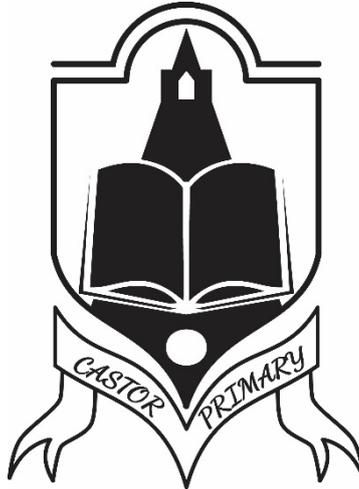


Castor Church of England Primary School
We have faith in God, ourselves and everyone around us.

Policy Name: Complaints Policy

Committee Responsible for Policy: Full Governing Body

Policy written by: Chair of Governors, utilising The Key for Governors Model Document



Date presented to staff:

Date approved by Governors: April 2019

Signature: _____

Review Date: April 2021

Where: website, relevant to staff induction, school network – Staff > Policies > Personnel

Equality Act Statement:

1. We welcome our duties under the Equality Act 2010 to eliminate discrimination, advance equality of opportunity and foster good relations in relation to age (as appropriate), disability, ethnicity, gender (including issues of transgender, and of maternity and pregnancy), religion and belief, and sexual identity.
2. We welcome our duty under the Education and Inspections Act 2006 to promote community cohesion.
3. We recognise that these duties reflect international human rights standards as expressed in the UN Convention on the Rights of the Child, the UN Convention on the Rights of People with Disabilities, and the Human Rights Act 1998.

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1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

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
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The School will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the School website.

In applying this policy, all involved are expected to behave in a manner that is in keeping with the School's vision and Christian values:

Our School Vision

We have faith in God, ourselves and everyone around us.

Jesus said, 'if you believe, you will see the glory of God' (John Ch 11 vs 40). He also gave his disciples a new commandment - to 'love one another' (John Ch13 vs 34). Yet still, "The apostles said to the Lord 'increase our faith'" (Luke Ch17 vs5).

Castor Church of England Primary School will be a place where all are encouraged to search for signs of God's glory and, in so doing, people's faith will be increased, and they will have the grace to follow Jesus' commandment to love one another.

Our School Values



2. 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).

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.

3. Definitions and scope

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 concerns and complaints informally where possible, at the earliest possible stage.

This policy outlines the procedure relating to handling concerns and formal 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

Please see our separate policies for procedures relating to these types of complaint.

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; they will then be referred to this complaints policy. Our Special Educational Needs and Disability Policy includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

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

Any references to **parent** in the procedure below includes also carers and any other person who wishes to raise a concern or a complaint.

4. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The School expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

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 4234 or 0300 123 4666, or by emailing 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.

5. Raising concerns (informal stage)

At Castor Church of England Primary School, we welcome dialogue and challenge to enable continued improvement of the educational opportunities we offer children in our School. We operate an 'open door' policy that enables anyone to raise any concerns they may have about the School.

As noted above, a **concern** is "an expression of worry or doubt over an issue considered to be important for which reassurances are sought". The School will take all concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

Stage 1

You should raise your concern as soon as possible with the class teacher either in person or by letter, telephone or email.

Most matters of concern can be dealt with at this first stage. All staff work very hard to ensure that each child is happy at school, and are making good progress; they always want to know if there is a problem, so that they can take action before the problem seriously affects the child's progress.

Stage 2

If, after speaking to your child's teacher, you do not feel that your complaint has been dealt with properly, or if your concern is about the conduct of a particular teacher or other staff member, then you should discuss the matter with that individual's manager. At our School, this is either the Lower/Upper School Leader (for class teachers), the Deputy Headteacher (for Teaching Assistants) or the Headteacher (for the Deputy Headteacher, School Business Manager or School Secretary)

If you are unclear who to contact or how to contact them, please contact the School Office for advice.

Stage 3

If you are still unhappy about the situation, you should raise the matter with either the Deputy Headteacher or the Headteacher. Occasionally, a member of the Senior Leadership Team may become involved before the third stage. This does not alter the progression of the process to resolve your concern, which will be dealt with by another member of staff on the step you have reached.

Escalation to a formal complaint

If you are dissatisfied with the actions taken, or not taken, you may escalate the matter to a formal complaint. The formal complaints procedure is set out below.

6. Stages of complaint (not including complaints against the Headteacher or governors)

Stage 1: School Leadership Team

You should raise your complaint as soon as possible with the Headteacher, directly or via the School Secretary, and either in person or by letter, telephone or email. A third party may raise a complaint on your behalf. If you are unclear who to contact or how to contact them, please contact the School Office.

When raising your complaint you should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what you feel would resolve the complaint.

If you need assistance raising a formal complaint, you can contact the School Office.

The School will acknowledge complaints within five days, and investigate and provide a response within ten days.

