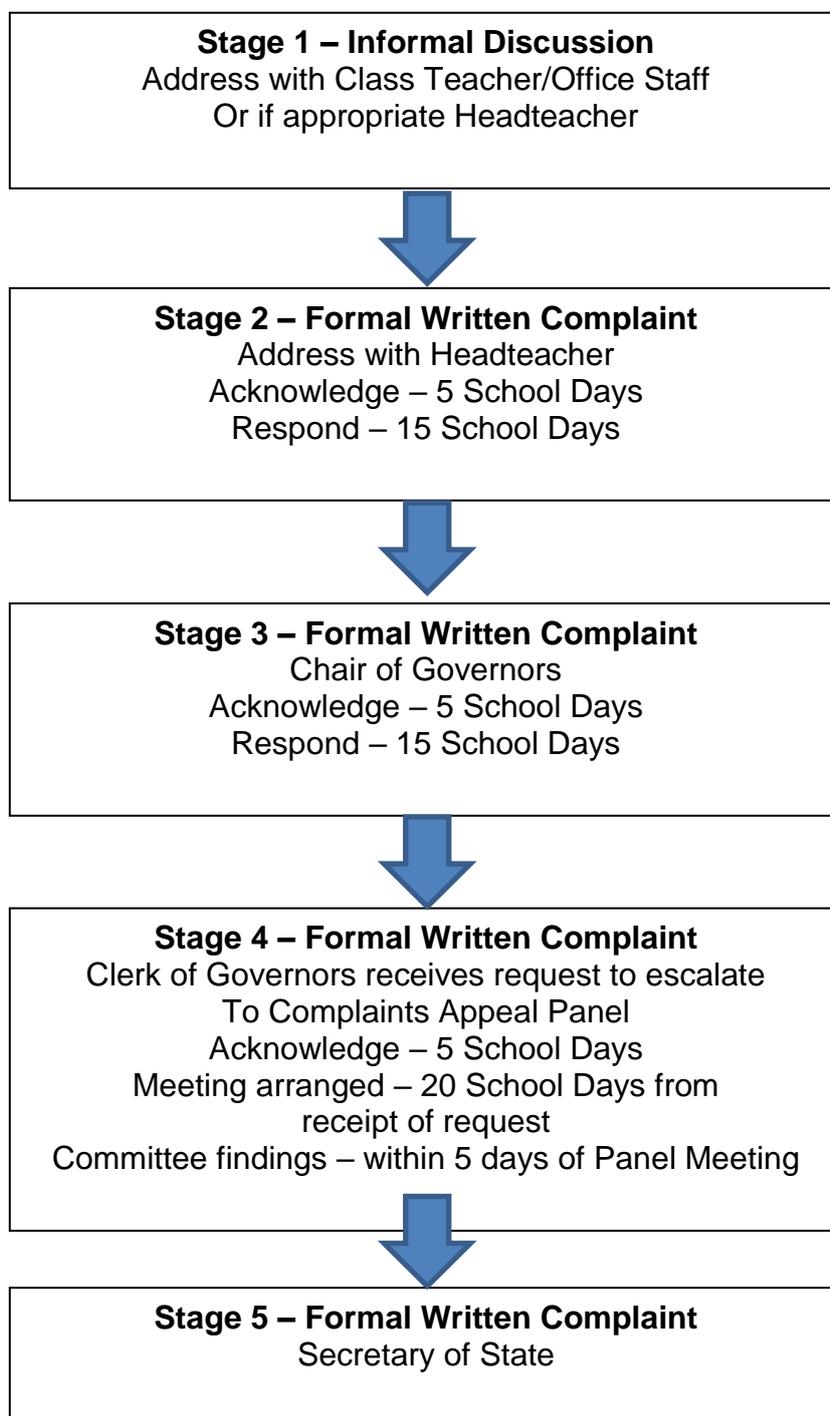


# Sandown Primary School and Nursery Complaints Policy



Policy Contact Person	Mr Charlie Lindsay
Review Frequency	Bi-Annually
Signed by Link Governor/Chair	
Date Agreed/Signed	
Next Review Date	October 2019 to re-align to new timetable
Signed original stored in Business Manager's Office	

## Sandown Primary School Complaints Procedure



This policy is intended to provide Complainants with an accessible and easily understood procedure for how this school will deal with any form of complaint.

