

# St Bartholomew's CE (VC) Primary School

## Complaints Policy



This procedure is in accordance with the law which states that 'all maintained and nursery schools in England are required under section 29 of the Education Act 2002, to have in place a procedure to deal with complaints relating to the school and any community facilities or services that the school provides.' This procedure is published in the school prospectus and on the school notice board. It is also based on [guidance for schools on complaints procedures](#) from the Department for Education (DfE), including the model procedure, and model procedure for dealing with serial and unreasonable complaints. In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

### Definitions

The DfE guidance explains the difference between a concern and a complaint:

A **concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought"

A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action"

### Scope

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

Admissions

Statutory assessments of special educational needs (SEN)

Safeguarding matters

Exclusion

Whistle-blowing

Staff grievances

Staff discipline

School re-organisation proposals

Curriculum

Collective worship

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

## **Introduction**

The school is aware that there will inevitably be concerns about areas of its work from time to time and acknowledges that most will be dealt with swiftly and informally to the satisfaction of all parties. In some instances the concern may not be resolved and may become a complaint and will need formal action.

## **Our complaints procedure will:**

- Encourage the resolution of problems by informal means wherever possible
- Be accessible and publicised
- Be simple to understand and use
- Be impartial
- Be non-adversarial
- Allow swift handling with time limits for action and keeping people informed of the progress
- Ensure a full and fair investigation by an independent person where necessary
- Respect people's desire for confidentiality
- Address all the points at issue and provide an effective response and appropriate redress where necessary

*Growing Together Through Learning, Friendship, and Worship*

- Provide information so that services can be improved

#### **When investigating complaints we will:**

- Establish what has happened and who is involved
- Clarify the nature of the complaint and what remains unresolved
- Meet with the complainant
- Clarify what the complainant feels will put things right
- Interview those involved in the matter and/ or those complained of, allowing them to be accompanied if wished
- Conduct the interview with an open mind
- Keep notes of the interview

#### **OUR PROCEDURE**

##### **Stage 1**

It is in everybody's interest that complaints are resolved as soon as possible. Any complaints made to staff should be treated courteously in the first instance and referred to the head teacher. Every effort will then be made to resolve the complaint as impartially and effectively as possible. If a complaint is made to a governor it must be referred to the head teacher or to the chair of governors. Individual governors must not act unilaterally or be involved in early stages in case they are needed to sit on a panel at a later stage of the procedure.

The head teacher will investigate all areas of the complaint and attempt to resolve the complaint at this stage to the satisfaction of all parties. Records will be kept of all meeting and their outcomes.

##### **Stage 2**

If the complaint cannot be resolved with the head teacher, the complainant must write to the Chair of Governors giving details of the complaint. The chair, or a nominated governor will convene a GB complaints panel.

This is the last school based stage of the complaints process. Individual complaints will not be heard by the whole GB at any stage as this could compromise the impartiality of any

panel set up for a disciplinary hearing against a member of staff following a serious complaint.

At this stage the governing body will set up a complaints panel of 3-5 members to hear complaints and set out terms of reference.

The panel will

- Draw up its procedures
- Hear individual complaints
- Make recommendations on policy following complaints

### **The remit of the complaints panel**

The panel can:

- Dismiss the complaint in part or whole
- Uphold the complaint in part or whole
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure similar problems do not recur.

### **Important info for governors:**

- The appeal hearing must be seen to be independent and impartial. No governor may sit on the panel if they have prior involvement in the complaint, or the circumstances surrounding it. When determining the panel, governors must take account of race, gender, religious affiliation.
- The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, the complainant may not be satisfied with the outcome if it does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that the complaint has been taken seriously.
- The panel should be sensitive to the needs and emotions of the parents and ensure the setting is as informal and welcoming as possible.

- Where the complainant is a child extra care is needed to ensure it does not feel intimidated. Where the child's parent is the complainant, it is helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- The governors on the panel need to be aware of the complaints procedure.

### **Roles and responsibilities**

- The panel will appoint a clerk as a contact point and to:
- Set the date, time and venue of the hearing
- Collate any written material and send to parties in advance of the hearing
- Meet and welcome the parties as they arrive at the hearing
- Record the proceedings
- Notify all parties of the panel's decision

### **The role of the chair of governors**

Check the correct procedure has been followed

If a hearing is appropriate, notify the clerk to arrange the panel

### **The role of the chair of the panel**

The chair has a key role ensuring that:

The remit of the panel is explained and each party has the opportunity of putting their case without interruption

The issues are addressed

Key findings of fact are made

Parents and others are put at ease

The hearing is conducted in an informal manner with each party treating each other with respect and courtesy

The panel is open minded and acting independently

### **Complaints about our fulfilment of early years requirements**

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28

days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4666, or by emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

Reviewed Sept 2020

No member of the panel has a vested interest in the outcome or any previous involvement 'Under the Equality Act 2010, due regard has been given to equality considerations when reviewing this policy in accordance with the requirements of The Single Equality Act 2010'