



Cranham Church of England (VA) Primary School

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Introduction

Cranham Church of England (VA) Primary School (*hereinafter referred to as 'Cranham School'*) endeavours to provide the best education possible for all of its pupils in an open and transparent environment. We welcome any feedback that we receive from parents, pupils and third parties, and we accept that not all of this will be positive. Where concerns are raised, the school intends for these to be dealt with:

- Fairly
- Openly
- Promptly
- Without Prejudice

In order to do so, the governing body of Cranham School has approved the following procedure which explains what you should do if you have any concerns about the school. All members of staff will be familiar with the procedure and will be able to assist you.

Which procedure do I need?

Sometimes, when concerns are more specific, there are alternative and more appropriate policies for dealing with them. The following list details specific topics of complaints, and the correct policy to refer to. You can access these policies on the school website or ask for a copy from the main school reception.

- Pupil admissions; see the school website
- Staff grievance, capability or disciplinary; these are covered by the school's grievance/disciplinary/capability procedures
- Where the complaint concerns a third party used by the school; please complain directly to the third party themselves.
- Subject Access Requests and Freedom of Information Requests – please see the school's Data Protection and Freedom of Information policy

Raising concerns

The majority of concerns can be dealt with without resorting to the procedure. Where you have a concern about any aspect of the school or your child's education or wellbeing, raise this with your child's class teacher via the phone or in person. Ideally, they will be able to address your concerns on the spot, or can arrange a meeting with you to discuss the issue. Anonymous complaints will not be considered unless safeguarding issues are involved.

All concerns will be dealt with confidentially, although the staff member may need to take notes if they feel that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of the Data Protection Act 1998. However; such notes would be able to be used to as evidence if further investigation was required, or if the concern became a formal complaint.

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Safeguarding

Wherever a complaint indicates that a child’s wellbeing or safety is at risk, the school is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the school’s safeguarding policy which may be found on the school’s website.

Social Media

In order for complaints to be resolved as quickly and fairly as possible, Cranham School requests the complainants do not discuss complaints publicly via social media such as Facebook and Twitter. Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

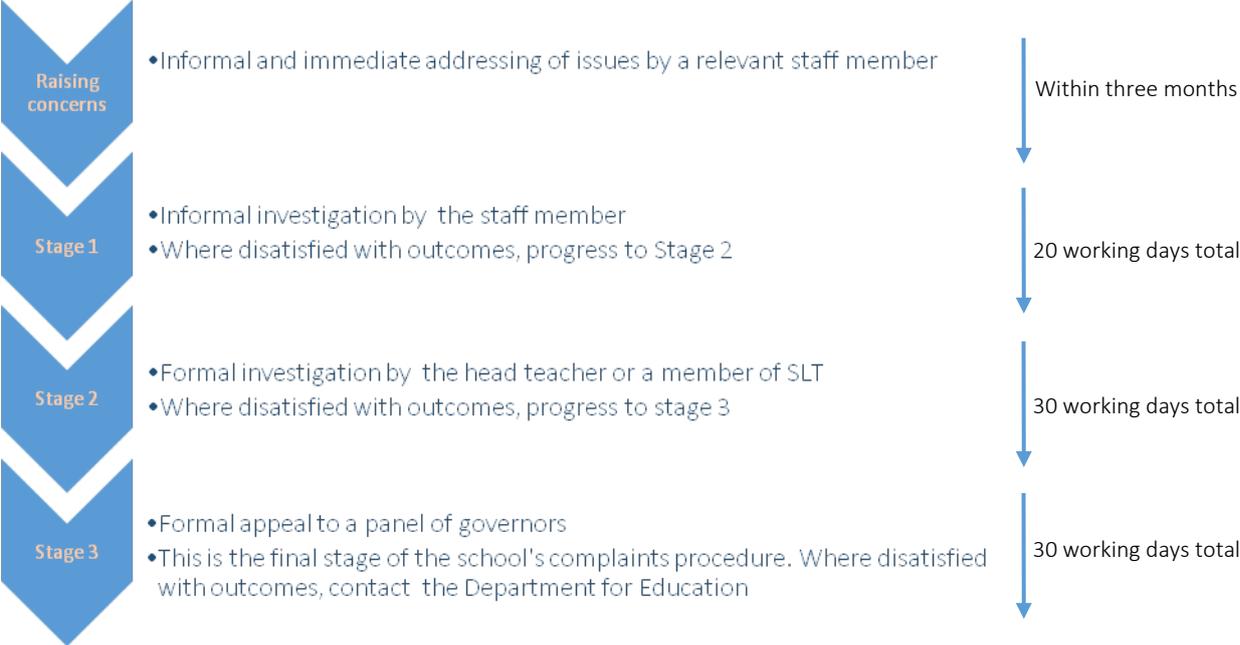
Complaints that result in staff capability or disciplinary

