



Bexton Primary School

Together we can make a difference

Complaints Policy

Name of school: Bexton Primary School

Date of review: Autumn 2015

New review date: Autumn 2018

Introduction

We believe that Bexton Primary School provides a good education for all our children, and that the Head Teacher, staff and governors work very hard to build positive relationships with all parents. However, the school is required by law to have procedures in place in case there are complaints. The following policy sets out the procedure that the school follows in such cases.

We deal with all complaints in accordance with procedures set out by Cheshire East Local Authority. If the school cannot resolve any complaint itself, those concerned can ask Cheshire East Local Authority to intervene.

All parents have the right, as a last resort, to appeal to the Secretary of State for Education, if they still feel that their complaint has not been properly addressed.

Aims

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and in all cases, we put the interests of the child above all other issues. The school will aim to keep complainants informed during the investigation of the complaint.

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. At each stage complainants should be asked to state what actions they feel might resolve the issue. An admission that the school could have handled the situation better is not the same as an admission of negligence.

The ability to consider the complaint objectively and impartially is crucial. The school will respect the views of a complainant who indicates that he/she would have difficulty in discussing a complaint with a particular member of staff. In these cases the staff member can refer the complainant straight to the Head Teacher or other member of the Senior Leadership Team.

Where the first approach is made to a governor, the governor will refer the complainant to the appropriate member of staff and advise them of this complaints procedure. It is essential that governors do not act unilaterally on an individual complaint outside of this procedure, or be involved at the early stages in case they are needed to sit on a panel at a later stage. **Complaints would not be heard by the full Governing Body at any stage**, as this could compromise the impartiality of any panel set up for a disciplinary hearing (or appeal) against a member of staff.

The Complaints Process

- (1) Initially complaints should be made verbally or in writing to the member of staff concerned who should inform the Head Teacher even if the matter is resolved immediately. This is usually the class teacher, who will speak to the complainant and try to resolve the situation. Unless there are exceptional circumstances, every effort will be made by the school to have a full discussion with the complainant before moving into the stages of this procedure.
- (2) Where the complaint is not resolved to the satisfaction of the complainant, they should be advised to put their complaint in writing to the Head Teacher, either by letter or email.

First Stage (Informal Stage)

Following receipt of a letter or email of complaint from the complainant, or their representative, the Head teacher should reply in writing. The Head teacher should then offer to meet with the complainant to discuss his / her concerns within ten school days of receiving the complaint, or as soon as is reasonably practicable. Where necessary, the Head teacher (or another person on their behalf) will carry out a full investigation into the issues raised. The Head teacher will give a full written response to the complainant as soon as possible, but in any case, within ten working days of the meeting. Where the complainant refuses the offer of a meeting this response should be made within ten working days of the receipt of the written complaint. Where the complainant is dissatisfied with this response, the complaint should move to the first formal stage of the procedure.

Where the complaint is against the Head Teacher, the Chair of Governors, another governor or the Governing Body as a whole, the complaint will move straight to the second stage of the procedure.

Second Stage (Formal Stage)

If the complaint cannot be satisfactorily resolved at the first stage of the procedure, or where the complaint is against the Head Teacher, the Chair of Governors, another governor or the Governing Body as a whole, the complainant will be asked to formally put their complaint in writing to the Chair of the Governing Body (or Vice Chair or nominated governor where the complaint is against the Head Teacher or Chair of Governors), which may be by letter or email, via the school.

The Chair/ Vice Chair/ nominated governor should offer to meet the complainant to discuss his/ her concerns within ten working days of receiving the complaint, or as soon as is reasonably practicable after this. The Chair/ Vice Chair/ nominated governor will review the investigation and Head teachers decision and may confirm the decision or reach a different decision. The Governor may choose to reinvestigate the complaint in whole or in part.

The governor may take advice initially from the Governance and Liaison Service, which may consult other LA officers.

The Chair/ Vice Chair/ nominated governor will communicate his/ her response in writing (normally through the Clerk to the Governing Body) to the complainant as soon as possible but, in any case, within ten school days of the initial meeting with Chair/ Vice Chair/ nominated governor. Where the complainant is dissatisfied with this response the complaint should move to the appeal stage of the procedure, but the complainant should indicate his/ her intention to do so within ten working days of receipt of the outcome of the formal stage.

