, will undertake an investigation into the complaint and respond with findings within 10 school working days. If this is not possible, the complainant will be advised of a date by which a response will be issued. The response will provide details of the next steps available if the complainant is still dissatisfied.
- Usually, complaints relating to issues that occurred over 12 months ago will not be considered. However, there may be exceptions to this cut-off limit.



Monitoring the Complaints Policy:

The nature and frequency of all complaints (though not the names of complainants or employees involved) will be reported to the Governing Body on a termly basis. The Governing Body will receive a summary of all complaints annually

COMPLAINTS PROCEDURE

Stage 1 – Informal Resolution

- It is in everyone's interest that complaints are resolved at the earliest possible stage, either to the complainant's satisfaction, or with an otherwise appropriate outcome which balances the rights and duties of pupils without unreasonable delay. Parents should receive acknowledgement of a complaint within 5 school working days. The school will not penalise pupils for making a complaint in good faith and complaints made by parents will not rebound adversely on their children.
- All members of staff should be aware of the procedures. If parents have a complaint they should normally contact their child's class teacher via the school office by email or letter. The relevant teacher and the Complaints Co-ordinator will be informed at the earliest opportunity.
- If the complainant indicates that s/he would have difficulty discussing the complaint with a particular member of staff, this view should be respected and the Complaints Co-ordinator can refer the complaint to another staff member. Similarly, if a member of staff directly involved feels too compromised to deal with a complaint, the Complaints Co-ordinator may consider referring the complainant to another staff member. If the complaint concerns the Headteacher, the Complaints Co-ordinator can refer the complainant directly to the Chair of Governors. If the first approach is to a governor, the governor should refer the complaint directly to the Complaints Co-ordinator without trying to investigate further. Governors should be mindful that they may be needed to sit on a Complaints Appeal Panel (Stage 4).
- Complaints made directly to the Head will usually be referred to the relevant teacher unless she deems it more appropriate for it to be dealt with by a more senior member of staff and the Complaints Co-ordinator informed. A written record of all referrals will be kept by the Complaints Co-ordinator.
- In most cases, the matter should be resolved by this means within 10 school working days. A confidential, dated, written record of the complaint and the resolution of the complaint or an agreed action plan should be filed in the school office and also on the pupil's file. All written records of complaints will be kept for a minimum of 3 years. A log of all complaints and their outcome, and whether they are resolved at the preliminary stage or proceed to a panel hearing, will be kept for regular review by the Head. The nature and frequency of all complaints (though not the names of complainants or employees involved) will be reported to the Governing Body on a termly basis. The Governing Body will receive a summary of all complaints annually.
- If the teacher cannot resolve the matter alone, it may be necessary for him/her to consult the a more senior member of staff, in which case the matter will normally be resolved within 15 school working days.



- Should the matter not be resolved within an agreed period of time, normally 10 school working days, or in the event of the staff member and parent failing to reach a satisfactory resolution, parents will be advised to proceed with their complaint in accordance with stage 2 of this Procedure.

Stage 2 – Formal Resolution (Normally heard by the Headteacher)

- If the complaint cannot be resolved on an informal basis, parents may wish to make a formal complaint. To complain formally, parents should write to the Headteacher giving clear details of the concern and stating that they wish to make a formal complaint.
- The Headteacher may delegate the task of collating the information to the Complaints Co-ordinator or another member of staff, but not the decision or the action to be taken. In most cases the Headteacher will meet or speak with the parents concerned, within 5 school working days of receiving the complaint. Every attempt will be made to reach a satisfactory resolution at this stage.
- It may be necessary for the Headteacher to carry out further investigations and respond more fully in time, normally within 10 school working days. Records of all meetings and interviews held in relation to the complaint will be kept and held on the central file.
- Once the Headteacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Headteacher will give reasons for the decision and any action taken or proposed.
- Should the matter not be resolved within an agreed period of time, normally 10 school working days, or in the event of the Headteacher and parent failing to reach a satisfactory resolution, parents will be advised to proceed with their complaint in accordance with stage 3 of this Procedure.

Stage 3 – Formal Resolution (Normally heard by the Chair of Governors)

- If the complainant is not satisfied with the Headteacher's decision, or if the complaint is about the Headteacher, the complainant should be advised to write to the Chair of Governors, via the school office, to request that their complaint is considered further. The letter should be marked "Private and Confidential".
- After considering full reports from both sides and once the Chair of Governors is satisfied s/he has all the necessary information, s/he may call a meeting to attempt final resolution. The decision will be communicated to the complainant in writing, stating the reasons for the decision and any action taken or proposed.
- Should the matter not be resolved within an agreed period of time, normally 10 school working days, or in the event of the Chair of Governors and parent failing to reach a satisfactory resolution, parents will be advised to proceed with their complaint in accordance with stage 4 of this Procedure.