This policy does not cover those aspects of school life where the law sets specific complaints procedures i.e. admissions, exclusions, complaints about the delivery of the National Curriculum and the provision of collective worship and religious education.

Complainants should feel able to express their views knowing that they will be dealt with fairly and that making a complaint would not adversely affect their child.

We would encourage Complainants to express any concerns at the earliest opportunity and through the appropriate channels listed in this procedure.

### **Stage 1 (Informal): Complaint heard by Staff Member**

There are many occasions where concerns are resolved straight through the Class Teacher, Office Staff or the Headteacher (if appropriate).

If the person first contacted cannot deal with the matter immediately, the details of the complaint will be recorded (including the date, name, contact address or telephone number and the nature of the complaint) until it is possible to do so.

On certain issues, the Headteacher may decide to deal with concerns directly at this stage.

If the complaint relates to the Headteacher, the Complainant is advised to contact the Chair of Governors.

Complaints made informally to Governors will be referred to the Headteacher or to the Chair of Governors (if the complaint relates to the Headteacher).

The person dealing with the complaint must make clear to the Complainant what action will happen next and who will be their point of contact.

If the Complainant is dissatisfied with the way the complaint was handled at Stage 1 as well as pursuing their initial complaint, a formal complaint should be made to the Headteacher

### **Stage 2 (Formal): Complaint heard by the Headteacher**

The Headteacher (or designated Senior Staff Member) will acknowledge the complaint in writing within 5 school days of receiving the complaint. The acknowledgement will reference the Schools Complaints Procedure and confirm a date when a formal written response will be completed. This should normally be within 15 school days, but if this is not achievable an explanation of the extended date will be provided.

The Headteacher (or designated Senior Staff Member) will provide an opportunity for the Complainant to meet with them to discuss the complaint in detail. The Complainant may be accompanied to any meeting by a friend/relative or any representative who they may wish to speak on their behalf, and asked if they have any special requirements the school needs to be aware of e.g. wheelchair access, signing etc.

If necessary the Headteacher (or designated Senior Staff Member) should interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. Pupils would normally be interviewed with a parent/guardian present. In some situations circumstance may prevent this e.g. where this would seriously delay the investigation of a serious/urgent complaint or where particular circumstances mean that a pupil has specifically said they would prefer that a parent or guardian was not involved. In such circumstances another member of staff, with whom the pupil feels comfortable, should be asked to attend. If a member of staff is complained against, the needs of that person should also be borne in mind.

The Headteacher (or designated Senior Staff Member) must keep written records of any meetings or telephone conversations held and any other relevant documentation.

Once all relevant facts have been established, the Headteacher (or designated Senior Staff Member) should then produce a written response to the Complainant, or may wish to meet the Complainant to discuss/resolve the matter directly.

A written response will include a full explanation of the decisions made and the reasons for those decisions. Where appropriate, this includes what action the school will take to resolve the complaint. The Complainant is advised that should they wish to take the complaint further they should notify the Chair of Governors within 4 weeks of receiving the outcome letter.

If the complaint is against the Headteacher, or if the Headteacher has been very closely involved at stage 1, the Chair of Governors should consider carrying out all the Stage 2 procedures.

### **Stage 3 (Formal): Complaint heard by Chair of Governors**

If the Complainant is not satisfied with the response of the Headteacher or the complaint is about the Headteacher, the Complainant should write to the Chair of Governors to request that their complaint is considered further.

