



CADLAND PRIMARY SCHOOL POLICY FOR MANAGING COMPLAINTS

At Cadland Primary School we hope your child's education will be a happy one. We believe our school provides a good education for all our children and that the Headteacher and all staff work very hard to build a positive relationship with all parents and pupils. However, we recognise that on occasion, parents may have a concern. All staff will be encouraged to take parental concerns seriously and to respond quickly. We do ask parents to observe the need to make an appointment with members of staff to ensure that concerns are dealt with efficiently and calmly. Nearly all issues can be managed speedily and informally. We are confident the following procedures will be effective.

Principles

- To prevent concerns from developing into major complaints.
- To strengthen parents' confidence.
- To strengthen relationships between parents, school and the community.
- To recognise that things can go wrong and that the school is committed to resolving concerns as quickly and effectively as possible.
- The school will not respond to anonymous complaints under this policy, however, the Headteacher and / or Chair of Governors will use their professional discretion to consider whether the issue and fear of identification are genuine or the issue is one of child protection.

Aims and Objectives

- To resolve concerns through informal discussions at the earliest opportunity.
- To respond promptly, with well defined timescales and named contacts.
- To focus on resolution and service rather than apportion of blame.
- To promote confidentiality and discretion – parents however, should be aware that enquiries may need to be carried out in respect of the complaint.
- To include fair and transparent investigative processes for staff as well as complainants.
- To signpost other sources of advice where appropriate.
- To be forthright in dealing with vexatious, abusive, malicious and anonymous complainants.

This policy explains the steps that will be followed whenever an issue arises that causes concern. Any person, including members of the general public, may make a complaint about provision of facilities or services that our school provides, unless separate statutory procedures apply.

This procedure does not apply to complaints about:

- Admissions to school
- Statutory assessments of Special Educational Needs (SEN)
- School re-organisation proposals
- Matters likely to require a Child Protection investigation
- Exclusion of children from school
- Whistleblowing
- Staff grievance and disciplinary procedures
- Complaints about services provided by other providers who may use the school's premises or facilities
- National curriculum

In these cases, there are other separate and statutory procedures.

If we cannot meet the timescales set out in our policy, we will provide a clear explanation of the reason for this along with details of the indicative timescales.

When an issue or concern first arises

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'. It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Cadland Primary School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have a concern or complaint that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone or in writing. You may wish to approach your child's class teacher informally, at the earliest opportunity, first as they will be best placed to help you directly or by letting you know which other member of staff you should be speaking to.

We encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding. We will take your concerns seriously and make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you 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 more important.

The Chair of Governors reserves the right to refer complaints that are taken straight to them back to the appropriate member of staff if it does not warrant the Governing Board's involvement at that point.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Cadland Primary School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

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 Stage 2 of the procedure.

Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher, via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole Governing Board should be addressed to the Clerk to the Governing Board, via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help 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.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Informal Stage

- Where a parent feels the complaint has not been resolved through an informal discussion with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with their child's Phase Leader.
- On some occasions parents may wish to discuss a concern informally with the Deputy Headteacher or Headteacher
- If the complaint relates to the Headteacher then the complaint should be addressed to the Chair of Governors, c/o the Clerk, Cadland Primary School for preliminary discussions.
- Any governor, who is approached by a parent wishing to make a complaint, should direct them to the Headteacher.

We anticipate that the majority of concerns will achieve a satisfactory resolution at this informal stage. However, should the parent not be satisfied with the outcome then they must write to the Headteacher, giving details of the concern and enclosing any appropriate paper work.

The Headteacher, Deputy Headteacher or Chair of Governors will respond to the parent in writing, or by phone, as soon as possible. We will aim to acknowledge the complaint or offer a full response within five working days. The response may take the form of an invitation to a meeting or a letter.

If invited to a meeting, you are welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent along for support. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

If the complaint requires an in-depth investigation, the Headteacher will acknowledge this and let the complainant know that a response will take longer than usual. The investigation and response preparation will normally take place within 10 working days or if it is likely to take longer a letter will be sent stating the anticipated response time.

The Headteacher will follow up any meeting with parents by summarising the main points in a letter. This is to avoid any misunderstanding and ensure that all parties have a clear record of the progress or agreements made.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed and will make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure your concerns are dealt with appropriately and efficiently, but if an agreement cannot be reached, or if you are dissatisfied with the outcome, you can make a formal complaint to the Headteacher. If your complaint is about the Headteacher you should make your complaint in writing to the Chair of Governors. It is preferable for you to make your formal complaint in writing, but complaints can be made in person or by telephone.

Scope of this complaints procedure

If other bodies are investigating aspects of the complaint, for example the police, Local Authority (LA) Safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Cadland Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Complaint campaigns

If we receive large volumes of complaints

- all based on the same subject
- from complainants unconnected with the school

We may, if this is appropriate, send a template response to all complainants or publish a single response on our school website.

Resolving complaints

At each stage in the procedure, Cadland Primary School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Formal Complaints

In order to ensure complaints are dealt with efficiently and effectively, Cadland Primary School deals with formal complaints in two stages.

Stage 1 – Complaint heard by the Headteacher

If you feel that your concern has not been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint to the Headteacher. It is preferable for you to make your formal complaint in writing and we provide a proforma for you to complete which is appendix 1, but complaints can be made in person or by telephone.