Stage 4 – Final Formal Resolution by School (Governing Body Complaints Appeal Panel)

- The complainant should be advised to write to the Clerk of the Governing Body, giving details of the complaint and asking that it is put before the Governing Body independent Complaints Appeal Panel. The Chair of Governor, or if the Chair of Governors has been involved at any previous stage in the process, a nominated governor, will convene a meeting of the Governing Body Complaints Appeal Panel comprising 2 governors who have not been involved in the complaint or the circumstances surrounding it and one person independent of the management and running of the school. The process used for selecting an independent person will conform to any relevant guidance issued by the DfE. The Panel should comprise of a cross-section of governor categories, wherever possible and should be sensitive to issues of race, gender and religious affiliation.
- This is the last stage of the school’s Complaints Process and the meeting is not convened merely to rubber-stamp previous decisions.
- The panel can:
 - 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 recur.
- The Panel meeting will be organised by the Clerk who will be the contact point for the complainant. The Clerk will collate any written materials and send this to the parties at least 5 school working days in advance of the meeting.
- The Clerk will attend the Panel Hearing to take the notes. After the meeting, the Clerk should share copies of the notes with all parties involved.
- The Chair of the Panel will ensure that the complainant is notified in writing of the panel’s decision within 5 school working days. The letter will detail any further rights of appeal to the Local Authority or, if the school converts to academy status, to the Secretary of State for Education.

Appendices

- A. Summary for Dealing with Complaints
- B. Complaint form
- C. Roles and Responsibilities
- D. Checklist for Panel Hearing
- E. Giving a Compliment or Making a Complaint leaflet



APPENDIX A

Summary for Dealing with Complaints

Stage 1 – Complaint heard by staff member

- Ensure that Complaints Co-ordinator is informed of the outcome.
- If not resolved, escalate to Stage 2.

Stage 2 – Complaint heard by Headteacher

- Acknowledge receipt of complaint.
- Write to complainant with outcome of investigation.
- Ensure Complaints Co-ordinator informed of outcome.
- Offer escalation to Stage 3 if complainant dissatisfied.
- If not resolved, escalate to Stage 3.

Stage 3 – Complaint heard by Chair of Governors

- Acknowledge receipt of complaint.
- Write to complainant with outcome of investigation.
- Ensure Complaints Co-ordinator informed of outcome.
- Offer escalation to Stage 4 if dissatisfied.
- If not resolved, then escalate to Stage 4.

Stage 4 – Governing Body independent Complaints Panel Meeting

- Clerk to issue letter inviting complainant to meeting.
- Clerk to issue letter confirming panel decision.
- Ensure Complaints Co-ordinator informed of outcome.
- Advise of escalation routes to LA and to the Secretary of State for Education.



APPENDIX B

ST MICHAEL'S CHURCH OF ENGLAND PRIMARY SCHOOL - Complaint Form

Please complete and return to(Complaints Co-ordinator)
who will acknowledge receipt and explain what action will be taken.

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)?



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

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

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:



APPENDIX C

Roles and Responsibilities

The role of the Clerk

The Governing Body Complaints Appeal Panel should be clerked. The Clerk will be the contact point for the complainant and be required to:

- ❖ set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- ❖ collate any written material and send it to the parties at least 5 school working days in advance of the Hearing;
- ❖ meet and welcome the parties as they arrive at the Hearing;
- ❖ record the proceedings;
- ❖ notify all parties of the panel's decision.

As best practice, the Clerk should share copies of the Panel meeting minutes with all parties involved in the Hearing, providing a reasonable opportunity for the minutes to be agreed and, if necessary, challenged.

The role of the Chair of Governors or the nominated governor

The nominated governor role:

- ❖ check that the correct procedure has been followed;
- ❖ if a Hearing is requested, notify the Clerk to arrange the Panel.

The role of the Chair of the Panel

The Chair of the Panel has a key role ensuring that:

- ❖ the remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- ❖ the issues are addressed;
- ❖ key findings of fact are made;
- ❖ parents and others who may not be used to speaking at such a Hearing are put at ease;
- ❖ the Hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- ❖ the Panel is open-minded and acting independently;
- ❖ no member of the Panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- ❖ each side is given the opportunity to state their case and ask questions;
- ❖ written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

The Secretary of State for Education

The final stage of appeal is to the Secretary of State. Complainants should write to:

The Schools Complaints Unit, Department for Education, 2nd Floor, Piccadilly Gate, Manchester, M1 2WD



APPENDIX D

Checklist for Panel Hearing

The Panel needs to take the following points into account:

- The hearing is 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 is invited to explain their complaint and be followed by their witnesses.
- The Headteacher may question both the complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher 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 Headteacher 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 issue(s).
- The Chair explains that both parties will hear from the Panel within a set timescale.

