

## COMPLAINTS PROCEDURE

**As God's family we love, learn and play together.**

**At Frodsham CE Primary School we endeavour to:**

- Encourage an ethos based on shared Christian values and principles.
- To encourage children to make appropriate choices enabling them to develop healthy lifestyles which will lay a strong foundation for their future wellbeing.
- Regard every child as an independent learner, challenged to achieve their potential in a safe, happy and welcoming environment, which celebrates achievement.
- Develop and foster all children's views of their own self-worth and their ability to make a positive contribution and flourish in the world.
- Encourage everyone to value and respect each other's place within the life of the school and the wider community.

**Presented to Staff and Governors:** March 2017

**Date of Review:** March 2018

**Person Responsible:** Lucy Kirby

### **1. Introduction**

This document outlines the procedures followed in dealing with complaints at Frodsham CE Primary School. It provides the framework within which any person may make a complaint and be confident that it will be considered seriously and dealt with appropriately. All complaints need to be dealt with immediately in a professional and sensitive manner. In most cases adopting this approach will lead to a satisfactory outcome for all concerned. It is graduated, intentionally, to become more formal as the process continues as many issues are successfully dealt with at an early stage in an informal manner.

The procedure takes into account the principles laid down in the DFE guidance on school complaints procedures and follows Cheshire West and Chester's model policy. This procedure has been agreed with Cheshire Association of Primary Heads, Cheshire Association of Secondary Heads, Cheshire Association of Special School Heads and Cheshire Association of Governing Bodies.

All references to working days refer to days on which the school is open to pupils and INSET days.

### **RATIONALE**

Under Section 29 of the [Education Act 2002](#), Governing Bodies of all maintained schools in England have been required to have in place a procedure to deal with complaints relating to the school. The law also requires the procedure to be publicised.

There is a difference between a concern and a complaint; taking informal concerns seriously at the earliest stage will reduce the number that develop into formal complaints. The formal procedures will need to be invoked only when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

### **AIMS**

We will endeavour to be fair, open and honest when dealing with any complaint and will always put the interests of our children above all else. We will give careful consideration to all complaints and we aim to resolve any complaint through dialogue and mutual understanding.

Our complaints procedure will:

- encourage resolution of problems by **informal** means wherever possible;
- be easily **accessible** and **publicised**;
- be **simple** to understand and use;
- be **impartial and non-adversarial**;
- allow **swift** handling with established **time-limits** for action and keeping people informed of the progress;
- ensure a full and **fair** investigation by an independent person where necessary;
- respect **confidentiality**;

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- address all the points at issue and provide an **effective** response and **appropriate** redress;
- provide **information** to the school's senior management team and governors so that services can be improved.

### GUIDELINES

#### **For a general complaint:**

**Step 1** If a parent is concerned about anything to do with the education or support that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher; most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress.

**Step 2** Where a parent feels that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the head teacher. The head teacher will consider all matters of concern very seriously and investigate each case thoroughly. Most complaints would normally be resolved at this stage.

**Step 3** Only when an informal complaint fails to be resolved by the head teacher should a formal complaint be made to the governing body. This complaint must be made in writing, stating the nature of the complaint, who has been spoken to already and the preferred outcome. The parent should send this written complaint to the chair of governors via the school office.

#### **For a complaint about the head teacher:**

**Step 1** If a parent is concerned about anything to do with the behaviour, leadership or management of the head teacher, they should, in the first instance, discuss the matter with the head teacher; most matters of concern can be resolved positively in this way.

**Step 2** Where a parent feels that a situation has not been resolved through contact with the head teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the chair of the governing body. The chair will consider all matters of concern very seriously and investigate each case thoroughly. Most complaints would normally be resolved at this stage.

**Step 3** Only when an informal complaint fails to be resolved by the chair should a formal complaint be made to the governing body. This complaint must be made in writing, stating the nature of the complaint, who has been spoken to already and the preferred outcome. The parent should send this written complaint to the governing body via the clerk to the governors (Via the school office).

#### **Governing body complaints committee**

The governing body must consider all written complaints **within 21 school working days** of receipt.

The chair of governors will nominate a governor to co-ordinate the procedure and will appoint a **complaints panel** consisting of 3 governors who are not employees of the school. The nominated co-ordinator will chair the complaints panel.

The co-ordinator will arrange a meeting of the complaints panel to discuss the complaint and will invite the person making it to attend the meeting so that they can explain the complaint in more detail. The school will give the complainant at least five days' notice of the meeting. If the complainant cannot attend the suggested date, a further date will be set. If the complainant does not attend the second date, a third and final date will be set, at which time the meeting will proceed without the complainant present.

The head teacher will write a report addressing the complaint and ensure that the complaints panel members and the complainant receive a copy 4 days before the meeting. (If it is a complaint about the head teacher, the Chair of Governors will write the report).