A member of the Senior Leadership Team will call a meeting to clarify your complaint, and seek a resolution. You may be accompanied to this meeting, and should inform the School of the identity of your companion in advance.

In certain circumstances, the School may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the School will notify you as soon as they are aware, so that you have the opportunity to arrange alternative accompaniment.

The Headteacher (or other person appointed by the Headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to you within ten days.

If you remain dissatisfied with the actions taken, or not taken, you may escalate the matter to the next stage in the procedure. Please note: escalation of your complaint should be within 10 days of receiving the written conclusion of the investigation.

Stage 2: Chair of Governors

You should send written details of your complaint in a sealed envelope marked 'Private and confidential' and addressed for the attention of the Chair of Governors at the address of Castor Church of England Primary School. The Chair of Governors will need a clear statement from you on how you feel the previous stage of the procedure has not addressed your complaint sufficiently, and what you feel would resolve the complaint. The Chair of Governors will have access to the existing record of the complaint's progress (see section 11).

The Chair of Governors will investigate your complaint and convey her/his findings to the parties concerned within 21 days of receipt.

If you remain dissatisfied, you may escalate the matter to the next stage in the procedure. If you wish to escalate your complaint to the next stage, you should inform the Chair of Governors within ten days.

Stage 3: Review Panel

At this stage your complaint will be considered by a Review Panel consisting of three members of the School's governing body without direct knowledge of your complaint. These individuals will have access to the existing record of the complaint's progress (see section 11).

The School will provide you with reasonable notice of the date of the Review Panel meeting; however, the Review Panel reserves the right to convene at their convenience rather than that of the complainant. At the Review Panel meeting, you and representatives from the School, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

As the complainant you must be allowed to attend the panel hearing and you may be accompanied by a suitable companion if you wish.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

You, the Review Panel and the school representatives will be given the chance to ask and reply to questions. Once you and school representatives have completed presenting your cases, you will be asked to leave and the Review Panel will then consider the evidence.

The Review Panel must then put together its findings and recommendations from the case. The Review Panel will provide copies of the minutes of the hearing and the findings and recommendations to you and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the Headteacher.

The School will inform those involved of the decision in writing within five days.

This concludes the School's complaints procedure.

7. Raising a complaint against the Headteacher

Stage 1: Chair of Governors

If your complaint is about the conduct of the Headteacher you will need to contact the Chair of Governors.

When raising your complaint you should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what you feel would resolve the complaint.

You should send written details of your complaint with any correspondence and evidence to support your complaint in a sealed envelope marked 'Private and confidential' and addressed for the attention of the Chair of Governors at the address of Castor Church of England Primary School. It is important that you include a clear statement of the actions you would like the School to take to resolve your complaint.

If, for some reason, you do not feel able to do this, you should contact the Clerk to the Governors, at the School address, who will record your complaint as a statement for you to sign. The Clerk will not be able to assist you with the gathering of evidence.

The Chair of Governors will investigate your complaint and convey her/his findings to the parties concerned within 21 days of receipt.

If you remain dissatisfied, you may escalate the matter to the next stage in the procedure. If you wish to escalate your complaint to the next stage, you should inform the Chair of Governors within ten days.

Stage 2: Review Panel

At this stage your complaint will be considered by a Review Panel consisting of three members of the School's governing body without direct knowledge of your complaint. These individuals will have access to the existing record of the complaint's progress (see section 11).

The School will provide you with reasonable notice of the date of the Review Panel meeting; however, the Review Panel reserves the right to convene at their convenience rather than that of the complainant. At the Review Panel meeting, you and representatives from the School, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

As the complainant you must be allowed to attend the panel hearing and you may be accompanied by a suitable companion if you wish.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

You, the Review Panel and the school representatives will be given the chance to ask and reply to questions. Once you and school representatives have completed presenting your cases, you will be asked to leave and the Review Panel will then consider the evidence.

The Review Panel must then put together its findings and recommendations from the case. The Review Panel will provide copies of the minutes of the hearing and the findings and recommendations to you and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the Headteacher.

The School will inform those involved of the decision in writing within five days.

This concludes the School's complaints procedure.

8. Raising a complaint against a governor or the governing body

Complaints made against a governor

Complaints made against a governor should be directed to the Chair of Governors.

When raising your complaint you should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what you feel would resolve the complaint.

You should send written details of your complaint with any correspondence and evidence to support your complaint in a sealed envelope marked 'Private and confidential' and addressed for the attention of the Chair of Governors at the address of Castor Church of England Primary School. It is important that you include a clear statement of the actions you would like the School to take to resolve your complaint.

If, for some reason, you do not feel able to do this, you should contact the Clerk to the Governors, at the School address, who will record your complaint as a statement for you to sign. The Clerk will not be able to assist you with the gathering of evidence.