If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary to resolve the issue, the details of this action will remain confidential to the head teacher and/or the individual’s line manager. The complainant is entitled to be informed that action is being taken and the eventual outcome of any such action, but they are not entitled to participate in the proceedings or receive any detail about them.

Procedure

If you need to raise an issue in the first instance, please do so with the relevant member of staff who will be happy to talk to you and seek to establish a solution. If you are not satisfied and with this response and believe the issue has not been resolved, please use the following procedure as detailed below.

Timeline



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Timeframes

Cranham School will endeavour to abide by timeframes stated under each stage but acknowledges that in some circumstances, this is not always possible due to the complexity of information needed to review a complaint or difficulties regarding individual's availability to deal with the complaint, for example. If it becomes apparent that it is not possible to complete any stage of the complaints procedure within a given timeframe, the individual responsible for handling the complaint will contact the complainant as soon as possible and come to an agreed timeframe that works for all parties involved.

Cranham School reserves the right not to investigate complaints that have been made three months after the subject of the complaint took place, except in exceptional circumstances. What is meant by exceptional circumstances is where new evidence has come to light, where the complaint is of an especially serious matter or where there is reasonable justification for why the complainant has been unable to raise the complaint before this time. The HT will review the situation and decide whether or not to enact the complaints procedure, informing the chair of governors of the decision.

Who should I approach?

- Educational matters: your child's class teacher
- Pastoral care: The Head teacher
- Disciplinary matters: The Head teacher
- Financial/Administration matters: School administrator.
- Complaint about a staff member's conduct: Head teacher
- Complaints about the head teacher: the complainant should first directly approach the head teacher in an attempt to resolve the issue informally. If the complainant is not satisfied with this outcome they should notify the clerk to the governors (see contact details at the end of the document). The Stage 2 process will then commence, but with the chair of governors as the individual responsible for the investigation rather than another member of the senior team.
- Complaints about a Governor: the same process applies as for the head teacher. Where a complaint concerns the Chair of Governors, the individual should contact the clerk to the governors. Informal resolution will be sought, but where this fails, the complaints procedure at Stage 3 will take immediate effect. The vice chair will mediate any proceedings.

Stages of the Complaint

Stage 1 – Informal investigation by a staff member

If you have a complaint or feel you need further clarification about concerns that you have regarding what the school is doing for your child, then it is important in the first instance to contact the appropriate staff member (see above). Teachers are generally

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available after school to speak to parents. Other members of staff may be contacted via telephone.

If necessary, you may wish to make an appointment to see someone. This appointment will be within 5 school days of your request.

At this meeting we will listen to your concerns and then give one of two responses:

- An immediate response to your concerns, or
- An invitation to a further meeting to take place within 10 school days. This will give time for us to look into the matter more fully. At the next meeting a response will be given to your concerns.
- Where appropriate the class teacher may provide a written confirmation of the outcome of their investigation within 15 school days. Where the complainant is not satisfied with the outcome, they are able to progress to stage 2 of the complaints process, and launch a formal written complaint.
- The staff member will make a record of the concern and the outcomes of the discussion which will be held centrally for twelve months, in line with the principles of the Data Protection Act 1998.

Stage 2 –formal investigation by the head teacher or a member of the SLT

1. The complainant may submit a formal complaints form to the head teacher or senior teacher.
2. The head teacher will respond in writing within 10 school days of the date of receipt of the complaint to acknowledge receipt and explain what action will be taken, giving clear timeframes.
3. A log of all correspondence in relation to the complaint will be kept in accordance with the Data Protection Principles.
4. The head teacher will consider all relevant evidence; this may include but is not limited to:
 - a. a statement from the complainant,
 - b. where relevant a statement from an individual who is the subject of the complaint
 - c. any previous correspondence regarding the complaint
 - d. any supporting documents in either case
 - e. interview with anyone related to the complaint.
5. The head teacher may decide to have a meeting with the complainant (and where relevant, the subject of the complaint) if they feel that it would be appropriate for the investigation.
6. After considering the available evidence, the head teacher can:
 - a. Uphold the complaint and direct that certain action be taken to resolve it
 - b. Reject the complaint and provide the complainant with details of the stage three appeals process
 - c. Uphold the complaint in part: in other words, the head teacher may find one aspect of the complaint to be valid, but not another aspect. They may

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direct for certain action to be taken to resolve the aspect that they find in favour of the complainant.

