



Complaints Policy

Godinton Primary School

November 2015

Approved by the Governing Body Strategy Group 16/11/15

This Policy is due for renewal in Term 2 2016-2017

Godinton Academy Trust is a charitable company limited by guarantee and registered in England and Wales with company number 9404783. The registered office is at Lockholt Close, Ashford, TN23 3JR.

INTRODUCTION :

Within this policy the Godinton Academy Trust is referred to as Godinton Primary School or the school, the Principal of the Academy Trust is referred to as the Headteacher and the Board of Trustees is referred to as the Governing Body.

Reference to parents includes carers of children in the school.

- 1.1** We believe that our school provides a good education for all our children, and that the headteacher and staff work very hard to build positive relationships with all parents/carers. However, the school is obliged under Section 29 of the Education Act 2002 to have procedures in place to deal with concerns and complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised.
- 1.2** The Governors believe that complaints should be taken seriously and feel that a robust procedure for dealing with complaints is an important part of the schools development requiring the support of the Headteacher, Governors, staff and parents/carers.
- 1.3** This policy outlines how the school will approach all complaints received and incorporates the procedure the school will follow to address them.
- 1.4** In considering complaints the school will take account of all guidance and legislation relating to the complaint.
- 1.5** If any parent/carer is unhappy with the education that their child/ward is receiving, or has any concern relating to the school, we encourage them to talk to the child's class teacher in the first instance.
- 1.6** If an individual governor is approached about a complaint they will direct the complainant to a member of staff or the Headteacher with a view to resolving the issue informally in accordance with this policy. The governor will not become involved in any detail of the complaint at this stage.
- 1.7** Any matters that cannot be resolved by speaking to the class teacher will be considered following the Complaints Process.
- 1.8** All parents/carers have the right to take their complaint to the DfE if they are dissatisfied after the Governing Body have dealt with their complaint.
- 1.9** It is a precondition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way. The Chair of Governors shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.
- 1.10** An anonymous concern or complaint will not be investigated under this process unless there are exceptional circumstances.

2 AIMS AND OBJECTIVES :

2.1 Aims :

- 2.1.1** To be fair, open and honest when dealing with any complaint.
- 2.1.2** To treat any complaint seriously and courteously and give the complainant confidence in the complaints procedure and that the matter will be impartially investigated.
- 2.1.3** To follow this policy and procedures in dealing with all complaints.
- 2.1.4** To balance the rights and responsibilities of pupils, parents, Governors and school staff, and to recognise that responsibilities rest with all of these.
- 2.1.5** To resolve any complaint through the involvement of all interested parties.
- 2.1.6** To put the interests of the child above all other issues.

2.2 Objectives :

- 2.2.1** To reach a swift resolution to the complaint having provided sufficient opportunity for it to be fully investigated and full and careful consideration given to the facts available.
- 2.2.2** To learn from the complaints procedure and outcomes of individual complaints to ensure a robust process for dealing with complaints is maintained and lessons learned are acted upon.

3 GENERAL PRINCIPLES :

- 3.1** *Training : All involved in investigating a complaint will receive training to ensure they understand the procedures contained in this policy and how to conduct the investigation.*
- 3.2** *Confidentiality : It is recognised that it is important to secure the confidence of all concerned. Conversations and correspondence will be treated with discretion and parents are assured that a complaint will not disadvantage their child. All parties will be asked to keep all aspects of the complaint confidential but it must be accepted that some information may have to be shared in order to carry out a thorough investigation. Details of the complaint and outcome of the investigation will be limited to Staff and Governors involved with the complaint. This will include staff and Governors investigating the complaint or those called as witnesses. All other Staff and Governors will be advised that a complaint has been made, confirmation of the action taken and items highlighted by the investigation requiring action. The identity of those involved will be limited to those involved in the investigation.*
- 3.3** *Complaints against Staff : A member of staff that is the subject of a complaint will be given the opportunity to respond to the complaint and will be able to see the response sent as a result of the investigation.*

3.4 *Staff Discipline or Capability : If the complaint becomes a disciplinary or capability issue, the process under this policy will be suspended and the matter taken forward by following the appropriate procedure. Complainants will be advised that the complaint is to be considered under a different procedure and a revised target for providing a response.*

