



# St Cuthbert with St Matthias CE Primary School

## Complaints Policy and Procedure

Revised: 2016

Reviewed: Spring 2017

Based on The Royal Borough of Kensington and Chelsea model

# COMPLAINTS POLICY

## 1. Introduction

The school's Governors are committed to provide the best education they can for all pupils attending the school. They recognise, however, that occasions may arise where parents, guardians or others wish to make a complaint. The governors are determined that any complaint against their decisions, actions or omissions, or against any decisions, actions or omissions by their staff, shall be dealt with fairly, effectively and, if possible, speedily. To this end, they have adopted the principles and procedures set out here.

## 2. Underlying principles

The principles guiding the governors' policy and procedure for handling complaints are that it will:

- be easily accessible and well publicised;
- be simple to understand and use;
- allow speedy handling, with established time limits for action, and keep people informed of progress;
- ensure a full and fair investigation;
- respect people's desire for confidentiality;
- address all the points at issue, provide an effective response and, if appropriate, redress;
- provide information to management so that services can be improved.

Complaints will be treated seriously and courteously and given the time they require to be heard. It is important to the school that everyone has confidence in these procedures and knows that their case will be thoroughly investigated and heard impartially.

Complaints will be dealt with as quickly and effectively as possible, keeping to time limits laid down for responding to complaints at each stage of the procedure. The procedures for the hearing of complaints will be adhered to by everyone involved unless there is good reason not to.

## 3. Definition of a 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. The school will 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 school's formal procedure should be invoked through the stages outlined below.

## 4. Complaints not in the scope of this policy and procedure

This policy and procedure does not cover the following exceptions for which there are separate statutory procedures or other policies:

- Admissions to schools
- Statutory assessments of Special Educational Needs (SEN)
- School re-organisation proposals
- Matters likely to require a Child Protection Investigation

- Exclusion of children from school
- Whistleblowing
- Staff grievances and disciplinary procedures
- Complaints about services provided by other providers who may use school premises or facilities.

#### **5. Complaints not covered by established procedures**

Those complaints for which there is no other established procedure will be handled in the manner set out below. The procedure has two distinct stages, one informal and one formal. If the complainant is not satisfied at the conclusion of the formal stage, they may be able to pursue their complaint further with the Secretary of State for Education, or the Office of the Ombudsman.

## **COMPLAINTS PROCEDURE**

### **INFORMAL STAGE**

1. Concerns may be addressed to staff or to the headteacher who will be able to resolve them quickly and informally. It is not the role of the school governors to deal with concerns and complaints.
2. If the person expressing the concern to a member of staff is not satisfied the headteacher should be informed of the concern and the outcome. The headteacher may respond to the complaint directly or refer the complaint to another member of staff if she considers that to be appropriate.
3. A record of all complaints will be kept by the school and reviewed regularly to identify any underlying issues that might need to be addressed.
4. Where a complaint has been passed to a member of staff, that person will inform the headteacher in writing of progress in dealing with the complaint and of any issue which they are unable to resolve with the complainant.
5. The headteacher may at the informal stage, refer the complainant to officers in the Local Authority if he/she considers that they may be able to assist in the resolution of the complaint. The headteacher may also approach the LA officers for their assistance in the resolution of the complaint.
6. The headteacher has the discretion to omit the informal stage of the procedure if he/she considers the circumstances or nature of the complaint makes this appropriate.
7. If the complaint is not, in the opinion of the headteacher, well founded, the complainant will be advised of this and an explanation given. If the complaint was made in writing, the complainant will be told in writing. In any case the complainant will be advised of their right to proceed to the formal stage of the procedure.
8. If the headteacher considers that the complainant had good cause or some cause for complaint but is unable to resolve the complaint to the complainant's satisfaction, she will advise the complainant of their right to proceed to the formal stage of the procedure. Again, if the complaint was made in writing, the response will be in writing.
9. A complaint made in writing will be acknowledged, in writing, within five school days of its

receipt and the complainant will receive a written response within 15 school days of making the complaint unless there is good reason not to do so.

10. Where the complaint is about the conduct of the headteacher the complaint will be sent to the chairman of governors. The Chairman of Governors will then take the role of the headteacher (as described in the above paragraphs) or nominate another member of the governing body to take that role.

**If the complaint concerns child abuse or child protection issues the chairman will contact the LA Principal Education Welfare Officer immediately.**

## **COMPLAINTS PROCEDURE**

### **FORMAL STAGE**

1. Where it has not been possible to achieve an informal resolution acceptable to the complainant, the complainant will be invited to put their complaint in writing to the Chairman of Governors (if the complaint is already in writing a covering letter from the complainant or from the school may be attached).
2. The Chairman of Governors will acknowledge in writing, receipt of the complaint within five school days of receiving it. The Chairman will decide whether he wishes to investigate the complaint himself, ask another member of the governing body to investigate or pass it on to a panel of governors established for that purpose.
3. In any case the Local Authority may be asked for assistance in the investigation. If the Chairman has already considered the complaint at the informal stage (i.e. the complaint is about the headteacher) she will nominate another member of the governing body or a panel of governors to consider the complaint.
4. Where the complainant has difficulty in putting their complaint into writing, the Chairman of Governors, designated governor or panel will consider whether to offer assistance or whether to offer an interview to the complainant. Where, following such an interview, further time is needed to investigate the matter, this will be stated at the interview and a time limit set by the Chairman, designated governor or panel.
5. Following any interview, a written record of the discussion will be made as well as a record of any further investigations.
6. The outcome of consideration of the complaint at the formal stage may be:
  - Complaint unfounded, no further action proposed;
  - Complaint upheld but action already taken by the headteacher or staff considered adequate;
  - Complaint upheld, direction given to headteacher to offer redress;
  - Complaint referred to appropriate committee of the governing body
  - further procedures invoked, e.g. disciplinary

The complainant will be notified in writing of the outcome of the investigation and of the decision taken.

If the complainant is not satisfied with the decision of the governing body they can take the complaint to the LA for consideration.

If the complainant is still not satisfied then the complaint can be taken to the Ombudsman; the local authority will advise the complainant of those next steps.

#### Other relevant documents

School document: Advice to Staff and Governors on responding to complaints (Jan 2014)

School document: Policy on Habitual or Vexatious Complaints (November 2015)

DfE Best Practice Advice for School Complaints Procedures 2016:

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/489056/Best\\_Practice\\_Advice\\_for\\_School\\_Complaints\\_2016.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/489056/Best_Practice_Advice_for_School_Complaints_2016.pdf)