The Headteacher will acknowledge your complaint in writing or offer a full response within **5 school days**. If further investigation is required, the Headteacher will acknowledge receipt of your complaint within 5 school days and will advise you that a full response will be provided within **20 school days**.

The Headteacher shall invite you to attend a meeting to discuss your complaint and possible solutions, or to explain what has happened or will happen as a result of your complaint unless it is about the Headteacher.

The Headteacher will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint.

If your complaint is about a member of staff, the Headteacher will talk to that employee and invoke the relevant procedure if required. It will not be appropriate to inform you of the outcome of any investigation in relation to an individual member of staff.

The Headteacher will respond to you in writing within **20 school days** of receiving your complaint outlining their full response to your concern, and any action that has or will be taken. If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date. If the Headteacher has decided not to take any further action, they will explain what they have decided and how they reached the decision. You will also be advised of your right to take the matter further if you are not satisfied with the Headteacher's response.

If the complaint is about the Headteacher, or a member of the Governing Board (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1. Complaints about the Headteacher or member of the Governing Board must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Governing Board or
- the majority of the Governing Board

Stage 1 will be considered by an independent investigator appointed by the Governing Board. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 2 – Complaint heard by Governing Board's complaints panel

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the Governing Board's Complaints Committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 10 school days of receipt of the Stage 1 response or the complaint will be deemed closed. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. The Clerk will aim to convene a meeting within 20 school days of receipt of the Stage 2 request.

The Clerk will write to the complainant to inform them of the proposed date of the meeting. If this date is not acceptable, the Clerk will provide two further proposed dates in writing. If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will close the complaint and inform the complainant.

If the complainant does not respond to the first proposed date of the meeting within 10 school days of its receipt, or respond or agree within 10 school days of receipt of the two further proposed dates, the Clerk will close the complaint and inform the complainant.

Once the meeting date has been set, deferring it by the complainant will only be considered if exceptional circumstances apply and any deferred meeting shall be held within 10 school days of request for deferral.

If this timescale is not acceptable to the complainant the Clerk will close the complaint and inform the complainant.

The Complaints Committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Cadland Primary School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs. 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.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 7 school days before the meeting.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. 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. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Cadland Primary School with a full

explanation of their decision and the reason(s) for it, in writing, within **15 school days**.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Cadland Primary School.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Governing Board or
- the majority of the Governing Board

Stage 2 will be heard by a committee of independent, co-opted governors.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Cadland Primary School will take to resolve the complaint.

If the school feels it cannot carry out these recommendations they should refer their further reasoning back to the Governing Board.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

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 Cadland Primary School. They will consider whether Cadland Primary School 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, by telephone on: 0370 000 2288 or by writing to:

Department for Education

Piccadilly Gate

Store Street

Manchester

M1 2WD

The Governors Complaint Panel will follow the procedure and advice as outlined in Appendix 2 (Checklist for a Governors Complaints Panel Hearing).

Unreasonable Complaints

In dealing with vexatious, abusive and anonymous complaints the school will follow the policy for Managing Serial and Unreasonable Complaints.

5. Governing Board review and monitoring of complaints

The Headteacher is responsible for the formal complaints records and holds them in a central file.

The records must include:

- Who was involved
- When and what the issue was
- The action taken
- The complaints conclusion

The Headteacher will report annually to the Governing Board on the number of formal complaints received and the levels at which they have been resolved. No details identifying the complaint or any member of staff will be published.

The Governing Board will monitor the level and nature of complaints and review the outcomes on an annual basis to ensure the effectiveness of the policy and to make changes where necessary.

6. Staff Complaints

Staff who have a concern about a colleague or volunteer in school should refer to the **whistleblowing** policy which is available on the Cadland Primary School system

The procedure for dealing with any other staff complaint or employment grievance is set out in the school's **staff discipline, conduct and grievance** policies which are available on the Cadland Primary School system.

7. Complaints Policy Review

The Governing Board of Cadland Primary School will review this policy every 2 years, or sooner if there are any legislative changes. The governing board of Cadland Primary School will also review this policy following a complaint panel meeting to ensure that it met the requirement to provide a clear, fair and efficient complaints procedure.



Appendix 1
Cadland Primary School
Complaints Form

Please complete and return to the Headteacher / Clerk to the Governing Board who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:

Please give details of your complaint, including whether you have spoken to anybody at the school about it.

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

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

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:



Appendix 2

Cadland Primary School

Checklist for Governors Complaints Panel Hearing

The panel should take the following points into account:

- The panel will elect a Chair of the Complaints Panel
- The hearing, while structured, is conducted as informally as possible.
- Witnesses are only required to attend for the part of the hearing in which they give evidence.
- After introductions, the complainant is invited to explain their complaint and is then followed by their witnesses.
- The Headteacher may question both the complainant and the witnesses after each has spoken.

- The complainant may question both the Headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher is then invited to sum up the schools' actions and responses to the complaint.
- The Chair of the Complaints Panel explains that both parties will hear from the panel within the set time scale.
- Both parties leave together while the panel decides on the issues.



Appendix 3

Roles and Responsibilities

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
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Headteacher or Complaints Committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher or Complaints Committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (this could be the Headteacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure

- liaise with staff members, Headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Governing Board

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made

- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.