**The Policy and Procedures for the Handling of**

**Complaints at Stubbins Primary School**



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| **Policy Reviewed** | **November 2023** |
| **Next review** | **November 2024** |
| **Shared with Governors** | **November 2023** |
| **Signature of Chair of Governors****Matt Dunkin** | **Signature of Headteacher****Jill Cromey****SIGNATURE** |

**Please note this is a Lancashire Council Policy adopted by the school**

**1. Introduction and Scope**

We care about what you think

The Policy of this School is to work in partnership with parents/carers and the wider community.

Therefore any person, including members of the public, can make a complaint. We try hard to do

our best for all our pupils/students. Your views help us plan for the future. We like to know when

things are going well. We also want parents/carers to tell us about their worries, concerns or

complaints as soon as possible. It is much easier for the school to sort out a recent problem than

something that happened some time ago.

Our commitment to you

•We will deal with your concern or complaint in a professional manner.

•It will be looked into thoroughly, fairly and as quickly as possible.

•We will keep you up-to-date with what we are doing.

•We will apologise if the school has made a mistake.

•We will tell you what we are going to do to put things right.

What to do first

If you have a concern about anything we do you can tell us by telephone, in person or in writing.

If any of these are difficult for you, a friend or advocate can speak to the school on your behalf.

Most concerns or complaints will be sorted out quickly either by putting things right or by

explaining the School’s actions to you.

In accordance with equality law, we will consider making reasonable adjustments if required, to

enable complainants to access and complete this complaints procedure. For instance, providing

information in alternative formats, assisting complainants in raising a formal complaint or holding

meetings in accessible locations. We take our duties under equality law seriously and we

encourage any person having difficulty accessing this procedure to contact us immediately in

order that reasonable adjustments can be made.

Complainants should not approach individual governors to raise concerns or complaints.

They have no power to act on an individual basis and it may also prevent them from considering

complaints at the Review Stage of the procedure.

Try to go to the member of staff involved or your child’s class teacher (primary and nursery

schools)/your child’s form tutor or head of year (secondary) who will either deal with your issue or

pass you on to someone who is more able to help.

Please remember that the beginning or end of the school day can be a very busy time. If you

talk to a teacher at these times, for practical reasons, it may not be possible to sort things out

there and then. Be prepared for them to make an appointment to see you/to ring you at a more

convenient time.

In considering concerns or complaints, the School will ensure that they are dealt with effectively

and with fairness to all parties. Where possible, complaints will be resolved informally. Where a

complaint has not been resolved informally, then the formal procedures set out in section “6(ii)”

will be followed. Where your concern or complaint is considered sufficiently complex or serious,

the school may choose to investigate formally from the outset.

**2. What is a concern or a complaint?**

(a) A concern or a complaint is defined as:

•An expression of dissatisfaction about the conduct/operation of the School.

•The conduct of, actions or lack of actions by a member of staff/the Governing Board/an

individual governor.

•Unacceptable delay in dealing with a matter or the unreasonable treatment of a pupil or

other person.

(b) This procedure does not cover complaints or concerns that are dealt with under other

statutory procedures, including those listed in the following table, as separate procedures

apply

Note:

i) Serious complaints or allegations relating to the abuse of children, assault, criminal or financial

matters are also subject to separate procedures. The table following is not exhaustive, and separate

procedures may exist for other categories.

ii) For complaints regarding governors, the school will follow this Policy to resolve the issue.





**3. Anonymous Complaints**

The School will always give serious consideration to concerns and complaints that are brought to

its attention. However, anonymous complaints will not normally be considered.

**4. Unreasonable Complaints**

There is a right to raise a complaint against a school and an expectation that the individual will

exhaust the School’s procedures. If the individual contacts the school again with the same issue,

this could be seen as unreasonable and the school may choose not to respond.

The school should seek advice from Governor Services and their Legal Adviser, prior to taking

the decision not to progress the complaint further. The school should not stop responding to a

complaint because an individual is viewed as difficult to deal with or asks complex questions.

The school may refuse to respond to the subject matter but not the correspondent.

The DfE provide additional guidance in ‘Best Practice Guidance for School Complaints

Procedures’ (January 2019 and updated in March 2019).

See: https://www.gov.uk/government/publications/school-complaints-procedures/best-practiceadvice-for-school-complaints-procedures-2019

**5. Making a complaint**

The school expects that the majority of complaints to be made within three months of the incident

being complained of. The school will consider complaints beyond this time frame in exceptional

circumstances only.

Dependent on the type of complaint, the following table is a guide to whom it should be referred

To



**6. Roles and Responsibilities of the Complainant**

The complainant will receive a more effective response to the complaint if they:

•explain the complaint in full as early as possible;

•co-operate with the school in seeking a solution to the complaint;

•respond promptly to requests for information or meetings or in agreeing the details of the

complaint;

•ask for assistance as needed;

•treat all those involved in the complaint with respect and

•refrain from publicising the details of their complaint on social media and respect

confidentiality.

The School /Governing Board would in most cases hope to resolve concerns and complaints at

an informal stage, but the procedures allow for formal consideration of a complaint and a review

stage if matters cannot be resolved.

The School is committed to dealing with complaints as speedily as possible and would plan to

complete each stage within 20 school days. From time to time, it may not be possible to complete

the process in that timescale. Where it is not possible, the complainant will be informed of any

delays.

Where complaints are made against an individual member of the school staff or a governor, the

individual will be informed of the complaint at the earliest opportunity and certainly before any

investigation commences.

