

Bickerton Holy Trinity Church of England Primary School



Complaints Procedure

Person responsible for policy:

Paul Sweetnam

Approved:

2nd October 2017

Signed:

Claire Carman, Chair of Governors

Reviewed on:

17th May 2021

Next review:

May 2024



'Life in all its fullness' John (10:10)

Our School Prayer

This is our school,
Let peace be here,
Let it be full of happiness.
Let love be here.
Love of one another,
Love of everyone,
Love of life itself,
And love of God.
Amen

Our Mission Statement

Respect for oneself and others is central to our mission of giving every child in our school the highest standard of education and care within a Christian community.

Our School Rules

Respect and take care of each other.
Treat others how you would like to be treated.
Share and use the school's equipment and environment carefully.
Listen to each other and to adults at school.
Help others to learn.

COMPLAINTS PROCEDURE

1. Introduction

Bickerton School is eager to resolve all issues and concerns which parents and other persons may have as quickly and transparently as possible and welcomes complaints as an opportunity to do so.

The intention of this procedure is to provide a clear and transparent process that will enable all complaints to be dealt with as quickly and efficiently as possible.

The procedure takes into account the principles laid down in the DFE guidance on school complaints procedures. All references to working days refer to days on which the school is open to pupils and for staff training days.

2. Scope of the Procedure

This procedure covers all complaints against the school by external persons/parties which do not have an alternative statutory avenue of appeal or complaint, i.e. admissions, exclusions, delivery of National Curriculum, some safeguarding children issues, provision of collective worship and religious education and SEN assessments. Where complaints make allegations of misconduct against members of staff this procedure may be superseded by use of the staff disciplinary procedure or other appropriate staffing procedure.

Employees of the school cannot use this procedure but, where necessary, should raise concerns via the appropriate staffing procedure, full details of which are available from the school.

3. General Principles

All complaints should be dealt with in a transparent way and as quickly as is reasonably practicable. Complainants should be kept informed during the investigation of their complaint and of the outcome, except where this is confidential, e.g. in the case of a staff disciplinary process.

At the conclusion of each stage the complainant should be advised of his/her options if s/he is not satisfied.

Every effort should be made to resolve complaints in a non-confrontational and informal way.

Where the timescales within this procedure cannot be adhered to, the complainant should be informed as to why this is the case, and given a revised timescale for dealing with the complaint. This should be done within the specified timescale.

The number of complaints received and satisfactorily concluded at each stage of the procedure will be communicated to each meeting of the governing body via the Head Teacher's Report.

The governing body, in its summer term meeting, will monitor the way in which complaints are resolved, and monitor the nature and level of complaints, so as to ensure the effectiveness of the procedure, and consider any underlying issues the school may need to address, including whether specific actions identified by governors' appeal panel have been addressed.

Advice on the operation of the procedure is available from the manager of the School Governance Service, who may also seek the advice and/or involvement of other Local Authority (LA) officers as appropriate. In exceptional cases, an LA officer may agree to a request to attend a formal complaint hearing to advise the governors. Such requests should be made via the School Governance Service.

4. Resolving Complaints

At each stage in the procedure the ways in which a complaint can be resolved will be considered. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;

- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

An admission that the school could have handled the situation better is not the same as an admission of negligence.

5. Vexatious Complaints

On occasions complaints are made that are vexatious, in that an individual persists unreasonably with his/her complaints, or makes complaints in order to make difficulties for the school rather than genuinely to resolve a concern. This may involve making serial complaints about different matters, or continuing to raise the same or similar matters repeatedly. The frequency of contact with the school in such situations may hinder the consideration of the complaint and impede the ability of the head teacher and school to meet the needs of all pupils equitably.

Where the chair of governors judges this to be the case, s/he should seek advice from the manager of the school governance service in the first instance. Action taken may include restricting the contact between the complainant and the school.

Where a complainant seeks to reopen a matter the same as, or similar to, a matter previously considered under the procedure the chair of governors has the right to inform him/her that the procedure has been exhausted and the matter is closed.

