



Name of School: **Earls Barton Primary School**

Committee/ Person(s) Responsible: **Headteacher**

Governors

Distribution : **Governors/ staff /website**

Adopted date :

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Document Reviews

Version	Inclusion Governors	Adopted Full Govs	Comments	Initial
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Introduction

This Procedure will apply to most general complaints received by the school. It is not intended to cover those matters for which there is a specific statutory process: objection, complaint or appeal. Complaints about delivery of the National Curriculum and the provision of religious education and collective worship will be dealt with by the requirements of Section 409 of the Education Act 1996.

Separate procedures exist also for appeals and special needs assessments and school admissions and exclusions. (See the Special Educational Needs (SEN) Code of Practice and Schools Admissions Code of Practice)

Concerns about allegations of child abuse are dealt with through separate procedures that have been adopted for these purposes. (See Professionals and Child Protection Procedures and Practice and the Department for Education (DfE) document Safeguarding Children in Education: Dealing with Allegations of Abuse Against Teachers and Other Staff: ref. DfE/2044/2055)

Guidance on dealing with complaints linked to racism is in Annex B.

General principles:

- This procedure is intended to allow you to raise a concern or complaint relating to the school or the services that it provides
- An anonymous concern or complaint will not be investigated under this procedure unless there are exceptional circumstances
- To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than three months after the event being complained of, will not be considered
- The resolution of a justified complaint provides the potential opportunity for the school to improve its practice and develop further partnership with parents.
- The complaints procedure clearly outlines how to raise concerns.
- The person closest to the cause of concern should deal with the concern/complaint in the first instance.
- Confidentiality is important in securing the confidence of all concerned. However, the parties should realise that some information may have to be shared to carry out a thorough investigation.
- If the investigation of a complaint shows that it is justified, then the school will consider how to make amends in an appropriate way.
- All complaints are recorded and monitored to identify issues and allow any lessons to be learned by the school.
- Every complaint will be acknowledged as 'genuinely felt' by the complainant.



Four stages of a complaint

- Stage 1 (Informal): complaint heard by staff member
- Stage 2 (Formal): complaint heard by Headteacher;
- Stage 3 (Formal): complaint heard by Chair of Governors
- Stage 4 (Formal): complaint heard by Governing Body's Complaints Appeal Panel.

Raising a concern or complaint:

Stage 1. Initial Approach

If a parent or guardian has a concern or complaint, then in the first instance s/he must speak to their child's class teacher. Most concerns and complaints can be resolved informally, often immediately by the class teacher.

Parents are required to make the complaint in person in the first instance. A preliminary discussion with a member of the school team closest to the cause of complaint e.g. class teacher will usually be enough to clarify/resolve the cause for concern.

This discussion is held to clarify the nature of the concern and to provide an opportunity for the school to hear about it.

The discussion is an opportunity to clarify what the parent may be seeking.

Many concerns can be resolved by simple clarification or the provision of information, and it is anticipated that most complaints will be resolved at the informal stage.

If the member of staff first contacted is unable to deal with the matter immediately, s/he will make a firm arrangement to deal with it at a future date or refer the matter to the next senior member of the school staff. In either case, a note of the name, date and contact details of the complainant will be taken.

In the case of serious concerns, it may be appropriate to address them directly to the head teacher (or to the chair of the governing body if the complaint is about the head teacher).

If you are uncertain about who to contact, seek advice from the school office or the clerk to the governing body.

The staff member/Headteacher dealing with the complaint will make sure that the complainant is clear about what will happen next (if anything) This may be put in writing, if this is deemed the best way of making the next steps or outcome clear.



If the parent raising the complaint feels that no satisfactory solution has been found after following the procedure set out above, then s/he should proceed to the formal stage, set out below.

Stage 2. Formal complaint to Headteacher

If your concern or complaint is not resolved at the informal stage, you may choose to put the complaint in writing and pass it to the head teacher, who will be responsible for ensuring it is investigated appropriately. If the complaint is about the head teacher, your complaint should be passed to the clerk to the governing body, for the attention of the chair of the governing body.

Stage 3: Formal complaint to chair of Governors

If you are not satisfied with the action of the Headteacher, you may request that the Chair of Governors carries out an investigation.

Any such request must be made in writing to the clerk to the governing body, within 10 school days of receiving notice of the outcome, and include a statement specifying details of the complaint. The procedure described below will be followed.

A review request form is provided for your convenience.

Complaints against the Headteacher are usually first dealt with by the Chair of Governors. Complaints against the Chair of Governors or any individual governor should be made in writing to the Clerk to the Governing Body.

Individuals on the Governing Body will not become involved at this stage, to avoid prejudicing their possible future involvement at Stage 3.

