




“Let your light shine brightly.”

Matthew 5:16

Complaints Procedures

Policy accepted by FGB on:	20/11/2019
Next review:	Autumn 2022
Signed (Chair of Governors):	
Statutory policy: <u>Yes/No</u> On school website: <u>Yes/No</u>	

COMPLAINTS PROCEDURES

1. Introduction and scope

Christ Church C of E First School aims to work in partnership with parents and the wider community. We believe that trust, cooperation and a shared sense of purpose between school, home, community and church leads to open communication and positive relationships.

From time to time, however, parents/carers and members of the public may express concern or make a complaint, either orally or in writing, about some aspect of the conduct/operation of the school, the conduct of the Headteacher, an individual member of staff, the Governing Body or an individual governor.

Christ Church will always give serious consideration to concerns and complaints that are brought to its attention. However, anonymous complaints will not normally be considered. In considering concerns or complaints, the school will ensure that they are dealt with effectively and with fairness to all parties.

Where possible, complaints will be resolved informally. Where a complaint has not been resolved informally, then we will follow the formal procedures set out in section 4(ii), below.

2. What is a concern or complaint?

Section 29 of the Education Act 2002 requires all local authority (LA) maintained schools to have and make available procedures to deal with all complaints relating to their school and to any community facilities or services that the school provides.

A concern or complaint is defined as an expression of dissatisfaction about the conduct/operation of the school, the conduct of, actions or lack of actions by a member of staff/the Governing Body/an individual governor, unacceptable delay in dealing with a matter or the unreasonable treatment of a pupil or other person.

Concerns or complaints relating to any of the following are **not** covered by these procedures, as separate procedures apply:

- Child Protection
- Freedom of Information Access
- Functions of the County Council
- Pupil exclusions
- School admissions
- Services provided by other organisations on the school site or through the school
- Staff grievance
- Special Educational Needs assessment and procedures
- Whistleblowing by an employee.

Serious complaints or allegations relating to the abuse of children, assault, criminal or financial matters are also subject to separate procedures. (See section 10, below.)

3. Making a complaint – who to complain to

If the complaint is about:

- something serious that has happened or failed to happen in school ... contact the Headteacher.
- the actions of the Headteacher ... contact the Chair of Governors via the school.
- the actions of a governor ... contact the Chair of Governors via the school.
- the Chair of Governors ... contact the Clerk to Governors via the school.
- the actions of the Governing Body ... contact the Clerk to Governors via the school.

The school and Governing Body would in most cases hope to resolve concerns and complaints at an informal stage, but the procedures allow for formal consideration of a complaint and an appeal stage if matters cannot be resolved.

Christ Church is committed to dealing with complaints as speedily as possible and would plan to complete each stage within 20 school days. From time to time, it may not be possible to complete the process in that timescale. Where that is not possible, the complainant will be informed of any delays.

Where complaints are made against an individual member of the school staff, that person will be informed of the complaint at the earliest opportunity.

4. The Complaints Procedures

(i) Informal stage

Christ Church will seek to resolve concerns and complaints informally with the member of staff or governor concerned, and encourage the complainant to discuss with them the matters causing them concern. However, if that does not resolve the problem, then the matter should formally be brought to the attention of the Headteacher (complaints and concerns about governors should be made to the Chair of Governors).

The Headteacher (or Chair of Governors) will then seek to resolve the matter informally and will:

- acknowledge the complaint;
- make enquiries to establish the facts;
- seek advice as appropriate;
- attempt to resolve the matter informally;
- establish whether or not the complainant is satisfied;
- advise complainants of the next stages if they wish to proceed to a formal consideration of the complaint;
- make a brief note of the complaint and the outcome.

This stage would normally be expected to be completed in 20 school days. A complainant wishing to proceed to the formal stage of the procedure should normally notify the Headteacher/Chair of Governors within 20 school days of being notified of the outcome of the informal stage.

