



## Corvedale Church of England (aided) Primary School & Nursery

### COMPLAINTS POLICY

#### Overriding principles

We are fully committed to dealing with all concerns and complaints fairly and impartially, in a friendly, respectful and professional way as it is in everyone's best interest to help ensure the matter can be resolved as quickly and informally as possible.

The School's core Christian values play an important part in the way we deal with and resolve concerns and complaints.

We celebrate the diversity within our School and want all people to feel they have had the chance to be heard.

#### Introduction

At Corvedale C of E Primary School we all work very hard to build positive relationships with everyone. Our aim is to deal with issues and problems before they become a 'complaint'. However, there is a clear protocol to follow if necessary and the steps to follow and their outcome are outlined in this document.

#### Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Corvedale C of E Primary School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

#### The difference between a concern and 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 defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Corvedale C of E Primary School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, they will refer you to another

staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Corvedale C of E Primary School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## **How to raise a concern or make a complaint**

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to the headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

## **Anonymous complaints**

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

## **Time scales**

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

## Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

## Scope of this Complaints Procedure

Corvedale C of E Primary School has adopted this procedure to allow parents/carers of pupils attending the School to raise a concern or complaint relating to the School. We will also usually follow this procedure when dealing with complaints from others but reserve the right to substitute this procedure for an alternative process where it is appropriate to do so.

This procedure does not apply to concerns and complaints relating to the following, which are dealt with under separate policies:

- Staff grievances or disciplinary procedures
- Admissions
- Exclusions
- Issues related to child protection

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Corvedale C of E Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## Resolving complaints

At each stage in the procedure, Corvedale C of E Primary School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology

## Records of complaints

A written record will be kept of all complaints, including at what stage they were resolved. Correspondence, statements and records relating to individual complaints will be kept confidential

except where access is requested by the Secretary of State or where disclosure is required in the course of a School inspection or under other legal authority.

## Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## The Complaints Process

<p><b>Stage1.</b></p>	<p><b>Informal concerns.</b></p>
<p><i>Complaint heard by staff member (though not the subject of the complaint) and headteacher informed of outcome</i></p>	<p>In the first instance, the matter should be raised with the child's class teacher by letter/email, by telephone or in person.</p> <p>An appointment with the class teacher can be arranged via the school office. The teacher will need time to fully investigate the matter and will respond with 3 school days. The Headteacher may be involved at this stage and may decide to deal with your concerns at this stage.</p> <p>If your concern is about the headteacher these should be referred directly to the Chair of the Governing Body under Stage 3.</p> <p>The member of staff dealing with the concern will make sure that you are clear on what action (if any) has been agreed. This may be put in writing if appropriate.</p> <p>Where no satisfactory solution has been found within 15 school days, you should be advised that if you wish your concerns to be considered further you should write to the headteacher under Stage 2.</p>
<p><b>Stage 2.</b></p>	<p><b>Formal complaint to the headteacher.</b></p>
<p><i>Complaint heard by Headteacher.</i></p> <p><i>Receipt of complaint acknowledged within 3 school days.</i></p> <p><i>Written outcome of investigation within 10 school days.</i></p>	<p>Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in writing (preferably on the Complaint Form), or by email.</p> <p>The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.</p> <p>Within this response, the headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The headteacher can consider whether a face to face meeting is the most appropriate way of doing this.</p> <p>During the investigation, the headteacher (or investigator) will:</p> <ul style="list-style-type: none"> <li>• if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish</li> <li>• keep a written record of any meetings/interviews in relation to their investigation.</li> </ul> <p>At the conclusion of their investigation, the headteacher will provide a formal written response within 10 school days of the date of receipt of the complaint.</p> <p>The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Corvedale C of E Primary School will take to resolve the complaint.</p>

Stage 3.	Governing body's complaints committee
<p><i>Complaint heard by Governing body's complaints committee within 10 school days of receipt of the request.</i></p> <p><i>Written notification the complainant and Headteacher of the panel's decision within 1 working week.</i></p>	<p>If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can request a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.</p> <p>A letter addressed to the Chair of Governors marked "private and confidential" can be left at the school office.</p> <p>The Chair of Governors will write to the complainant to arrange the date of a meeting. They will aim to convene a meeting within 10 school days of receipt of the request.</p> <p>If the complainant rejects the offer of three proposed dates, without good reason, the Chair of Governors will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.</p> <p>The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint.</p> <p>The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.</p> <p>If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend.</p> <p>Representatives from the media are not permitted to attend.</p> <p>Any written material will be circulated to all parties before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.</p> <p>The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.</p> <p>The meeting will be held in private.</p> <p>The committee will consider the complaint and all the evidence presented. The committee can:</p> <ul style="list-style-type: none"> <li>• uphold the complaint in whole or in part</li> <li>• dismiss the complaint in whole or in part.</li> </ul> <p>If the complaint is upheld in whole or in part, the committee will:</p> <ul style="list-style-type: none"> <li>• decide on the appropriate action to be taken to resolve the complaint</li> <li>• where appropriate, recommend changes to the school's</li> </ul>

	<p>systems or procedures to prevent similar issues in the future.</p> <p>The Chair of the Committee will provide the complainant and Corvedale C of E Primary School with a full explanation of their decision and the reason(s) for it, in writing.</p> <p>The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by the School.</p>
<p><b>Stage 4. Next Steps</b></p>	<p>If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 3.</p> <p>The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Corvedale C of E Primary School. They will consider whether Corvedale C of E Primary School has adhered to education legislation and any statutory policies connected with the complaint.</p> <p>The complainant can refer their complaint to the Department for Education online at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>, by telephone on: 0370 000 2288 or by writing to:</p> <p>Department for Education Piccadilly Gate Store Street Manchester M1 2WD.</p>

## Unreasonably persistent complainants and unreasonable complainant behaviour

There are rare circumstances where the School will deviate from the Complaints Procedure set out in Part 1. These include, but are not necessarily limited to:

- Where the complainant's behaviour towards staff, or Governors is unacceptable, for example, is abusive, offensive or threatening;
- Where, because of the frequency of their contact with the School, the complainant is hindering the consideration of their or other people's complaints and/or the proper running of the School;
- Where the complainant's complaint is clearly vexatious and/or has patently insufficient grounds;
- Where the complainant's complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full by the School.

In these circumstances, the School may:

- Inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it

- Restrict the complainant's access to the School e.g. requesting contact in a particular form (for example, letters only), requiring contact to take place with a named person only, restricting telephone calls to specified days and times or banning the complainant from the School's premises
- Refuse to consider the complaint and refer the complainant directly to either Stage 4 or Stage 5 (as appropriate)
- In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action. Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff or governors, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

## Complaint Form

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

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</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, including whether you have spoken to anybody at the school about it.</b>



**What actions do you feel might resolve the problem at this stage?**

**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**

# Roles and Responsibilities

## Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

## Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

## **Complaints Co-ordinator** (this could be the headteacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

## **Clerk to the Governing Body**

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

## **Committee Chair**

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

## Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.