



Lady Katherine Leveson
Church of England
Primary School

Complaints Policy and Procedures

V2.1

December 2017 – Under Review

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2 POLICY DETAILS:

Policy Name	Complaints Policy
Role responsible for making changes	?
Committee responsible for approving changes	?
Is this policy statutory?	Yes
Review cycle	Annually
Date policy first approved	December 2015
Date current version approved	May 2017

3 REVIEW HISTORY:

Version Number	Reason for review	Summary of changes made	Person responsible for changes	Date of committee approval
V2.0	Annual review		Sue Thomas & Miranda Gaywood	May 2017

4 PURPOSE & AIMS

This policy should be used in conjunction with the DfE Best Practice Advice for School Complaints Procedures 2016 and alongside the Lady Katherine Leveson C of E Primary School's Home/School Agreement. I think we should attach this as an Appendix?

Since September 2003 governing bodies (GBs) of all maintained schools and maintained nursery schools in England have been required, under Section 29 of the Education Act 2002, to have in place a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides. This does not limit complainants to parents or carers of pupils registered at a school. A complainant could be a member of the wider community or representing an ex pupil. The law also requires the procedure to be publicised.

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. Lady Katherine Leveson C of E School is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint, you may wish or be asked to follow the school's formal complaints procedure. For the school to be able to investigate a complaint, it needs to be made within one year of the incident occurring. If a complaint is older than a year it will not be investigated. The Model Policy suggests 3 months.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

The prime aim of Lady Katherine Leveson School's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by the school.

5 LEGISLATION AND GUIDANCE

This document meets the requirements of section 29 of the Education Act 2002, which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on guidance for schools on complaints procedures from the Department for Education (DfE).

6 ROLES AND RESPONSIBILITIES

6.1 GOVERNORS

- Hear, investigate and try to resolve formal complaints at Stage 3 of the complaints procedure.

6.2 HEAD TEACHER

- Hear, investigate and try to resolve formal complaints at Stage 3 of the complaints procedure.
- Support the Governing Body in investigating complaints raised to Stage 4/5 by providing transparency and working to the complaints procedure timescales.

6.3 PHASE LEADERS

- Hear, investigate and try to resolve formal complaints at Stage 2 of the complaints procedure.
- Support the Head Teacher and Governing Body in investigating complaints raised to Stage 3/4/5 by providing transparency and working to the complaints procedure timescales.

6.4 OTHER STAFF

- Hear and try to resolve concerns and informal complaints at Stage 1 of the complaints procedure, before they become complaints.
- Support the Phase Leader, Head Teacher and Governing Body in investigating complaints raised to Stage 2/3/4/5 by providing transparency and working to the complaints procedure timescales.

7 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”.

The school will resolve concerns through day-to-day communication as far as possible.

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

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

Arrangements for handling complaints from parents of children with SEN about the school's support are within the scope of this policy. Such complaints should first be made to the [class teacher/special educational needs co-ordinator (SENCO)/headteacher]; they will then be referred to this complaints policy. Our [SEN policy and information report] includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

8 MONITORING ARRANGEMENTS

<Who is responsible for monitoring whether the policy is being adhered to, how effective it is, and how they will do this monitoring. This is not about the review cycle but is the day-to-day monitoring role>

9 LINKS WITH OTHER POLICIES

<list any links to other policies within the school>

10 PROCEDURES

The Lady Katherine Leveson C of E Primary School Complaints procedure has five main stages. These apply except where a complaint is about the Head Teacher or a Governor.

In summary the five stages are as follows:

- Stage 1 – A concern is raised informally with a staff member, usually the Class Teacher
- Stage 2 – Informal (I think this should say "Formal"?) complaint is heard by an appropriate member of staff, usually the Phase Leader
- Stage 3 – Complaint is heard by Headteacher.
- Stage 4- Complaint heard by the Chair of Governors
- Stage 5– Complaint is heard by Governing Body's Complaints Appeal Panel.

10.1 STAGE 1 – RAISING A CONCERN

Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern. The school requests that parents make their first contact with the Class Teacher. On some occasions the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within a day or two. The vast majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at stage 1, please write to or call the school within 10 school working days and state what you would like the school to do. The school will then look at your complaint at the next stage.

10.2 STAGE 2 – COMPLAINT HEARD BY AN APPROPRIATE STAFF MEMBER, USUALLY THE PHASE LEADER

Formal complaints should be put in writing and addressed to The Phase Leader. The complaint will be logged, including the date it was received. The school will normally acknowledge receipt of the

complaint within 2 school working days of receiving it. In many cases this response will also report on the action the school has taken to resolve the issue. Alternatively, a meeting may be convened to discuss the matter further. This meeting will normally take place within 10 school working days. The aim will be to resolve the matter as speedily as possible. However, if you are not satisfied with the result at stage 2 please write to or call the school within 10 school working days of getting our response. You will need to tell the school why you are still not satisfied and what you would like the school to do.

10.3 STAGE 3 – COMPLAINT HEARD BY HEADTEACHER

If the matter has not been resolved at Stage 2, the Headteacher will arrange for a further investigation. Following the investigation, the Headteacher will normally give a written response within 10 school working days. If you are dissatisfied with the result at stage 3, you will need to let the school know within 10 school working days of getting the response.

10.4 STAGE 4-COMPLAINT HEARD BY THE CHAIR OF GOVERNORS

If the complainant continues to feel that the complaint has not been resolved, they should submit a letter to the Chair of Governors, stating details of the complaint, the reasons for dissatisfaction, and how they would like the school to resolve the issue. The Chair of Governors will respond to the complainant writing 5 working days, either with notice of further investigation or an outcome to the issue.

10.5 STAGE 5 – COMPLAINT HEARD BY THE GOVERNING BODY’S COMPLAINTS APPEAL PANEL

If the matter has still not been resolved at Stage 4, then you will need to respond to the Chair of Governors giving details of the complaint. The Chair or a nominated Governor will convene a Complaints Panel. The hearing will normally take place within 10 school working days of the receipt of the written request for Stage 5 investigation.

The aim of the Appeal panel hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. All parties will be notified of the Panel’s decision in writing within three school working days after the date of the hearing. The letter will also contain what you need to do if you wish to take the matter further.

In cases where the matter concerns the conduct of the Headteacher, the Headteacher and Chair of Governors will be informed of the complaint. The Chair of Governors will arrange for the matter to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint.

The Governors appeal hearing is the last school-based stage of the complaints process.

10.6 COMPLAINTS AGAINST THE HEAD TEACHER OR A GOVERNOR

Complaints made against the headteacher should be directed to the chair of governors.

Where a complaint is against the chair of governors or any member of the governing board, it should be made in writing to the clerk to the governing board in the first instance.

We could do with more detail here.

10.7 PERSISTENT AND VEXATIOUS COMPLAINTS

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the chair of governors (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the school's position and their options (if any), *and*
- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school staff

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

10.8 REFERRING COMPLAINTS ON COMPLETION OF THE SCHOOL'S PROCEDURE

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the School Complaints Unit (SCU), which investigates complaints relating to maintained schools on behalf of the secretary of state.

The SCU will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The SCU also looks at whether the school's statutory policies adhere to education legislation. It may direct the school to re-investigate the complaint where it is clear the school has acted unlawfully or unreasonably.

10.9 FURTHER INFORMATION

For further advice and guidance about the school's Complaints Procedure please contact the School's Information Officer on 0121 704 8536. For more information or to refer a complaint, see the following webpage: <https://www.gov.uk/complain-about-school>

11 REPORTING

Complaints received will be reported to the Governing Board but will be anonymised.

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