4 *THE COMPLAINTS PROCESS :*

4.1 **Stage One - Discussion with Relevant Member of Staff:**

- 4.1.1** If a parent has any concern about an occurrence in school it would usually be appropriate in the first instance to communicate directly with the member of staff concerned. This may be by letter, telephone or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved at this informal stage.
- 4.1.2** If a parent/carer is concerned about anything to do with the education that the School is providing, they should, in the first instance, discuss the matter with their child's/ward's class teacher. It is important for our teachers to ensure the happiness of each child and that they are making good progress. The class teacher should be advised if there is a perceived problem to enable the issue to be investigated and addressed before, it has a detrimental impact on the child's progress.
- 4.1.3** When advised of a concern the class teacher will arrange to see the parent / carer within five school days, at a mutually convenient time, to ensure the concern can be meaningfully discussed.
- 4.1.4** It is expected that in the majority of cases the discussion will resolve the matter and lead to verbal agreement on the way forward. The discussion will not be documented unless a specific request is made by the parent / carer to do so.
- 4.1.5** Where it is necessary for the Class Teacher to carry out an investigation or seek advice from others in order to respond to the concern they will advise the complainant of the outcome of their investigation, or progress they have made, within ten school days of the meeting. If a resolution has not been achieved in ten school days agreement will be reached between the parent / carer on how updates on progress will be provided. Any discussions during this process will not be documented unless a specific request is made by the parent / carer to do so.
- 4.1.6** If the complainant is unhappy with the response from the class teacher or member of staff, they may wish to talk to a School Leader or the Deputy Headteacher before making a formal complaint as outlined in Stage Two below.
- 4.1.7** When informal action has been concluded the complainant will be informed that if they are unhappy with the response they can make a formal complaint under Stage 2 of the policy. They will be advised that such a complaint should be in writing outlining briefly the facts and stating what it is that they consider should have been done or where the Academy has not met reasonable expectations.

4.2 Stage Two - Consideration by the Head Teacher or Chair of Governors :

If a parent's complaint cannot be resolved by the informal process it will be considered formally by the Headteacher or, if the complaint relates to the Headteacher, by the Chair of Governors.

4.2.1 Consideration by the Headteacher :

- 4.2.1.1** Where a parent/carer feels that their concern has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they must write to the Headteacher outlining the facts and stating what it is that they consider should have been done or where the Academy has not met reasonable expectations.
- 4.2.1.2** Within three school days of receipt of a complaint the Headteacher will acknowledge its receipt and provide the complainant with a copy of the complaints policy. The acknowledgement will include a target date for providing a response to the complaint.
- 4.2.1.3** An investigation will be carried out by a member of the Senior Leadership Team - made up of the Headteacher, the Deputy Headteacher and the Assistant Headteachers - who will offer the complainant a meeting and who will speak to others involved. Whenever reasonably possible, the meeting with the complainant will take place within 15 school days of the written complaint being received.
- 4.2.1.4** If the complainant declines the offer of a meeting to discuss the complaint the investigation will proceed using all available information. This will include seeking information from staff directly involved in matters raised by the complainant and accessing documentary evidence held within the school or available to it.
- 4.2.1.5** If the complainant accepts the offer of a meeting the headteacher will, within three school days, contact the complainant to arrange a mutually convenient appointment to discuss the matter. The complainant can choose to be accompanied to the meeting by a friend, relative or representative. The headteacher may ask another member of staff who is not directly involved in matters raised by the complainant to be present at the meeting to take notes of the proceedings to aid in the complaint investigation.
- 4.2.1.6** The Headteacher will provide a response to the complainant having obtained, and given full and careful consideration to, the available evidence, including information obtained at meetings with all parties and documentary evidence relating to the complaint. The response will be issued in writing within fifteen school days of either the date of the letter sent acknowledging receipt of the complaint (if interested parties elect not to attend a meeting with the Complaints Panel) or the last meeting held with an interested party. It will advise whether or not the complaint is upheld and an explanation of the decision and the reasons for it. If the investigation reveals the need for action to be taken by the school to resolve the complaint an outline of the action to be taken will be included in the response. (Note : If a response is not possible by the target date provided in the

acknowledgement letter, a letter will be sent to the complainant explaining the reasons for the delay and giving a revised target date).

4.2.1.7 Written replies to complainants will aim to answer all the points of concern, be factually correct and avoid jargon. They will tell the person what to do next if they are still not satisfied.

4.2.1.8 The Headteacher will do all s/he can to resolve the issue through a dialogue with the school and complainant, but if a parent/ carer is unhappy with the outcome, s/he can make a formal complaint, as outlined in Section 4.3 of this policy.

4.2.2 Consideration by the Chair of Governors :

4.2.2.1 Where a parent / carer has a concern or complaint relating to the headteacher or the action / inaction of the Governing Body they should write to the Chair of Governors outlining setting out briefly the facts and stating what it is that they consider should have been done or where the Academy has not met reasonable expectations.

4.2.2.2 Within three school days of receipt of a complaint the Chair of Governors will acknowledge its receipt and provide the complainant with a copy of the complaints policy. The acknowledgement will include a target date for providing a response to the complaint and offer the complainant the opportunity to meet with the Chair of Governors to discuss the complaint.