7. The head teacher must inform the complainant of their decision in writing within 20 school days of having issued written acknowledgement of the receipt of the complaint. They must explain clearly why they have come to the decision that they made. They must detail any agreed actions as a result of the complaint. Finally, they must provide the complainant with details of how to progress the complaint to stage three if they are not satisfied, providing them with the contact details of the clerk to the governors (see the end of the procedure for these).

Stage 3 – Appeal – review by a panel of the school’s governing board

If the complainant wishes to appeal a decision by the head teacher or a member of the SLT at stage 2 of the procedure, or they are not satisfied with the action that the head teacher took in relation to the complaint, the complainant is able to appeal this decision.

They must write to the clerk (this should be done within 10 school days of receiving notice of the decision) briefly outlining the content of the complaint and requesting that a complaints appeal panel is convened. If this is not practical you should notify the school of your intention to proceed to appeal within 10 school days. A reasonable timescale may then be agreed for you to submit specific details for the appeal.

The clerk will fulfil the role of organising the time and date of the appeal hearing, inviting all the attendees, collating all the relevant documentation and distributing this 5 days in advance of the meeting, recording the proceedings in the form of minutes, and circulating these and the outcome of the meeting.

The complainant must request an appeal panel within 4 weeks of receiving the decision or it will not be considered, except for in exceptional circumstances. On receipt of this written notification, the following steps will be followed:

1. The clerk will write to the complainant within five school days to confirm receipt of the appeal request and detail further action to be taken.
2. The clerk will convene a panel of three school governors. All three panel members will have no prior knowledge of the content of the complaint. Where appropriate, independent members may be sought. Individual complaints will not be heard by the whole governing board at any stage as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.
3. The appeal hearing will take place within 20 school days of receipt date of the confirmation letter from the clerk to the complainant, confirming the appeal. In addition to the panel, the following parties will be invited, where applicable:
 - a. the complainant
 - b. the head teacher who dealt with the complaint at Stage 2

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- c. where the complaint regards a member of staff, the staff member who is the subject of the complaint.

The complainant is also able to bring a companion with them to the hearing if they wish. Where the subject of the complaint is a member of staff, that staff member is also able to bring a companion with them. The companion will be a friend or a colleague (this includes union representation for staff members). Neither party is able to bring legal representation with them. If after the hearing any party feels that legal action is necessary, please see the contact details at the end of the procedure.

4. If the attendance of any pupils is required at the hearing, parental permission will be sought if they are under the age of 18. Extra care will be taken to consider the vulnerability of children where they are present at a complaints hearing.
5. Where the complaint is about a governor, the complainant may request that the appeal is heard by an entirely independent panel. It is at the discretion of the governing board who will notify the clerk of their decision. Where an entirely independent panel is required, timescales may be affected while the school source appropriate individuals for the review.
6. The panel can make the following decisions:
 - a. Dismiss the complaint in whole or in part
 - b. Uphold the complaint in whole or in part
 - c. Decide on the appropriate action to be taken to resolve the complaint
 - d. Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.
7. All parties who attended the meeting will be informed in writing of the outcome of the appeal within 5 school days.

This is the final stage at which the school will consider the complaint. If the complainant remains dissatisfied and wishes to take the complaint further, please see the contact details at the end of the document. The school will not consider the complaint beyond this.

The appeal hearing is conducted as follows;

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The head teacher may question both the complainant and the witnesses after each has spoken.
- The head teacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the head teacher and the witnesses after each has spoken.

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- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The head teacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The Chair explains that both parties should hear from the panel within 5 school days.

The Terms of Reference of the Complaints Appeal Panel

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

Unreasonable complaints

Where a complainant raises an issue that has already been dealt with via the school's complaints procedure, and that procedure has been exhausted, the school will not reinvestigate the complaint except in exceptional circumstances, for example where new evidence has come to light.