**7. The Complaint Procedure**

(i)Informal Stage

The school will seek to resolve complaints informally by email, telephone call, brief meeting as

appropriate. If the complaint is unable to be resolved at this stage, the school will ask you to put

your concerns or complaint in writing and the ‘Formal Stage’ - Paragraph 6(ii) of the procedures

will commence from the date that the letter is received by the school.

If the school has not heard from you within 20 school days, it will assume that you do not want to

take things any further and the complaint will be closed.

For concerns regarding the Headteacher, the complainant should put the complaint in a sealed

envelope marked ‘private and confidential’ and addressed to the Chair of Governors via the

School. Under Data Protection legislation, the school is not permitted to provide the personal

details of the Chair of Governors, but the School will forward the envelope to Chair as soon as

possible.

(ii) Formal Stage

This stage will commence when the:

•Informal complaint has not been resolved to the satisfaction of the complainant.

Or

•Complainant has indicated they wish to go straight to the formal stage.

Or

•School feels that the complaint is inappropriate for an informal resolution.

The person responsible for investigating the complaint will:

•Following receipt of the written complaint, formally acknowledge receipt of the complaint

and ensure the complainant receives an up to date copy of the School’s Complaint Policy

and Procedures. It should be clarified what the complainant feels would put things right if it

is not clear in the correspondence.

*Note: It is acceptable for someone else to submit the complaint on behalf of the complainant*

*with their knowledge and consent.*

•Seek advice, as appropriate. (Dependent on the nature of the complaint, this could include:

the Clerk to the Governing Board; Legal Services; Schools’ HR Team; the School’s Adviser;

the Schools’ Finance Officer; Pupil Access Officer or other appropriate Lancashire County

Council Officer.)

•Inform the member of staff (or governor) if the complaint concerns them and provide them

with a copy of the complaint and the School’s Policy and Procedures.

•Arrange and complete a full investigation of the complaint.

•Prepare a report following the investigation; consider whether the complaint is substantiated

or unsubstantiated and consider what actions may need to be taken.

•Advise the complainant, in writing, of the outcome of the investigation

Should the Complaint Remain Unresolved

•When a complaint remains unresolved, the complainant can request a review by the

Complaints Review Committee to be arranged. This request must be received by the Clerk

to the Governing Board with 20 school days of the notification from the Headteacher/Chair

of Governors. The request must be in writing, set out the grounds as to which matters

remain unresolved and include any relevant documentation.

Note: If the Clerk to the Review Committee does not hear from the complainant within 20

school days of the notification of the outcome of the investigation, the complaint will be

closed.

•The Headteacher/Chair of Governors should make a record in the Complaints Register\*

of the complaint and its outcome. This record may need to be updated by the Chair of the

Review Committee in due course. The Complaints Register should be available for Ofsted

Inspection purposes.

 \* Note: This is a requirement for Academies and strongly recommended for maintained

 schools.

(iii) Complaints Review Committee

In very exceptional circumstances where the complaint has not been resolved by the

Headteacher/Chair of Governors, a meeting of the Complaints Review Committee will be

arranged to review the complaint. The request must be made in writing to the Clerk to the

Governing Board via the school. The request for the review must clearly set out the matters which

remain unresolved.

The Clerk to the Governing Board will acknowledge receipt and will convene the Complaints

Review Committee. It is not expected to take more than 20 days to convene but the Clerk to the

Committee will update the complainant as appropriate.

The clerk will request copies of written evidence and will circulate the papers 5 working days

before the Committee meets. The committee will not normally accept, as evidence, recordings of

conversations that were obtained covertly and without the informed consent of all parties being

recorded.

The committee will also not review any new complaints at this stage or consider evidence

unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1

of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not

normally permitted unless a complainant’s own disability or special needs require it.

When a request for the meeting to be recorded is received, this must be with the clerk in advance

of the meeting taking place. The consent of all parties concerned must be obtained. The request

and the decision will be recorded in the minutes of the meeting.

The Committee will:

•Consist of 3 governors who have no prior knowledge of the complaint.

•With the Clerk, prepare an Agenda and invite the Headteacher and/or Chair of Governors,

(as appropriate) and the complainant to the meeting.

Note: It is the responsibility of the Headteacher/Chair of Governors and the complainant to

secure their own witnesses and neither party can dictate who the other party brings.

•Consider the written materials.

•Consider the complaint and the Headteacher’s (or Chair of Governor’s) action.

•Seek advice and support as necessary.

•Consider the oral evidence provided at the meeting.

If the complainant is invited to attend the meeting, they may bring someone along to provide

support. This can be a relative or friend. Generally, we do not encourage either party to bring

legal representatives to the committee meeting. However, there may be occasions when legal

representation is appropriate. For instance, if a school employee is called as a witness in a

complaint meeting, they may wish to be supported by union and/or legal representation.

At the end of their review, the Complaints Review Committee will:

•Determine whether to dismiss or uphold the appeal in whole or part.

•Where upheld, decide on recommendations that should be reported to the Governing Board

by the Chair of the Review Committee.

•Advise the Headteacher/Chair of Governors (as appropriate) and complainant of their

findings.

•Advise the complainant of any further action they may wish to take if they remain dissatisfied.

Following the review, the Chair of the Committee will arrange for the School’s Complaints Register

to be amended to include a brief summary of the complaint and the findings of the Complaints

Review Committee. In addition, the Chair of the Committee will ensure that the matter in general

terms and any recommendations be reported to the Governing Board.

This concludes the School’s Complaints Procedure