4.2.2.3 If the complainant declines the offer of a meeting to discuss the complaint the Chair of Governors will investigate the complaint using all available information. This will include seeking information from staff directly involved in matters raised by the complainant and accessing documentary evidence held within the school or available to it.

4.2.2.4 If the complainant accepts the offer of a meeting the Chair of Governors will, within three school days, contact the complainant to arrange a mutually convenient appointment to discuss the matter. The complainant can choose to be accompanied to the meeting by a friend, relative or representative. The Chair of Governors may ask another Governor or member of staff who is not directly involved in matters raised by the complainant to be present at the meeting to take notes of the proceedings to aid in the complaint investigation.

4.2.2.5 The Chair of Governors will provide a response to the complainant having obtained and given full and careful consideration to the available evidence, including information obtained at meetings with all parties and documentary evidence relating to the complaint. The response will be issued in writing within fifteen school days of either the date of the letter sent acknowledging receipt of the complaint (if interested parties elect not to attend a meeting with the Complaints Panel) or the last meeting held with an interested party. It will advise whether or not the complaint is upheld and an explanation of the decision and the reasons for it. If the investigation reveals the need for action to be taken by the school to resolve the complaint an outline of the action to be taken will be included in the response. (Note : If a response is not possible by the target date

provided in the acknowledgement letter, a letter will be sent to the complainant explaining the reasons for the delay and giving a revised target date).

4.2.2.6 Written replies to complainants will aim to answer all the points of concern, be factually correct and avoid jargon. They will tell the person what to do next if they are still not satisfied.

4.2.2.7 The Chair of Governors will do all s/he can to resolve the issue through a dialogue with the school and complainant, but if a parent/ carer is unhappy with the outcome, s/he can make a formal complaint, as outlined in Section 4.3 of this Policy.

4.3 Stage Three – Consideration by the Complaints Committee :

4.3.1 If the complainant is not satisfied with the response received under Stage 2 from the Headteacher / Chair of Governors, she/he may request that the complaint be considered by the Complaints Panel of the Governing Body. The request must be in writing, addressed to the Clerk to the Governors at the Academy, setting out briefly the action taken to date and the reasons why the complainant is dissatisfied with the response. The request must be made within 10 school days of the Stage 2 response being sent to the complainant. Complaints received after 10 school days have elapsed will not be considered.

4.3.2 The Complaints Panel will comprise at least 3 people and will include one person who is independent of the management and running of the Academy. The Panel will include Governors who have had no involvement with the circumstances of the complaint. The Headteacher and staff of the school who are Governors will not be eligible to sit on the panel. One of the Governors will chair the meeting.

4.3.3 The Clerk to the Governors will take notes at the meeting and support the chair of the Complaints Panel with written communications relating to the complaint. The clerk will not be involved in the hearing or resulting investigation other than to take notes.

4.3.4 At the start of each complaint hearing the Chair of the Complaints Panel will hold a briefing session with panel members to outline the nature of the complaint and ensure all members are clear on the process to be followed as outlined in the Policy.

4.3.5 Within five school days of receiving the complaint, the Chair of the Complaints Panel will acknowledge its receipt and provide the complainant with a copy of the complaints policy. The acknowledgement will include a target date for providing a response to the complaint, which will normally be twenty school days from the date of the acknowledgement letter, and offer the complainant the opportunity to meet with the Complaints Panel to discuss the complaint in more detail. The letter will also explain that the complainant and school have the right to submit any further documents relevant to the complaint to the Chair of the Complaints Panel.

4.3.6 Within five school days of receiving the complaint the panel will advise the headteacher of receipt of the complaint and the target date for providing a response to the complaint as provided to the complainant under 4.3.5 above. The letter will outline any information required by the panel and offer the headteacher

and any staff directly involved in matters raised by the complainant the opportunity to meet with the Complaints Panel to discuss the complaint in more detail. The letter will also explain that the complainant and school have the right to submit any further documents relevant to the complaint to the Chair of the Complaints Panel.