If a complainant persists in raising the same issue, the head teacher will write to them explaining that the matter has been dealt with fully in line with the school complaints procedure, and therefore the case is now closed. The complainant will be provided with the contact details of the Department for Education (see the end of this document) if they wish to take the matter further.

Unreasonable complaints include the following scenarios:

- The complainant refuses to co-operate with the school's relevant procedures.
- The complainant changes the basis of the complaint as the complaint progresses.
- The complainant seeks an unrealistic outcome
- Excessive demands are made on the time of staff and school governors and it is clearly intended to aggravate.
- The complainant acts in a way that is abusive or offensive.

The head teacher will use their discretion to choose not to investigate these complaints. Where they decide to take this course of action, they must inform the chair of governors that they have done so, explaining the nature of the complaint and why they have chosen not to investigate. If the chair deems it appropriate to, they can redirect the head teacher to investigate the complaint. The full complaints procedure will commence from stage one on this direction.

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If the chair upholds the HT's decision not to look into the complaint and the complainant deems this decision to be so unreasonable that no other rational body in the same position would have made that decision, then the complainant may write to the Department for Education (see the contact details at the end of the document).

Contact Details and further information

School

- Cranham CofE Primary School, School House, Cranham, Gloucester, GL4 8HS
- Telephone: 01452 812660
- Head Teacher Email: head@cranham.gloucs.sch.uk
- Chair of Governors Email: chair@cranham.gloucs.sch.uk

External Organisations

- If you have any queries regarding any aspect of the complaints procedure, please direct these to the clerk to the governors.
- If the complainant feels that the governing board acted 'unreasonably' in the handling of the complaint, they can complain to the Department for Education after the complaints procedure has been exhausted. Please note that unreasonable is used in a legal sense and means acting in a way that no reasonable school or authority would act in the same circumstances.
<https://www.gov.uk/complain-about-school>
- Ofsted will also consider complaints about schools.

Relevant legislation and guidance

- The Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/contents>
- The Data Protection Act 1998
<http://www.legislation.gov.uk/ukpga/1998/29/contents>
- Education Act 2002 <http://www.legislation.gov.uk/ukpga/2002/32/contents>
- The Department for Education *Best Practice advice for school complaints procedures* <https://www.gov.uk/government/publications/school-complaints-procedures>

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Appendix 1: Complaints Form

Cranham CofE Primary School – Complaints Form	
Your Name:	
Address:	
Telephone (Day):	
Telephone (Mobile):	
Email Address:	
Name of pupil*	
Year Group*	
Relationship*	
Details of the complaint:	
Action taken so far (including staff member who has dealt with it so far) or solutions offered:	
The reason that this was not a satisfactory resolution for you:	
What action would you like to be taken to resolve the problem?	
Signed:	
Date:	
Official use	
Date Received	
Signed	

(* if applicable)

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Appendix 2: Guidance for handling complaints

This does not constitute part of the Complaints Policy, but is provided for guidance.

All schools face complaints at some stage, and they are required by law to have a procedure for dealing with them. What should be contained within the procedure is less prescribed, although the Department for Education provides departmental advice for dealing with complaints in [Best practice advice for school complaints procedures](#).

A thorough and straightforward complaints procedure should minimise time spent dealing with complaints in schools by providing a clear process from which they can be efficiently dealt with. Complaints must still be dealt with thoroughly and schools should aspire to ensure that all parties are satisfied with the outcomes.

Governors have an important role in ratifying their policies and procedures in order to ensure that they are effective. It is not a governor's role to write procedures, but instead to approve them and maintain oversight of their application. This document contains some key principles to bear in mind when reviewing or approving a new complaints procedure, followed by the NGA's own model complaints procedure on page 4.

Maintained Schools are required by section 29 of the Education Act 2002 to establish a complaints procedure and to publicise this, in line with any statutory guidance released by the Department for Education.