The informal stage will not be used if the allegations made refer to:

- criminal activity, which may require the involvement of the Police;
- financial or accounting irregularities;
- abuse of children.

(ii) Formal stage

Where an informal complaint has not been resolved to the satisfaction of the complainant or the complainant has indicated they wish to go straight to the formal stage, the Headteacher (or Chair of Governors as appropriate) will:

- ensure the complainant is aware of the procedures;
- require a written record of the complaint (someone else may write this on behalf of the complainant);
- formally acknowledge the complaint;
- seek advice as appropriate;
- if the complaint concerns a member of staff (or governor), inform them and provide them with a copy of the complaint;
- arrange for a full investigation of the complaint;
- prepare a report as a result of the investigation and consider actions to be taken;
- advise the complainant of the outcome. Where it is considered no further action is needed or the complaint is unsubstantiated, the complainant should be advised in writing. They should also be informed of their right to appeal to the Complaints Appeals Committee within 20 school days;
- make a record of the complaint and its outcome, to be retained for school records.

This stage would normally be expected to take no more than 20 school days. The Governing Body should be informed in general terms of all formal complaints.

(iii) Appeals stage

The Complaints Appeals Committee of the Governing Body will consider complaints where the Headteacher (or Chair of Governors) has not been able to resolve the complaint to the satisfaction of the complainant and the complainant wishes to appeal.

Any appeal must be made in writing to the Clerk to the Governing Body (the school will advise the complainant of the contact details). The Committee will be convened by the Clerk to the Complaints Appeals Committee (Governing Body) and will:

- consider the written materials;
- consider the complaint and the Headteacher's (or Chair's) action;
- invite the Headteacher or Chair of Governors (as appropriate) and the complainant to the meeting;
- seek advice and support as necessary.

At the end of their consideration, the Complaints Appeals Committee will:

- determine whether to dismiss or uphold the appeal in whole or part, including, if appropriate, referring the matter back to the Headteacher/Chair of Governors for further consideration;
- where upheld, decide on appropriate action;
- advise the complainant and Headteacher of their decision;
- advise the complainant of any further action they could take if they remain dissatisfied.

The Clerk to the Committee will arrange for the school's Complaints Register to be amended to include a brief summary of the complaint and the decision of the Complaints Appeals Committee and for the matter to be reported to the Governing Body.

This stage would normally be expected to take no more than 20 school days. In cases where the matter has been referred back for further consideration, the Complaints Appeals Committee will be reconvened.

(iv) Further stages

The Complaints Procedures do **not** include a further appeal to the local authority and, in the case of church schools, the diocesan/church authority; but complainants who remain unsatisfied with the outcome may refer the complaint to the Secretary of State for Education. Parents may refer certain complaints to Ofsted/Her Majesty's Chief Inspector of Schools.

5. Withdrawal of a complaint

If the complainant wishes to withdraw their complaint, they will be asked to confirm this in writing.

6. Complaints about a governor, the Chair of Governors or the Governing Body

Complaints about a governor should be referred to the Chair of Governors, who will investigate and respond to the complainant. In dealing with this matter, the Chair should seek advice from the local authority's Governor Services Team or diocesan/church authority officer.

Any appeal against the Chair's response would be dealt with by the Complaints Appeals Committee.

Complaints about the Chair of Governors must be referred to the Clerk to Governors, who would arrange for the complaint to be considered by the Complaints Appeals Committee of the Governing Body. Clerks to Governors should seek advice from the local authority's Governor Services or their diocesan/church authority officer. Governor Services or the diocesan/church authority may be able to assist with any investigation.

7. The role of the local authority or diocesan/church authority

The respective roles of the local authority and the diocesan/church authority are prescribed by legislation. There is no further right of appeal to the local authority or the diocesan/church authority.

In responding to complaints about schools, the LA will explain to the complainant:

- that schools are self-managing and are responsible for administering procedures that deal with complaints made against them;
- the appropriate procedures for their complaint, and refer them to the Headteacher, Chair of Governors or Clerk, as appropriate;
- a source of potential assistance, if appropriate.