The Chair of Governors will acknowledge the complaint in writing within 5 school days of receiving the complaint. The acknowledgement will reference the Schools Complaints Procedure and confirm a date when a formal written response will be completed. This should normally be within 15 school days, but if this is not achievable an explanation of the extended date will be provided.

The Chair of Governors will provide an opportunity for the Complainant to meet with them to discuss the complaint in detail. The Complainant may be accompanied to any meeting by a friend/relative or any representative who they may wish to speak on their behalf, and asked if they have any special requirements the school needs to be aware of e.g. wheelchair access, signing etc.

The Chair of Governors must keep written records of meetings or telephone conversations held and any other relevant documentation.

Once all relevant facts have been established, the Chair of Governors should then produce a written response to the Complainant, or may wish to meet the Complainant to discuss/resolve the matter directly.

A written response will include a full explanation of the decisions made and the reasons behind those decisions. Where appropriate, this includes what action the school will take to resolve the complaint. The Complainant is advised that should they wish to take the complaint further they should write to the Clerk to the Governing Body giving details of the complaint and asking that it is put before the Complaints Appeal Panel.

#### **Stage 4 (Formal): Complaint heard by Governing Bodies Complaints Appeal Panel**

The Clerk to the Governing body should write to the Complainant to acknowledge receipt of the written request within 5 School Days. The acknowledgement should inform the Complainant that the complaint is to be heard by three members of the school's Governing Body within 20 working days of receiving the complaint. The letter should also explain that the Complainant has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be reviewed by the all members of the Complaints Appeal Panel.

The Clerk to the Governors will ensure that the Panel hears the complaint within 20 working days of receiving the written complaint. All relevant correspondence regarding the complaint will be given to the members of the Complaints Appeal Panel. If the correspondence is extensive, the Chair of the Panel may prepare a thorough summary, to send to the panel members.

The Clerk to the Governors will write and inform the Complainant, Headteacher, any relevant witnesses, and members of the Panel at least 5 working days in advance, of the date, time and place of the meeting. The notification to the Complainant should also inform him/her of the right to be accompanied to the meeting by a friend/relative/interpreter. This letter will also explain how the meeting will be conducted and the Complainant's right to submit further written evidence to the Panel.

If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

The meeting will allow for:

- 1) The Complainant to explain their complaint and the Headteacher to explain the school's response
- 2) The Headteacher to question the Complainant about the complaint and the Complainant to question the Headteacher and/or other members of staff about the school's response.
- 3) Panel members to have the opportunity to question both the Complainant and the Headteacher
- 4) Any party to have the right to call witnesses (subject to the approval of the Chair of the Complaints Appeal Panel) and all parties having the right to question all witnesses
- 5) Final statements by both the Complainant and the Headteacher.

The Chair of the Governing Bodies Complaints Appeal Panel will explain to the Complainant and the Headteacher that the panel will now consider the complaint and all the evidence presented to reach its decision, and a written response/decision (including reasons for those decisions) will be sent to both parties within 5 school days.

The Complainant, Headteacher, other members of staff and witnesses will then leave.

## **The remit of The Complaints Appeal Panel**

The Complaints Appeal Panel can:

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

## **Stage 5 (Formal): Written Complaint to the Secretary of State**

The final stage of appeal is to the Secretary of State for Education.

Complainants should be advised to write to The School Complaints Unit (SCU) at:  
Department for Education  
2nd Floor, Piccadilly Gate  
Manchester  
M1 2WD

## **What will the Department for Education do?**

If a complaint has exhausted the local procedures, SCU will examine if the complaints policy and any other relevant policies were followed in accordance with the provisions set out. SCU also examines policies to determine if they adhere to education legislation.

However, the department will not re-investigate the substance of the complaint. This remains the responsibility of schools.

If legislative or policy breaches are found, SCU will report them to the school and the Complainant and, where necessary, require remedial action to be taken.

## Annex 1 - Complaint Form

Please complete and return to the School Office Staff who will acknowledge receipt and explain what action will be taken.

**Date/Time:**

**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.**

**What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?**