6. Stages of the Procedure

(a) INFORMAL STAGE:

Many concerns and minor complaints can be resolved quickly and informally. There are many occasions where issues are resolved immediately through the class teacher, another member of staff, the deputy head teacher or head teacher depending upon the nature of the complaint. Unless there are exceptional circumstances, every effort should be made by the school to have a full discussion with the complainant before moving on to the formal stage.

(b) FORMAL STAGE:

If the concern is not resolved through such discussion the complainant should be informed that they should make a written complaint by letter and send it to the head teacher. (If the complaint is against the head teacher it should be sent to the chair of governors. This should be sent either by e-mail to the school secretary for forwarding to the chair of governors or, if preferred, be handed in a sealed envelope marked 'in confidence' to the school secretary for forwarding to the chair of governors).

The complaint may be written on the complainant's behalf by another person with the complainant's consent and signature. The complaint, where possible, should include a summary of any action which might resolve the problem. Any complaint received in this way will be reported to the full governing body as indicated in section 3.

The head teacher and/or other members of staff nominated by him/her should meet with the complainant to discuss his/her concerns within 10 working days of receiving the written complaint. Where necessary the head teacher, or other nominated member of staff, should carry out a full investigation into the issues raised. The head teacher will give a response in writing to the complainant as soon as possible, but in any case, within 10 working days of this meeting. This response should advise the complainant of their right to appeal to a committee of governors ('Governors' Appeal Panel').

Where the complaint is against the head teacher this stage should be conducted by the chair of governors and the same procedures should apply as above. If the complaint is against the chair of governors this stage should be taken by the vice-chair of governors.

APPEAL STAGE:

If the complaint cannot be resolved at the above stage, the complainant can, within 10 working days of receiving the written response, place an appeal to be heard by a committee of governors. The complainant should do this by sending an 'Appeal Letter' to the chair of governors (or vice-chair as appropriate). This should state the original complaint and the reasons for on-going dissatisfaction.

A governors' panel consisting of 3 governors who have had no previous involvement in consideration of the complaint shall be appointed by the chair/vice-chair of governors. Where

the complainant is a parent, consideration should be given to the appropriateness of including a parent governor on the panel. A 'Complaints Appeal Meeting' will be held in accordance with the procedure attached as Appendix A.

The meeting of the governors' panel should take place as soon as possible, but in any case a date should be set and communicated to the complainant within 20 working days of receipt of the Appeal Letter. The governors' decision should be communicated in writing to the complainant as soon as possible but in any case within 5 working days of the meeting.

The complainant will have no further right to appeal this decision other than by following one of the procedures listed after the summary of the formal, informal and appeal stages.

7. Opportunities to Request a Review

Review by the Local Authority

Where the complainant can provide written grounds that demonstrate that the governing body may have acted unreasonably or failed to follow this procedure, s/he may request that the situation be reviewed by the Director of Children's Services or his/her nominee. This will be an officer of the LA.

Complaining to the Secretary of State

If a complainant believes that the governing body has acted unreasonably s/he can complain in writing to the Secretary of State for Education. Complaints to the Secretary of State are handled by the government's Department for Education.

Complaining to Ofsted

Ofsted has powers to investigate certain types of complaint from parents to help them to decide whether to inspect a school.

Before complaining to the Local Authority, the Secretary of State or Ofsted, it would usually be expected that all stages of this procedure had been exhausted.

8. The Role of the Parent Partnership Service

The Parent Partnership Service helps parents/carers whose children have difficulties with learning, medical needs or mental health problems, from pre-school age to school leavers. The service is confidential and offers impartial advice and information to enable parents and carers to make decisions about their child's education. This includes supporting parents with complaints to schools or the Local Authority.

The service can help parents consider what their complaint is about and the options available to them to resolve it, including more informal measures that can be explored in the first instance. If a parent wishes, the service can explain how to put a letter/case together to take the matter forward. Someone from the service can attend meetings with the parent to offer support but doesn't speak on behalf of or make decisions for the parent. The service also offers support after meetings have taken place to consider the conclusions of the meeting and if the parent feels a satisfactory outcome was achieved. If not the parent may have further options to consider.