8. Next stages

Anyone can complain to the Secretary of State for Education if he or she believes the Governing Body is acting “unreasonably” or is failing to carry out its statutory duties.

However, intervention can only occur if the Governing Body or the LA has failed to carry out a legal duty or has acted “unreasonably” in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State for Education could instruct either party to do to put matters right.

The Education and Inspections Act 2006 allows a parent who remains unsatisfied with the outcome of certain complaints to refer the matter to Ofsted.

9. Complaints records

Christ Church will maintain a written record of all formal complaints, how they were dealt with and the outcome, in a Complaints Register.

10. Serious allegations or complaints

If the allegations refer to criminal activity, which may require the involvement of the Police, the Headteacher should inform the Chair of Governors and seek the advice of Somerset County Council.

Allegations relating to financial or accounting irregularities

If the allegations relate to financial or accounting irregularities involving misuse of public funds or assets or any circumstances which may suggest irregularities affecting cash, stores, property, remuneration or allowances, the Headteacher should inform the Chair of Governors and seek the advice of the Senior HR Officer and/or Senior Schools Finance Officer so that the complaint can be investigated under the procedures normally applied for suspected financial irregularities. The Scheme for Financing Schools requires the appropriate LA finance office to be notified immediately of all such irregularities.

Allegations relating to the abuse of children

The procedures for managing allegations of abuse by school staff/volunteers are outlined in the school’s *Allegations Management Policy* and *Child Protection and Safeguarding Policy*.

Any allegation must be immediately reported to **Rupert Kaye** (Headteacher; Designated Safeguarding Lead (DSL) and Child Protection Officer (CPO)) or **Ali Bowden** (Deputy Head; Deputy DSL and Deputy CPO) at school on **01373 463781**. They will then contact the Local Authority Designated Officer (LADO) (**Anthony Goble**), who can be contacted via Somerset Direct on **0300 1232224**.

Serious allegations of this nature **must** be referred under Child Protection Procedures to Children’s Social Care and the Police.

In all the above, the Headteacher will give due consideration to the possible suspension from duty, on full pay, of any member of staff concerned, in accordance with the school’s Disciplinary and Dismissal Procedures.

Note: suspension from duty is a neutral act and is **not** an assumption of guilt or a disciplinary sanction.

Investigations at school level and the stages set out in our Complaints Procedures are unlikely to proceed where external agencies are involved, but once they have completed their work, an internal school investigation and other procedures (e.g. Disciplinary and Dismissal) may be involved.

11. Vexatious complaints

Christ Church will resist any and all abuse of the Complaints Procedures and may reserve the right not to investigate complaints considered to be vexatious or malicious, or where the Headteacher or Chair of Governors is satisfied with the action that the school has already taken or proposes to take to resolve the complaint.

are complaining about and what you would like the governors to do. You cannot introduce new or different complaints at this stage.

Q7. What will happen next?

A panel of governors, who haven't been involved with the complaint, will undertake a review.

The Clerk to the Governors will contact you to arrange a mutually convenient date, time and place for you to meet with the panel to explain your concern or complaint.

You are welcome to bring a friend or relative to the meeting if you wish. This could be anyone you think will be able to support you. They will not be invited to take part in any discussions, unless they are speaking instead of you.

You may also wish to bring witnesses to support your complaint.

After the meeting, the panel will then review and/or investigate the Headteacher's handling of/response to your complaint and decide if it was appropriate and fair. They may wish to meet with any staff or witnesses who can provide information.

They will write to you within an agreed timescale to explain their decision. This decision will be final.

Q8. What do I do if I'm still unhappy?

If you are still unhappy, you may, if you wish, ask the local authority (LA) whether your complaint is one that can be investigated by them. To do this you need to write (within 10 school days of receipt of the governors' panel letter) to:

The Parental Complaints Coordinator
County Hall
Taunton TA1 4DY

The LA's role is to look at the way a complaint is handled, i.e. whether the school's Complaints Procedures were followed correctly. It cannot investigate the original complaint.

