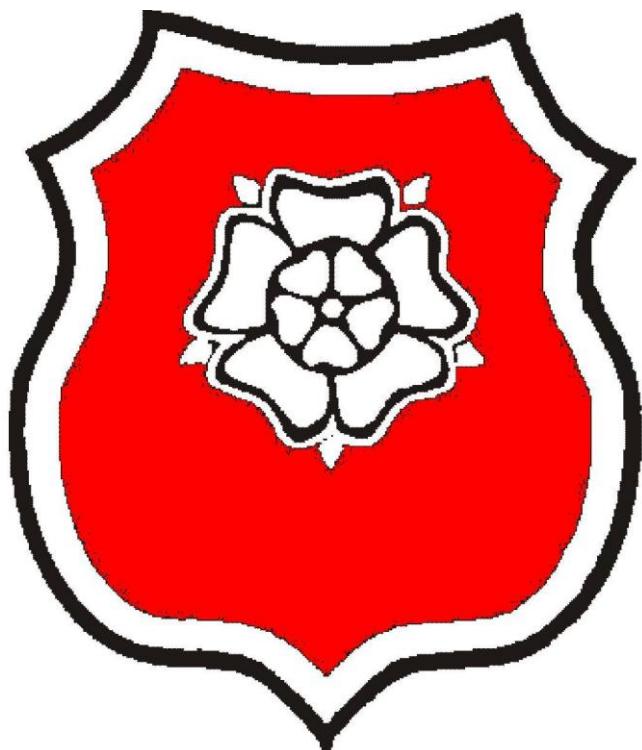


# **COMPLAINTS PROCEDURE**

## **St Agnes C of E Primary School**



**Approved by:** Mr Chris Cartwright

**Last reviewed on:** September 2022

**Next review due  
by:** September 2023

## St Agnes CE Primary School

### General Complaints Procedures

#### Our Vision and Mission Statement

*'Learning together in God's Love'*

We are an inclusive Christian family, who '**Learn Together In God's Love**' with mutual respect, tolerance and kindness. **We treat each other as we would like to be treated (Matthew 7v12)** this allows us to thrive in our education, friendships and journey through life. We are proud to say we are all equal.

Through the range of experiences we offer to all our pupils we encourage an understanding of the meaning and importance of faith and promote all the Christian Values. We particularly focus on Responsibility, Creativity, Forgiveness, Perseverance, Hope, Thankfulness and Friendship. These Christian values form the basis of our vision and are embedded throughout our school life and underpin all our teaching.

St Agnes is a small school that supports our community by providing an education of the highest quality within the context of Christian belief and practice. We work closely with our families to ensure they are fully supported and cared for

We expect everyone at St Agnes C of E Voluntary Aided Primary School to follow 'The Great Expectations' –

**Be Safe**

Be in the right place at the right time

Do your best

Handle your emotions

Use appropriate language

Cooperate

Respect everyone and everything

#### Rationale

Occasionally, individuals may wish to raise concerns or make a particular complaint about the school. It is good practice to have clearly set out procedures, which are available to any interested parties, to inform them how their concerns can be dealt with.

These procedures do not cover those aspects of school life for which there are specific statutory requirements, for example, school admission procedures, issues around collective worship and religious education or special needs assessments. There are also specific procedures for dealing with complaints about child abuse, financial improprieties or other criminal activities. Persons wishing to raise complaints of this nature should ask the Headteacher or the Local Authority for information about any of these specific procedures (See Appendix 1).

#### Background

**This procedure is based on the General Complaints Procedures advocated by the Local Authority and the Departmental Advice issued by the Department for Education (DfE) in August 2014. It has also been created following the recent guidelines – March 2019 - Best Practice Advice for School Complaints Procedures 2019 which was also issued by the DfE. Furthermore, it also follows guidance from Section 29 of the Education Act 2002 with regards to complaints around the provision for children with Special Educational Needs (SEND). Please note that the same procedure is followed for complaints from parents of children with SEND.**

St Agnes believes in a partnership between home, school and the wider community and our Mission Statement highlights our determination to create an ethos which will enhance good relationships. We would hope that persons who have concerns would feel able to talk with either a Class Teacher, the Office Manager or the Headteacher to resolve their anxieties as amicably as possible.