Contact details: 01625 374278 parentpartnership@cheshireeast.gov.uk

Name of School: Bickerton Holy Trinity CE Primary School

APPENDIX A

Conduct of Complaints Appeal Meetings

1. Although this procedure may appear formal, the hearing should be conducted in as informal as way as possible, and the chair of the panel should make every effort to make all parties feel comfortable.

2. The date of the meeting must be agreed with all parties and witnesses and all relevant documentation must be circulated to all parties at least five working days in advance of the meeting.

3. The meeting should be minuted.

4. The meeting will be attended by:

- the complainant, with a companion if desired;
- the head teacher and/or chair of governors, as appropriate;
- the members of the governors' complaints panel;
- a minute taker, appointed by the governors;
- an LA Officer to advise the governors' panel, where this has been requested and agreed to under paragraph 3 of the procedure.
- Members of staff who have been involved in the issue, or other witnesses, may be called upon by either side to attend part of the meeting to provide information to the governors.

5. The governors will select a chair from amongst their number.

6. The chair of the panel will introduce all the parties present and explain the procedure to be followed, and that every effort will be made to keep the process as informal as possible.

7. The complainant (or his/her companion) will outline his/her complaint and explain why s/he is dissatisfied with the school's response to date. The complainant may call any witnesses in support of his/her complaint who will attend the meeting only for the time that they are

providing information, and may be questioned by all parties.

8. The head teacher and the governors will have the opportunity to ask questions of the complainant.

9. The head teacher and/or the chair of governors will explain their involvement in the complaint and the reasons for their decisions at the informal and first formal stage. The head teacher and/or chair of governors may call any witnesses in support of his/her statement who will attend the meeting only for the time that they are providing information, and may be questioned by all parties.

10. The complainant and the governors will have the opportunity to ask questions of the head teacher and/or chair of governors.

11. The governors may decide to adjourn the hearing pending further investigation at any stage, if this seems necessary.

12. Both parties will leave the meeting and the governors will consider the information that has been put to them.

13. The governors' panel must reach a unanimous or majority decision as to whether or not to uphold the complaint wholly or in part, and what action (if any) the school needs to take to resolve the complaint. This may include referring the matter to another formal process, whether in relation to a complaint against a governor or a member of the school staff. Normally the governors will reach a decision at this point but they may feel the need to take further advice. Where this is the case they should endeavour to reach a decision as soon as possible.

14 The governors will communicate their response to both parties in writing as soon as possible but, in any case, within five working days of reaching their decision. The governors' response should detail whether the complaint is upheld wholly or in part and briefly summarise the basis on which governors arrived at this conclusion. The response should also include any lessons learnt and specify any action to be taken by the school as a result of the complaint and within what timescales.

Informal Stage.

Most minor issues and complaints can be resolved informally through discussion.

If the issue has been resolved informally, it is usually good practice for the school to log the discussion and any outcomes.

If the issue has not been resolved, the complainant should be informed that they should give a written complaint to the head teacher (or chair of governors if the complaint is against the head teacher).

Formal Stage.

The formal stage begins when a written complaint is received by the head teacher.

The written complaint should, if possible, include a summary of what actions might help to resolve the problem. (The head teacher will report this to the full governing body – Section 3)

The head teacher and/or other members of staff nominated by him/her should meet with the complainant within 10 working days of receipt of the written complaint to discuss the concerns.

A written response will be provided within 10 working days of that meeting which will also advise the complainant of their right to appeal.
If the issue is still not resolved, proceed to the Appeal Stage.

Appeal Stage.

Within 10 working days of receipt of the above, the complainant should give a signed, written Appeal Letter to the chair of governors who will organise a governors' appeal panel. The Appeal Letter will state the original complaint and the reasons for on-going dissatisfaction.

A meeting of the governors' appeal panel will be held as soon as possible within 20 days of receipt of the Appeal Letter. The date of the appeal panel will be communicated to the complainant. (Appendix A)

The decision of the governors' appeal panel will be communicated in writing to the complainant within 5 working days of the meeting. There is no further right to appeal except through following the procedure below.