- 4.3.7** Where the complaint is of a technical nature the Chair of the Complaints Panel will be responsible for ensuring that advice is sought from the relevant specialist before starting the investigation. The advice sought will include what the panel needs to consider, where to obtain the information to support the investigation and what aspects to cover in meetings with those involved in the complaint.
- 4.3.8** If the complainant or school representatives decline the offer of a meeting to discuss the complaint the Complaints Panel will investigate the complaint using all available information. This will include the complaint letter, information provided by school staff and documentary evidence held within the school or available to it.
- 4.3.9** Where the complainant and/or school representatives accept the offer of a meeting the Chair of the Complaints Panel will, within three school days, contact the complainant and school representatives to arrange a mutually convenient meeting. At least five school days notice will be given to allow all those involved time to prepare for the meeting. The Complaints Panel will meet separately with each person involved in the complaint. The complainant and school representatives can choose to be accompanied to the meeting by a friend, relative or representative. The clerk of the Complaints Panel will take notes of the proceedings to aid in the complaint investigation.
- 4.3.10** When the complainant and school representative meetings (where held) have taken place the panel will consider the information given at the meetings along with any documentary evidence available to them from both parties. If any aspects require clarification or further information sought the Chair of the Complaints Panel will contact the individual concerned for additional information.
- 4.3.11** If the complaint was identified as being of a technical nature and guidance was sought under 4.3.7 above or, if following investigation the need for technical advice is identified, the Chair of the Complaints Panel may seek further advice from Governor Support before reaching a final decision. The advice sought will include clarification on interpretation of evidence obtained.
- 4.3.12** The Chair of the Complaints Panel will provide a response to the complainant having obtained and given full and careful consideration to the available evidence, including information obtained at meetings with all parties, documentary evidence relating to the complaint and advice from technical experts. The response will be issued in writing within fifteen school days of either the date of the letter sent acknowledging receipt of the complaint (if interested parties elect not to attend a meeting with the Complaints Panel) or the last meeting held with an interested party. It will advise whether or not the complaint is upheld and an outline of the decision and the reasons for it. If the investigation reveals the need for action to be taken by the school to resolve the complaint an outline of the action to be taken will be included in the response. (Note : If a response is not possible by the target date provided in the acknowledgement letter, a letter will be sent to the complainant explaining the reasons for the delay and giving a revised target date).

4.3.13 Written replies to complainants will aim to answer all the points of concern, be factually correct and avoid jargon. They will tell the person what to do next if they are still not satisfied.

4.3.14 In dealing with all complaints the Complaints Panel will try to resolve the complaint and achieve reconciliation between the school and complainant. It will at all times have the best interests of the child / children in mind. It will recognise that taking complaint action will be stressful to all concerned and it will be the responsibility of the Chair of the Complaints Panel as far as informal as the situation allows to help reduce this.

4.3.15 The Chair of the Complaints Panel will do all s/he can to resolve the issue through a dialogue with the school and complainant, but if a parent/ carer is unhappy with the outcome, s/he can consider an appeal as outlined in Item 5 below.

5 ACTION IF DISSATISFIED WITH THE GOVERNING BODIES RESPONSE :

5.1 If a complainant is dissatisfied with the response by the Governing Body after they have dealt with the complaint, he or she may refer the matter to the Secretary of State for Education for consideration.

5.2 For further information, complainants should refer to the following website:
www.education.gov.uk/schoolcomplaints

6. COMPLAINTS FROM UNREASONABLY PERSISTENT, HARASSING OR ABUSIVE COMPLAINANTS :

If the school believes that a complainant is behaving in an unreasonably persistent, harassing or abusive manner the complaints process with the complainant will be terminated.

We are aware that, sometimes, parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable and we will not accept threatening or harassing behaviour towards any members of the school community.

What do we mean by ‘an unreasonably persistent complainant’?

An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner.

Unreasonable behaviour may include:

- actions which are
 - out of proportion to the nature of the complaint, or
 - persistent – even when the complaints procedure has been exhausted, or
 - personally harassing, or
 - unjustifiably repetitious

- an insistence on
 - pursuing unjustified complaints and/or

- unrealistic outcomes to justified complaints
- pursuing justifiable complaints in an unreasonable manner (eg using abusive or threatening language; or
- making complaints in public or via a social networking site such as Facebook; or
- refusing to attend appointments to discuss the complaint.

What is 'harassment'?

We regard harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress rather than to seek a resolution.

Behaviour may fall within the scope of this policy if:

- it appears to be deliberately targeted at one or more members of the school's staff or others, without good cause;
- the way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- it has a significant and disproportionate adverse effect on the school community.

What does the school expect of any person wishing to raise a concern?

The school expects anyone who wishes to raise concerns to:

- treat all members of the school community with courtesy and respect;
- respect the needs of pupils and staff within the school;
- avoid the use of violence, or threats of violence, towards people or property;
- recognise the time constraints under which members of staff in academies work and allow the school a reasonable time to respond to a complaint;
- follow the school's complaints procedure.

7. PUBLICATION

- 7.1** The school will notify parents / carers of the existence of the Complaints Policy and Procedures on the school website and will make available a copy of the policy and procedure on request or at the time a complaint is made.

8. MONITORING AND REVIEW

- 8.1** The Governing Body will monitor the complaints procedure, in order to ensure that all complaints are handled properly. The Headteacher will log all formal complaints received by the school and record how they were resolved. Governors will examine the complaints log on an annual basis and consider the need for any changes to the procedure.

- 8.2** This policy and procedure will be reviewed on an annual basis.