



# New City Primary School

## Complaints Policy

Autumn 2017

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## Complaints Policy

### Background

This policy is based upon the DfE document "Best Practice Advice for School Complaints Procedures 2016" The law requires schools and nurseries to have a publicised procedure. The complaints policy for New City Primary school is the responsibility of the Governing Body and the Local Authority.

### Raising a concern or complaint

A 'concern' may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. A complaint may be generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'. It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. Schools should take informal concerns seriously and make every effort to resolve the matter as quickly as possible. There are occasions when complainants would like to raise their concerns formally. In those cases, the schools' formal procedure should be invoked through the stages outlined in this policy. Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions). This includes complaints from parents/carers of SEND and Looked after children.

### The Four Stage Complaints Procedure

#### Stage 1a - Talk to the Class Teacher (informal) or SENCO

First of all make an appointment to see the class teacher. The class teacher will know your child well and may already know the details of any incident about which you may have a concern. Please do not try to see the teacher during the school day when lessons are occurring.

It is hoped that you can reach an agreement that satisfies you but on some occasions the concern raised may require investigation, or discussion with others, in which case the complainant should allow at least 5 days for a response. The majority of concerns are dealt with in this way, however, if this is not the case, please see Stage 1b.

#### Stage 1b - Meet a Senior Teacher (informal)

Please contact the school office to arrange to meet with a senior member of staff who will investigate the complaint and reply within 5 working school days. If you are not happy with the outcome at this stage, please see Stage 2.

### Stage 2 - Complaint goes to Head Teacher

If the complainant is dissatisfied with the response from the member of staff at Stage 1 they should be advised to put their complaint in writing to the Head Teacher who will deal with it formally at Stage 2. Where the Head Teacher is the subject of the complaint, the complainant should address the complaint to the Chair of Governors. If the Chair of Governors is the subject of the complaint, the complainant should be advised to address it to the local authority.

The complainant must ensure that they include details of why they are still dissatisfied and what action they would like taken in order to resolve the complaint. They can also attach any evidence to support their concerns.

The Head Teacher must acknowledge the complaint within 5 days by writing to the complainant. The acknowledgement should state that a further communication will follow within 20 school days that will set out the actions taken to investigate the complaint and the findings.

The Head Teacher can delegate another senior member of staff to carry out the investigation and report their findings to them. The Head Teacher will then reach a conclusion based on the investigation. All notes relating to the investigation should be kept on file. The investigating officer may feel it necessary to meet with the complainant. If this happens, then notes should be taken at this meeting.

The investigating officer will then compile a report detailing their findings. Any recommendations or actions proposed must be considered by the Head Teacher.

Once satisfied that the investigation has been concluded and a decision has been reached, the Head Teacher must notify the complainant in writing of the conclusion and any actions that will be taken as a result. The decision can be communicated by the Head Teacher to the complainant in writing or, if they may feel it appropriate, meet with them first to communicate their findings and then confirm in writing afterwards.

The complainant must also be informed that, should they continue to be dissatisfied with the outcome, they can write to the Chair of governors outlining why they are still unhappy.

### **Stage 3 - Formal (if not resolved at Stage 2)**

The complaint is heard by the Chair of Governors (this will be delegated to the vice-chair or other nominated member of the GB if appropriate).

If the complainant is dissatisfied with the response from the Head Teacher at Stage 2 they should be advised to put their complaint in writing to the Chair of the GB for consideration at Stage 3 of the procedure.

The complainant must ensure that they include details of why they are still dissatisfied with the decision, the recommendations and actions of the Stage 2 complaint and what they require to resolve the matter. They may also attach any evidence to support their concerns that can be additional to that submitted at Stages 1 and 2.

On receipt of a complaint at Stage 3 the Head Teacher must also be informed, and if necessary, work with the Chair of the Governors to help to resolve the complaint.

The Chair must write to the complainant within 5 days of receipt of the complaint to acknowledge this. The letter should state that another letter will follow within 20 school days setting out the actions taken to investigate the complaint and the findings.

The Chair of Governors will look at all the information pertaining to the complaint submitted by the complainant and the investigatory evidence by the school at Stages 1 and 2. The Chair may

want to talk with the complainant or investigating staff members to establish facts and obtain further information.

Once satisfied that the investigation has been concluded and a decision has been reached on the complaint, the Chair will notify the complainant in writing of the conclusion.

The conclusion could be:

- The evidence indicates that the complaint was substantiated and therefore upheld
- The complaint was substantiated in part and then state what action will be taken
- The complaint is not substantiated by the evidence and therefore not upheld

The complainant will also be informed that should they still be dissatisfied that they may write to the Local Authority.

#### **Stage 4 - Formal (if not resolved at Stage 3)**

The complaint is heard by the GB. This is the final stage of the process.

If the complainant is dissatisfied with the response from the Chair of GB (or ViceChair) at Stage 3 they should be advised that the next stage is to put their complaint in writing to the GB at Stage 4.

The complainant must ensure that they include details of why they are still dissatisfied with the decision of the Chair, recommendations and actions of the Stage 3 complaint and what they feel would resolve the matter. They can also attach any evidence to support their concerns in addition to that submitted at Stages 1, 2 and 3.

The complaint will be acknowledged within 10 school days.

The complaint will then be considered by a panel of Governing Body members who form a complaints appeal panel. The panel must be independent and impartial. No governor may sit on the panel if they have had prior involvement in the complaint or in the circumstances surrounding it. The panel must have a cross-section of categories of governors who are sensitive to the issues of race, gender and religious affiliation.

The panel must convene a meeting to discuss the complaint and to look at all of the investigation evidence to make a final decision on how to progress. A clerk should be appointed to take notes of the meeting and records must be kept.

The Head Teacher has a statutory duty for the internal organisation and management of the school, which they must carry out in accordance with any rules, regulations or policies laid down by the Governing Body. The remit for this panel is to consider the complaint with regard to whether the Head Teacher has followed the relevant school policies; it is not to substitute its own operational judgement for that of the Head Teacher. The panel can decide:

- To convene a meeting with the complainant. If a meeting is to be convened, the person chairing the meeting will write to the complainant to acknowledge the complaint within 10 school days. The letter would also include the date, time and venue of the convened meeting to hear the complaint.
- Decide on the appropriate action to be taken to resolve the complaint

- For non-complex complaints, not to meet with the complainant, but to use all the information available to them and make a decision on the complaint as there is enough information to allow for a decision to be made.
- Possible outcomes for the Panel
- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Recommend changes to school systems or procedures to ensure that similar incidents do not occur.
- An outcome letter will be sent to the complainant within 20 school days of the meeting.

### **Further information**

The outcome letter from the School Complaints Panel exhausts the 4 Stage procedure. If the complainant is dissatisfied with the process, they are able to contact:-

The Department for Education  
The School Complaints Unit (SCU) Department for Education  
2nd Floor,  
Piccadilly Gate  
Manchester  
M1 2WD

The SCU will examine if the school complaints policy and any other relevant processes were followed. The SCU will also examine policies to determine if they adhere to education legislation. However, the SCU will not re-investigate the substance of the complaint.