The purpose of these formal procedures is to outline the stages which may be followed if persons feel that their concerns have developed into grounds for a complaint.

The difference between a concern or a complaint – DFE Guidance 2019

*'A 'concern' may be treated as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.*

*A complaint may be generally recognised as 'an expression or statement of dissatisfaction however made, about actions taken or a lack of action'.*

*It's in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to follow formal procedures. Schools should take informal concerns seriously and make every effort to resolve the matter as quickly as possible.*

*However, there will be occasions when complainants want to raise their concerns formally. In those cases, your complaints procedure should be followed.'*

### **If you have a concern**

Individuals must feel able to raise concerns with any member of staff without any formality, either in person, by telephone or in writing. The vast majority of concerns can be resolved informally through the class teacher. A person may want to have a preliminary discussion about an issue to help decide whether he or she wishes to take the matter further.

It would assist the procedure if the school respected the views of a person raising a concern who indicates that he/she have difficulty discussing a concern with a particular member of staff. In these cases, the complaints co-ordinator can refer the person to another staff member. Where the concern relates to the Headteacher the complaints co-ordinator can refer the person to the chair of governors. Should the concern be about the SEND support provided by school, it is advised that the concern is discussed with our Special Educational Needs Co-ordinator (SENCO) Miss Butterworth in the first instance. Details and outcomes of concerns will be documented on CPOMS and retained in line with the Retention Policy.

Similarly, if the member of staff directly involved feels too compromised to deal with a concern, the complaints co-ordinator may consider referring the person raising the concern 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 crucial.

Persons wanting to raise a concern should not approach individual Governors to raise concerns. They have no power to act on an individual basis and it may also prevent them

from considering complaints at Stage 1 of the complaints procedure, should this be necessary.

Persons have the opportunity to discuss their concerns with an appropriate member of staff who will reassure them that the school wants to hear about their concerns. The member of staff may explain to the person how the situation happened and will try to identify with them the sort of outcome that the person is looking for.

- 1.1 If the member of staff cannot immediately deal with the matter, s/he should make a clear note of the date, name, contact address or phone number.
- 1.2 The member of staff dealing with the concern should make sure that the person is clear what action (if any) or monitoring of the situation has been agreed and log it on CPOMS.
- 1.3 If the member of staff initially approached feels unable to deal with the concern, or is the subject of the complaint, s/he should refer it immediately to the Headteacher.

### **How to make a formal Complaint**

There are four stages to the procedures.

#### **Stage 1: Referral to the Headteacher.**

The Headteacher has responsibility for the day-to-day running of the school and has, therefore, the responsibility for the implementation of the complaints procedure, including the decision about their own involvement at various stages. The Headteacher at St. Agnes is the complaints co-ordinator.

- 1.1 The Headteacher should give an opportunity for the complainant to meet with her within 5 working days to discuss the complaint. The complainant may be accompanied by a friend, relative or representative who can speak on his/her behalf. The Headteacher may also be accompanied by another member of staff.
- 1.2 Once all the relevant facts have been established, the Headteacher will meet with the complainant to discuss and resolve the matter directly. The Headteacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken.
- 1.3 If there is no resolution for the above. The complainant will be asked to complete the complaint form (Appendix 2). A meeting will then be arranged to discuss the form and try to resolve the matter within 5 working days, if the Headteacher is unable to meet this deadline they will provide the complainant with an update and revised response date.
- 1.4 The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reasons for it.
- 1.5 The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

#### **Stage 2: Referral to the Chair of Governors and the Governor complaint panel.**

If the matter is not resolved or the complaint is against the Headteacher it will be referred to the Chair of Governors.

2.1 A request to escalate to Stage 2 must be made in writing by the complainant within 5 working days of their receipt of the stage 1 outcome to the Office Manager at school who will record the date the complaint is received and acknowledge in writing with 5 working days.