Third Stage (Appeal Stage)

If the complainant wishes to appeal against the decision made at stage 2 s/he must indicate his/her intention to do so within ten working days of receipt of the outcome of the formal stage.

The complainant should do this by sending a written appeal to the Chair of Governors, either by letter or email, or, where the complaint is against the Chair, to the nominated governor. This should state the original complaint and the reasons for on-going dissatisfaction. The Chair of Governors, or nominated governor, may decline to accept a complaint into the Appeal Stage where s/he, acting reasonably, believes that the complaint has been upheld in full at the Formal Stage and in all the circumstances there is no merit in the matter proceeding further.

A governors' panel should be convened, consisting of three governors who have had no previous involvement in consideration of the complaint. Where the complainant is a parent, governors may wish to consider the possible advantages of this panel including a parent governor. A complaints appeal meeting will be held in accordance with the procedure attached as Appendix A.

The meeting of the governors' panel should take place as soon as possible, but in any case a date should be set and communicated to the complainant within twenty school days of receipt of the appeal. The governors' decision should be communicated in writing to the complainant as soon as possible but, in any case, within five school days of the meeting. The complainant will have no further right to appeal this decision within the school.

Opportunities to Request a Review

Before complaining to an external body it would usually be expected that all stages of this procedure had been exhausted

Complaining to the Secretary of State

If a complainant believes that the Governing Body has acted unreasonably s/he can complain in writing to the Secretary of State for Education. Complaints to the Secretary of State regarding maintained schools are handled by the Department for Education.

Complaining to Ofsted

Ofsted has powers to investigate certain types of complaint from parents to help them to decide whether to inspect a school.

The Role of the Parent Partnership Service

The Parent Partnership Service helps parents/carers whose children have difficulties with learning, medical needs or mental health problems, from pre-school age to school leavers. The service is confidential and offers impartial advice and information to enable parents and carers to make decisions about their child's education. This includes supporting parents with complaints to schools or the Local Authority.

The service can help parents consider what their complaint is about and the options available to them to resolve it, including more informal measures that can be explored in the first instance. If a parent wishes, the service can explain how to put a letter/case together to take the matter forward. Someone from the service can attend meetings with the parent to offer support but doesn't speak on behalf of or make decisions for the parent. The service also offers support after meetings have taken place to

consider the conclusions of the meeting and if the parent feels a satisfactory outcome was achieved. If not the parent may have further options to consider.

Contact details for the service are 01829 742997 Parentpartnership@cheshire.gov.uk

Frivolous or Vexatious Complaints

On very rare occasions complaints are made that are vexatious, in that an individual persists unreasonably with his/her complaints, or makes complaints in order to make difficulties for the school rather than genuinely to resolve a concern. This may involve making serial complaints about different matters, or continuing to raise the same or similar matters repeatedly. The frequency of contact with the school in such situations may hinder the consideration of the complaint and impede the ability of the Head Teacher and school to meet the needs of all pupils equitably.

Where the Head Teacher, and/or Chair of Governors, judges this to be the case s/he should seek advice from the manager of the school governance service in the first instance. Action taken may include restricting the contact between the complainant and the school.

The Headteacher or Chair of Governors as appropriate should write to the complainant and explain this decision and the reasons for it, and what action will follow.

Where a complainant seeks to reopen a matter the same as, or similar to, a matter previously considered under the procedure, the Chair of Governors has the right to inform him/her that the procedure has been exhausted and the matter is closed.

Monitoring and Review

The governors will monitor the complaints procedure annually in order to ensure that all complaints are handled properly. The Head Teacher will log all complaints received by the school, including the nature of the complaints and how they were resolved. The Head Teacher will report an overview of complaints received, including the above information, in the previous term to governors in his Head Teacher's Report.

Governors will take into account any local or national decisions that affect the complaints process and make any modifications necessary to this policy. This policy is made available to all on the school website so that they can be properly informed about the complaints process.

Relevant Policies

This policy should be read in conjunction with the following:

- Allegations of Abuse Against Staff Policy
- Staff Discipline Policy
- Whistle Blowing Policy

This policy was agreed at a meeting of the Full Governing Body on

Signed (Chair of Governors)

Signed (Head Teacher)