If you are still unhappy, you may, if you wish, write to the Secretary of State for Education and ask her/him to consider the issue.

Remember, the whole process exists so that everyone's views can be heard. The aim is that the complaint should be properly and fairly dealt with.

Communications with school are welcome, and the latter stages of this complaints procedure are rarely used but remain part of the process.

Helpful websites:

Somerset SENDIAS (Special Educational Needs and Disability Information, Advice and Support)
www.somersetsend.org.uk

Advisory Centre for Education
www.ace-ed.org.uk

Christ Church C of E First School
Feltham Lane, Frome,
Somerset, BA11 5AJ

T: 01373 463781

E: sch.152@educ.somerset.gov.uk

W: www.christchurchschoolfrome.org.uk



Complaints Procedures: A Guide for Parents and Carers

This leaflet aims to help you when you have a concern or a complaint.

Christ Church school staff and governors aim to work in partnership with parents and carers to answer questions and solve problems.

Introduction

We aim to provide many opportunities to keep you informed of and involved in your child's progress, with regular reports, open days and visits all helping the process. Cooperation between parents, staff and governors leads to a shared sense of purpose and good atmosphere in the school.

Sometimes, however, misunderstandings can arise between parents/carers and school staff. These can often be sorted out by speaking to the right person. Your concern can then be looked into and a response given.

Q1. What should I do first?

First, be clear what you want to talk about.

Remember that although you may want to change a situation, you also want things to end on a positive note with no bad feelings. Because of this, you should try to follow the process and not back yourself, or anyone else, into a corner. Talking with the school can help you to understand how they see the situation and give you the chance to say what it looks like to you.

Although staff can sometimes see parents who just "pop in", this isn't generally possible. So, if you have a concern, please make an appointment so that you have enough time to talk things through.

Q2. Whom should I contact?

That depends on the particular situation. Often your child's class teacher is able to deal with the matter, especially if it concerns class work, homework or lost clothing. For more serious issues you may need to speak with a senior member of staff or the Headteacher. Mutual

courtesy is expected and ensures things go smoothly. There should always be discussion in the hope of solving difficulties informally. Most problems are solved in this way.

If the complaint is about:

- something serious that has happened or failed to happen in school ... contact the Headteacher.
- the actions of the Headteacher ... contact the Chair of Governors via the school.
- the actions of a governor ... contact the Chair of Governors via the school.
- the Chair of Governors ... contact the Clerk to Governors via the school.
- the actions of the Governing Body ... contact the Clerk to Governors via the school.



Q3. What if I am still unhappy?

Ask for an appointment with the Headteacher. It may help to give the school some times when you are free, to help them make a suitable appointment, as both your time and theirs is busy and valuable. Please try to be patient, as every effort will be made to see you as soon as possible.

If your child has special educational needs, you may want to contact Somerset SENDIAS (Special Educational Needs and Disability Information, Advice and Support) to talk about your concerns (tel: 01823 355578).

Before attending the meeting, it would be useful for you to put your concerns down in writing. Both you and the school can then focus on finding a solution.

We have a simple A4 form that you can obtain from the school office or download from our website. If you wish, you may also bring a friend or family member to the meeting.

Q4. What should I expect to happen as a result of the meeting?

After the meeting, the Headteacher may need to undertake further investigations to inform her/his decision and help achieve resolution. She/he will then write to you outlining the investigation and giving details of any action (if appropriate) to be taken within a mutually agreed timescale.

Q5. What if I feel the Headteacher hasn't answered my question or investigated my query, or if my complaint is against the head?

You may, if you wish, write to the Chair of Governors asking her/him to hear your complaint.

Q6. What happens if the Chair of Governors does not resolve my complaint?

Write to the Clerk to the Governors after you have received a response from the Chair of Governors, stating that you wish to make a formal complaint. Make it clear what you