

St. Andrew's C.P. School



Kirk Ella

Complaints Policy

Date of last Review: October 2020

Review in: Autumn 2022

Kirk Ella St Andrew's CP School
Complaints Policy

Vision Statement

'We encourage all our pupils to aspire to the highest levels of academic, social and physical achievements so they will develop independence and confidence and fulfil their true potential, making a positive difference to the lives of others'

Aims

We want the children of Kirk Ella St Andrew's Community Primary school to:

- have a love for learning
- be independent in their thinking
- show respect and care for others and value themselves
- be confident and responsible members of the community
- develop excellent life skills
- develop resilience
- be ready to take on new challenges
- established a good work ethic
- build happy memories and a feeling of pride
- achieve their very best

1. Introduction

1.1 Kirk Ella St Andrew's Community Primary School is committed to ensuring that the highest standards are maintained, both in the provision of education to pupils and in every other aspect of the running of all the school.

1.2 The school aims to deal positively with all complaints and the complaints procedure allows parents and others the opportunity to voice any concerns they may have through appropriate channels. This is only after initial discussions with the staff member have not resolved the issue.

1.3 This policy explains the procedure which has been adopted by the school to ensure a reasonable, timely, systematic and fair approach to the resolution of such concerns.

2. Scope

2.1 The school recognises the need to be clear about the difference between a concern and a complaint. By taking informal concerns seriously at the earliest stage we aim to reduce the numbers that develop into formal complaints. We aim to ensure that concerns are handled, if at all possible, without the need for formal procedures.

2.2 Our formal complaints procedure is only necessary therefore if all efforts to resolve the concern informally are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

2.3 This policy does not cover certain types of complaints (e.g. admissions), and these are dealt with under separate policies and procedures (e.g. LA Admissions Appeals). Also any third party providers offering services and facilities via the school (e.g. paid clubs) should have their own complaints procedures in place that should always be used.

2.4 A complaint may result in disciplinary action by the school against a member of staff, which would be confidential between that member of staff and the school, but otherwise the school will endeavour, where possible, to keep complainants informed of the handling of any complaint. Any complaint will be kept confidential unless it is necessary to involve other parties and will be dealt with as quickly as is reasonably possible.

3. Roles and Responsibilities

3.1 Although the Governors of the school has overall responsibility for ensuring that there is a consistent approach to managing and resolving complaints, it is the school Headteacher who has responsibility for the operation and management of the school complaints procedure.

3.2 Whilst, in general, any written complaint should be addressed to the Headteacher, in practical terms the Headteacher will normally nominate a senior member of staff to investigate the matter and ensure that all appropriate informal procedures have been exhausted.

3.3 It is expected that full attempts will be made to resolve difficulties informally with the class teacher or senior member of staff before being referred to the Headteacher.

3.4 The informal stage of the procedure must be exhausted before the matter is referred to the formal stage. If any substantial complaint is made to a member of staff, it should be referred to Headteacher, as appropriate, if it cannot be resolved, by the member of staff, to the satisfaction of the complainant.

4. Stages in the Procedure

4.1 There are four stages in the school's Complaints Procedures:

- Stage 1 (informal): a complaint is investigated by a staff member (not the subject of the complaint) and resolved informally;
- Stage 2 (formal): complaint heard by the Headteacher or Senior Member of Staff;
- Stage 3 (formal): complaint heard by the Chair of the Governing Body;
- Stage 4 (formal): complaint heard by the school Complaints Appeal Panel if the complainant is still not satisfied with the outcome of the third stage.

Some complaints may be so serious that they will come in at Stage 2 or above directly, and be investigated formally. In addition, who the complaint is directed at might also influence at which stage it is brought in.

4.2 At each stage in the procedure we will remain mindful of ways in which a complaint can be resolved, which may include 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.

4.3 Complainants will be encouraged to state what actions they feel might resolve the problem at any stage, always acknowledging that an apology or admission that the school could have handled the situation better is not the same as an admission of negligence.

5. Stage 1 - Informal

5.1 In this stage, an appropriate member of staff, but not anyone who is the subject of the complaint, will deal with the complaint.

5.2 It is anticipated that most concerns can be adequately resolved by discussion with this person and there may be no need for the complaint to be put in writing, which would formalise matters and may lead some complainants to feel less prepared to articulate concerns.
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5.3 The complaint should normally be resolved within 10 school working days. However, if the complainant is not satisfied and wishes to take the matter further they will be required to put their concerns in writing and submit this to the Headteacher within 5 school working days of being informed of the outcome of Stage 1.

5.4 The Headteacher will be informed and Stage 2 will be implemented.

6. Stage 2 - Formal

6.1 The complainant puts the complaint in writing. An acknowledgement of the formal complaint is sent out via email or letter by the school within 5 working days of the Headteacher receiving the complaint. This draws a clear line between the informal resolution work and the formal complaint stage.