Principle 1: Know your procedure

Schools are not required to come up with an entirely new complaints procedure of their own and are able to use as a starting point the policies of other organisations, such as the Local Authority's complaints procedure. However, in doing so, it is crucial that schools adapt any policy to their own context. Governing boards must be familiar with and confident about their policies. The NGA model procedure (see below) is available for you to adapt to your school's context. It is important that the procedure is appropriate for your school. The model complaints procedure in this guidance can be used by both academies and maintained schools as it covers the statutory requirements for each. For example, while academies are required to have an independent member on a review panel and maintained schools are not, we feel that this is good practice and so have included it as a requirement in our policy. Maintained schools may take it out if they do not feel it would be feasible for them to comply. LA maintained schools could consider appointing associate members to sit on complaints panels.

Principle 2: Make it easily available

Schools should make their procedures as accessible as possible; parents and other relevant third parties should not be put off from making a complaint because they are not sure how to do so. It is a statutory requirement that schools publicise their complaints procedures – NGA's view is that the most sensible way to do this is by publishing it in a prominent place on the school website. The school should also make hard copies available in reception as well. The Department's [Best Practice Advice](#) also

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includes some further suggestions for making the policy available on page 11. So long as the procedure is easily accessible in the obvious places that individuals would think to look, you are fulfilling this criteria.

Principle 3: The procedure should be straightforward and easy to understand

It's not necessary to have a long and overly complex procedure. It should provide enough opportunity for a complaint to be considered thoroughly without drawing out the process for longer than is necessary. The procedure should be straightforward so that the individual making the complaint is clear what information they need to submit and to whom. A good procedure will set out the steps that will be followed along with the timescales for completion.

Principle 4: Most complaints should be dealt with by staff and never reach the governing board

The vast majority of complaints should be dealt with at the informal stage by school staff. There should not be a significant volume of complaints being dealt with by the governing board. NGA's model procedure is based on a three stage process, one informal and two formal: in the first instance 'concerns' are dealt with by the relevant member of staff, if a parent is dissatisfied s/he complains formally to the head teacher who responds formally and if the parent remains dissatisfied there is a final stage which is a complaint to a panel of the governing board. It is the NGA view that governors, including the chair, should only be involved in complaints at the final stage of the procedure i.e. when a review panel of governors would need to be convened.

Principle 5: Schools should always seek resolution

In ensuring that complaints do not escalate, staff should endeavour to resolve complaints informally wherever possible. It is important that they recognise the difference between a concern and a complaint:

- a concern is the raising of a potential issue that is an expression of some worry or apprehension
- a complaint is an actual statement of dissatisfaction that requires resolution. Staff should be clear on how to deal with complaints appropriately, depending on their seriousness.

Staff should be open and welcoming to parents and willing to discuss issues with them when they are raised. The aim is not to silence the complainant but to work together to resolve whatever issue there is. If schools adopt such an open culture it is less likely that 'concerns' will escalate into complaints. Complainants should always be asked what outcome to a concern or complaint they are seeking.

At every stage of the process, informal and formal complainants should be asked what resolution they are seeking and the individual investigating the complaint at that stage should consider whether the school is able to offer that solution.

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Even where a formal complaint is required, resolution should be sought at every stage of the process, including at the governing board review.

Principle 6: As few people should be involved as possible

As few people as possible should be involved in complaints at each stage, partly for confidentiality purposes, but also to ensure that individuals who could be called upon to review the situation do not become tainted. By this, we mean that governors called upon to review complaints should have minimal prior knowledge about the situation in order to ensure that they have not formed any biases that may influence their ability to be impartial.

Principle 7: Records should be kept at each stage of the process

While escalation of the complaint will ideally not result in further investigation, it is important that those responsible for reviewing the complaint at each stage keep records of what the complaint was, any relevant evidence that was considered and the outcome. Ideally, this would be sent to the complainant to sign that it was a true reflection of what was said.

In doing this, the school is making it easier to review the complaint at any later stages of the procedure (saving time for governors on appeal panels in the process) and also ensuring that it has the strongest base possible from which to defend itself if the complaint is taken to the Department for Education. Any personal information recorded in regard to the complaint must be kept according to the principles of the Data Protection Act 1998 (see the Information Commission Office's [website](#)).

Principle 8: Review the procedure regularly

The governing board should be confident that its complaints procedure is thorough, clear and robust.

As a matter of good practice the governing board should review its procedure every two or three years to make sure it is still fit for purpose. The procedure may need to be amended before the review date if there are any changes to the law, or if it becomes apparent as a result of a complaint that the procedure is not working effectively. The amendment of the procedure should usually be carried out by a staff member, and submitted to the governing board for approval.