The complainant is invited to write a report addressing the issue and must ensure that the complaints panel members and the head teacher (or Chair of Governors) receives a copy 2 days before the meeting. Other written evidence will be not be accepted at the meeting, except in exceptional circumstances.

#### **Check list for a panel hearing**

The panel must take the following points into account:

- the hearing is as informal as possible;

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- after introductions, the complainant is invited to explain their complaint (with the support of parent partnership or other advocate if required);
- the panel members and head teacher (or Chair of Governors) may ask questions;
- the head teacher (or Chair of Governors) is then invited to explain the school's actions (with support of DHT, SENCo or other supporter if required);
- the panel members or complainant may ask questions;;
- the complainant is then invited to sum up their complaint;
- the head teacher (or Chair of Governors) is then invited to sum up the school's actions and response to the complaint;
- the chair of the panel explains that both parties will hear from the panel within 3 working days;
- both parties leave the meeting while the panel decides on the issues.

When the panel has fully investigated the complaint, the chair of the panel, on behalf of the governing body, will write to the complainant confirming the outcome of the complaint and any agreed action to be taken. The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on 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.

### Investigating Complaints

At each stage, the person investigating the complaint should make sure that they:

- 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;
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, 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.

### Resolving Complaints

At each stage in the procedure we will look for a way in which a complaint can be resolved. 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.

It should be noted that an admission that the school could have handled the situation better is not the same as an admission of negligence.

### Unresolved complaints

From 1 August 2012 complaints about maintained schools not resolved by the school that would have been considered by the Local Government Ombudsman or the LA should be addressed to the Secretary of State for Education.

Further information can be obtained by calling the National Helpline on **0370 000 2288** or going online at:

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[www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus) or by writing to:

Department for Education  
School Complaints Unit  
2nd Floor, Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

	Date	Reviewed by	Notes
Policy received			
Reviewed/amended	Jan 2011	Admin committee	GM to produce a leaflet summarising the policy
Reviewed/amended	Oct 2012	HT	Updated references to DfE etc
Reviewed/amended	January 2013	Admin	
Reviewed/amended	Oct 13	LK & Admin	Complaints Policy and Procedure amalgamated Reference to LA reviewing complaints removed
Reviewed/amended	Mar 17	LK	

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## Appendix A

### Complaints Form

Please complete and return the Headteacher to who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name:</b>
<b>Your relationship to the pupil:</b>
<b>Address:</b>  <b>Postcode:</b> <b>Day time telephone number:</b> <b>Evening telephone number:</b>
<b>Please give details of your complaint.</b>
<b>What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?</b>

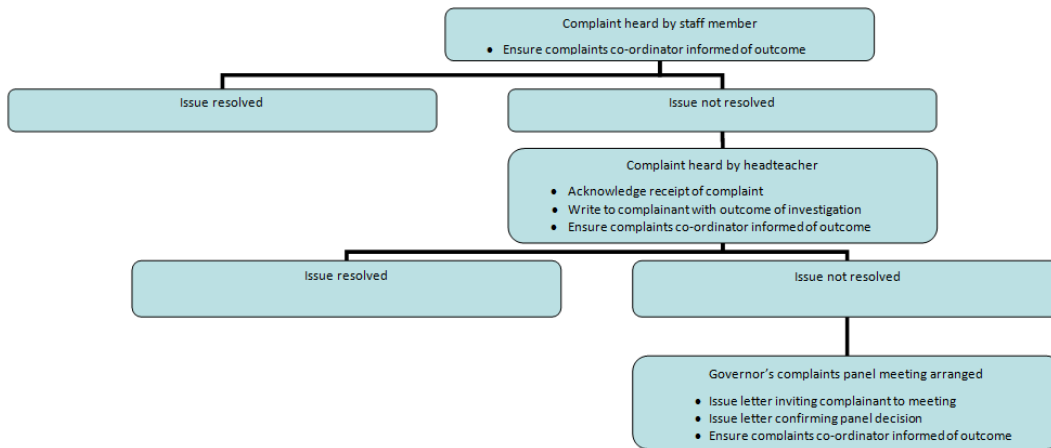
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<p><b>What actions do you feel might resolve the problem at this stage?</b></p>
<p><b>Are you attaching any paperwork? If so, please give details.</b></p>
<p><b>Signature:</b></p> <p><b>Date:</b></p>
<p><b>Official use</b></p> <p><b>Date acknowledgement sent:</b></p> <p><b>By who:</b></p> <p><b>Complaint referred to:</b></p> <p><b>Date:</b></p>

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## Appendix B

### Summary of Dealing with Complaint



## Appendix C

### Summary of Dealing with Complaint against Headteacher