6.2 The initial recipient of the complaint should refer the matter to the Headteacher or a designated member of the Senior Leadership Team.

6.3 The Headteacher, or a designated member of the Senior Leadership Team, will investigate the circumstances of the complaint and may find it appropriate to ask for written statements from staff or learners and to call for any relevant documentation or other relevant evidence.

6.4 If the complaint is against a member of staff, that member of staff has a right to be given details of the complaint and the opportunity to make representation about it. The person investigating the incident will take these details into account.

6.5 The Headteacher or designated member of staff will consider the complaint but it will be the Headteacher who will decide what action, if any, is required and respond to the complainant with the outcome of the investigation, normally within 15 school working days of receipt of the substance of the complaint.

6.6 The response may be in writing or at a meeting with the complainant followed by written confirmation of the outcome. The outcome will also be recorded on the complaints log.

7. Stage 3 - Formal

7.1 If the complainant is not satisfied they should write to the Chair of Governors within 5 school working days of the date of the written communication they received detailing the outcome of Stage 2.

7.2 The Chair will review the complaint and all related evidence and correspondence.

7.3 The Chair may arrange to meet with the complainant or they may ask someone to undertake further investigations or attend further meetings.

7.4 Once all relevant details have been collated and reviewed the Chair will make a decision and relay this to the complainant verbally, wherever possible.

7.5 Written confirmation will be provided and the outcome will also be recorded on the complaints log.

7.6 This stage should be completed within 10 school working days of receipt of the Stage 3 complaint.

8. Stage 4 - Formal Appeal Stage

8.1 If following Stage 3 the complainant is still dissatisfied with the outcome they can submit an appeal to the Chair of the governing Body.

8.2 This appeal must be submitted in writing to the Chair of the Governing Body within 5 school working days of the date of the written confirmation they received detailing the Stage 3 outcome.

8.3 If a hearing is requested, an Appeal Panel will be assembled supported by a nominated person to act as Clerk to the Appeal Panel.

8.4 The complainant will be informed by the Clerk of the new timescale for the school investigation in preparation for the hearing.

8.5 This would normally be within 15 school working days, where possible, but the length of time will depend upon the nature of the complaint and other variable factors. If the investigation is likely to exceed 15 school working days, realistic time limits will be set and the complainant advised accordingly.

8.6 An Appeal Panel will be assembled comprising three Governors.

8.7 None of the Appeal Panel members will have had any previous connection to the complaint and one of them will act as chair for the meeting.

8.8 The Clerk will write to the complainant, the Headteacher, Chair of the Governing Body and the school Appeal Panel members giving details of the meeting, requesting copies of any documents to be put before the meeting and the names of any witnesses that either party may wish to attend.

8.9 The Clerk will inform the complainant of the right to be accompanied by a friend (who should not be an employee of the school) and request details of anyone attending in such a capacity.

8.10 The hearing will be at reasonable notice and be held as soon as reasonably practicable after receipt of the complaint.

8.11 The procedure at the hearing will be sensitive and appropriate in all aspects for the circumstances and is at the discretion of the Chair of the school Complaints Appeal Panel, but is likely to involve:

- Presentation of the complaint;
- A reply by the Headteacher or governor;
- Questioning of all parties;
- Presentation about ways to resolve the complaint satisfactorily.

8.12 If necessary, the Complaints Appeal Panel will withdraw to consider their findings of fact on the evidence put before them and their conclusions, which may include measures to redress any problems identified.

8.13 The Complaints Appeal Panel may:

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or in part;
- Decide on any appropriate action to be taken to resolve the complaint;
- Recommend changes to the school's policies, procedures or both, to ensure that similar problems do not happen again.

8.14 The decision of the school Complaints Appeal Panel is final.

8.15 After the hearing the Clerk will send a copy of the findings and any recommendations of the panel in writing to the complainant and, where relevant, to the person complained about, within 5 school working days. A copy of this written communication will be retained by the Headteacher.

8.16 If, despite following appropriate procedures, the complainant still remains dissatisfied, or tries to reopen the same issue, the Chair of the school will inform them in writing that the procedure has been exhausted and that the matter is now closed, and if they wish to take the complaint further they may do so by referring their complaint to the Secretary of State for Education.

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8.17 This route can be accessed by writing to the formal address for the Department for Education which is currently:

Department for Education
Schools Complaints Unit
2nd Floor, Piccadilly Gate
Manchester
M1 2WD

The Schools Complaints Unit will not overturn the governors' decision about the complaint but will check whether:

- There has been undue delay in the proceedings;
- That the procedures in the school's policy and other relevant policies were followed correctly;
- That the school has complied with its funding agreement with the Education Secretary;
- That the policy meets all legal requirements.

Further information, if required, can be found on the DfE website.

9. Record-keeping and Data Protection

9.1 A complaints register is held by the school and the school. The register contains details of the complaint whether the complaint was resolved at Stage 1, 2, 3 or proceeded to an complaints Appeal Panel hearing.