2.2 A meeting will be arranged between the complainant, the Chair of Governors and another Governor (who will refer to 1.3 and 2.1), the date and time of the meeting will be sent out within 5 working days. The complainant may be accompanied by a friend, relative or representative who can speak on his/her behalf. The aim of this meeting is to resolve the matter.

2.3 It is the responsibility of the Chair of the Panel to ensure that a clerk is appointed to minute the meeting. The clerk will be impartial and have no prior involvement with the complaint.

2.4 The aim of the meeting is to resolve the complaint and to achieve a reconciliation between the complainant and the school. It must be recognised, however, that sometimes it may only be possible to establish facts and make recommendations which will satisfy the complainant that their complaint has at least been taken seriously.

2.5 The Chair of the Panel should ensure that the proceedings are as un-intimidating as possible as many complainants would be quite unused to dealing with groups of people in formal situations.

2.6 The meeting:

- After introductions, the complainant is invited to explain their complaint.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- **If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence and this must be recorded on a separate appendix 2 form.**
- If the complainant fails to attend the hearing without good reason the complaint will be deemed to have been withdrawn and the procedure will be at an end.

2.3 The Chair of Governors and parent Governor may undertake further investigation after the meeting.

2.7 The Panel will then consider the complaint and all the evidence presented in order to reach a unanimous, or at least a majority, decision on the complaint and decide upon the appropriate action to be taken to resolve the complaint. If it is appropriate, the Panel may suggest changes to the school's system or procedures to ensure that problems of a similar nature do not happen again.

2.8 A written statement outlining the decision of the Panel will be sent to the complainant and the Headteacher.

2.9 The school must ensure that a copy of all correspondence and notes are kept on file in the school's records. These records must be kept separate from the children's

records.

2.10 In the unlikely event that the matter has not been resolved at this point, the Chair may take advice from the Local Authority or the Diocesan Board of Education.

### **Next Steps**

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 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by St Agnes. They will consider whether St Agnes has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at:

[www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for Education

Piccadilly Gate

Store Street

Manchester

M1 2WD.

Date approved & adopted (full governors) 23/09/2022

## Data Protection Statement

The procedures and practice created by this policy have been reviewed in the light of our Data Protection Policy. All data will be handled in accordance with the school's Data Protection Policy.

Data Audit For The Complaints Policy					
What ?	Probable Content	Why ?	Who ?	Where ?	When ?
Written information regarding the complaint	Name D.O.B. Written information regarding specific children and specific staff and their actions within the complaint	For a fair and consistent approach for Head/Governors to review the complaint	Headteacher Governor	Paper copies stored securely by Head or Governor in a locked cabinet in Heads office	Held on File throughout complaint and then destroyed.  If Complaint goes to Panel review then meeting is minuted and information is held securely by Panel lead ( who will then take legal advice as to when the information is destroyed or where it is to be held and until when)

As such, our assessment is that this policy:

Has Few / No Data Compliance Requirements	Has A Moderate Level of Data Compliance Requirements	Has a High Level Of Data Compliance Requirements
	✓	

This policy will be reviewed every three years or sooner if legislation / school assessment systems change.

## Appendix 1

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special Educational Needs</li> <li>• School re-organisation proposals</li> </ul>	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with <a href="#">Oldham Council</a></p>
<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). <a href="#">Oldham MASH 0161 7707777</a></p>
<ul style="list-style-type: none"> <li>• Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> <li>• National Curriculum - content</li> </ul>	<p>Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>

## **Appendix 2 – St Agnes Primary School Complaint form**

**Your name:**

**Pupil's name:**

**Your relationship to the pupil:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Please give details of your complaint.**

**What action, if any, have you already taken to try and resolve your complaint.  
(Who did you speak to and what was the response)?**

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

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

**Name:**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By whom:**

**Complaint referred to:**

**Date:**

## Appendix 3 - COMPLAINTS FLOWCHART

Attempt by class teacher/staff member to resolve complaint or concern informally