The Chair of Governors will investigate your complaint and convey her/his findings to the parties concerned within 21 days of receipt.

If you remain dissatisfied, you may escalate the matter to the next stage in the procedure. If you wish to escalate your complaint to the next stage, you should inform the Clerk to the Governors within ten days.

Complaints made against the governing body

Complaints made against the entire governing body should be made in writing to the Clerk to the Governors at the School address.

The Clerk will contact the Local Authority to arrange a fair and impartial hearing of your complaint. Such hearings are conducted usually by a panel of governors independent of the School.

9. Referring complaints on completion of the School's procedure

If you are unsatisfied with the outcome of the School's complaints procedure, you can refer your 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.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

10. Persistent complaints

Where a complainant tries to re-open the issue with the School after the complaints procedure has been fully exhausted and we have done everything we 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:

- We have 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.

Complaint campaigns

Where the School receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the School, we may respond to these complaints by:

- Publishing a single response on the School website: www.castorschool.com
- Sending a template response to all of the complainants

If complainants are not satisfied with the School's response, or wish to pursue the complaint further, the normal procedures will apply.

11. Record-keeping

The School will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the Review Panel.

This is except where the Secretary of State (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and Data retention policy.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing body in case a review panel needs to be organised at a later point.

Where the governing body is aware of the substance of the complaint before the review panel stage, the School will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing body, who will not unreasonably withhold consent.

12. Learning lessons

The Chair of Governors will review any underlying issues raised by complaints with the Headteacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the School can make to its procedures or practice to help prevent similar events in the future.

13. Monitoring arrangements

The governing body will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Chair of Governors and the Headteacher will track the number and nature of complaints, and review underlying issues as stated in section 12.

The complaints records are logged and managed by the Chair of Governors and the Headteacher. The full governing body will examine this log on an annual basis.

This policy will be reviewed by the Chair of Governors and the Headteacher every three years.

At each review, the policy will be approved by the governing body.

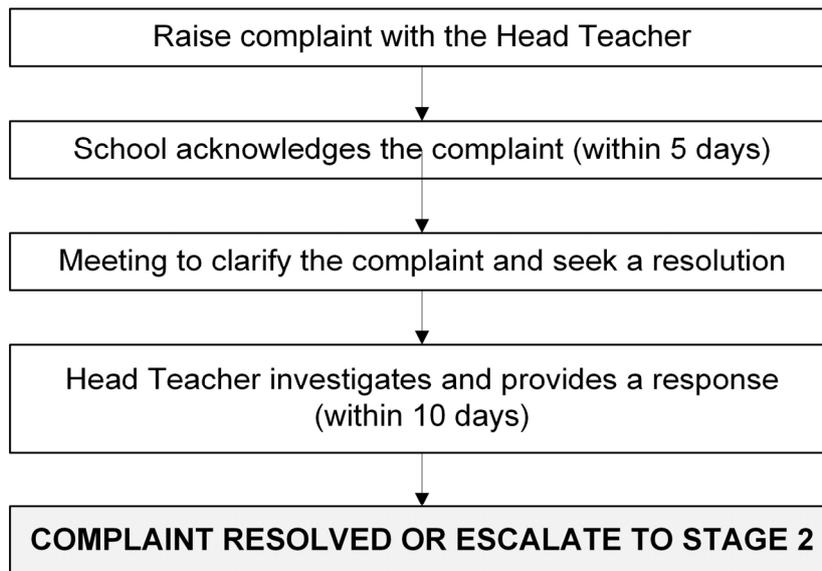
14. Links with other policies

Policies dealing with other forms of complaints include:

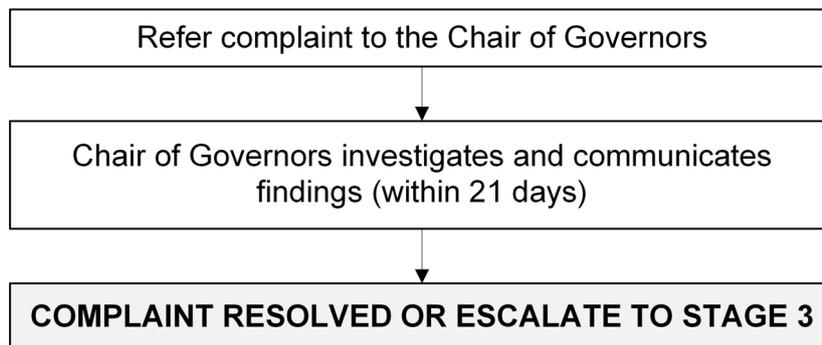
- Safeguarding policy and procedures
- Admissions policy
- Behaviour policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEND policy
- Data protection policy

Appendix 1 – Complaints procedure flowchart

STAGE 1 – SCHOOL LEADERSHIP TEAM



STAGE 2 – CHAIR OF GOVERNORS



STAGE 3 – REVIEW PANEL