Procedure

Those wishing to pursue a formal complaint at Stage 2 or Stage 3 should put the complaint and desired outcome in writing to the Headteacher or Chair of Governors. The Headteacher or Chair of Governors will acknowledge the complaint orally or in writing within three working days of receipt, giving a brief explanation of the complaints procedures and a target date for providing a response. Ideally this would be within ten working days. If it is not possible to deal with the matter in this time, the complainant will be informed as to when it is likely to be concluded.

A complaint form is provided to assist you.

You should include details that might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.



It is very important that you include a clear statement of the actions you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed.

Pass the completed form, in a sealed envelope, to the school office. The envelope should be addressed to the head teacher or clerk to the governing body, as appropriate.

The head teacher (or chair) may invite you to a meeting to clarify your concerns and explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by a friend or relative, if you wish, to assist you in explaining the nature of your concerns.

It is possible that your complaint will be resolved through a meeting with the head teacher (or chair). If not, arrangements will be made for the matter to be fully investigated. Any investigation will begin as soon as possible, and when it has been concluded, you will be informed, in writing, of its conclusion.

The Headteacher/Chair of Governors will interview any witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil will also be interviewed.

The Headteacher/Chair of Governors will keep written records of meetings and telephone conversations and any other documentation.

Once all the relevant facts have been established, the Headteacher/ Chair of Governors will either write to the complainant or arrange a meeting to discuss or resolve the matter. This meeting will be followed up with a letter summarising the outcome of the meeting. The complainant will be advised in the letter that if s/he remains unhappy with the outcome, s/he may appeal to a panel of governors. The complainant must notify the Chair of Governors to that effect within two weeks of receiving the letter detailing the outcome of the complaint.

Stage 4. Appeal to a panel of Governors

It is rare circumstances that a complaint will reach the appeal stage. The aim of the appeal to a Panel of Governors is to resolve the complaint where possible and achieve reconciliation between the school and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action and to satisfy the complainant that their complaint has been taken seriously.

If a complaint reaches this stage, the Governing Body will remain impartial and independent. Generally, the Chair of Governors will not be on the panel, as s/he may have been involved at an earlier stage.



Individual governors do not get involved in looking into complaints before this stage, to avoid prejudicing their potential involvement. If individual Governors are approached by parents or others with complaints, the complainants will be reminded by the Governor of the school's complaints procedure, making the necessary introduction to a member of staff or Headteacher where appropriate.

Complaints that reach the appeal stage will do so because the complainant is not satisfied with the response to that point. In this situation, the Governors will view the complaint as being against the school rather than an individual staff member whose actions may have led to the original complaint.

Review process

Any review of the process followed by the school will be conducted by a panel of three members of the governing body. This will usually take place within 10 school days of receipt of your request. The panel could include an external Governor from another school where there was difficulty in setting up a panel of independent Governors.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically. A suitable Clerk to the Appeals Panel will be appointed.

The Clerk will write acknowledging receipt of the written request, informing the complainant that it will be heard by a committee of the Governing Body within 15 working days of receipt.

The Clerk will convene a meeting of a Panel of the Complaints Committee at a time which is mutually convenient for the complainant and the school.

The Clerk will ensure that the complainant, Headteacher and any other witnesses are given at least five working days' notice in writing of the date, time and place of the hearing or otherwise are in full agreement of a shorter timescale. The letter of notification to the complainant will inform him/her also of his/her right to be accompanied by a friend/relative who can act as an advocate. The Clerk will ensure that interpretation facilities are offered and made available if required. The letter will set out the procedure for the conduct of the hearing (see Annex A) and the complainant's right to submit further written evidence to the Complaints Committee.

The Clerk will invite the Headteacher to attend the hearing and to submit a written report for the Complaints Committee in response to the complaint. The Headteacher may also invite the Chair of Governors or any other members of staff directly involved in matters raised by the complainant to respond in writing and/or in person to the complaint. Any involvement of other staff will be at the discretion of the Clerk to the Panel.



All relevant documents should be received by all parties (including the complainant) at least five days before the meeting of the panel. This should provide adequate opportunity to read them prior to the start of the hearing.

An Education Officer or member of the Governor Services may be invited to attend the hearing to advise the panel.

The panel will elect a Chair who will ensure that proper minutes of the meeting are taken by the Clerk.

The Chair of the panel will try to ensure that the proceedings are as sufficiently informal as possible so that the complainant and other participants feel at ease.

At the conclusion of the representations and questions, the Chair will explain that the panel will consider the issues and write to both parties with their decision or judgement within five working days.

Next, all except for the Governors' Panel and any advisors will then withdraw and the panel will consider the evidence. This will include: a judgement about the validity of the complaint; appropriate actions to be taken by the school and the complainant where appropriate; recommendations on changes to school's systems or procedures to ensure similar problems do not arise in the future.

The school will keep a copy of all correspondence and notes confidentially on file. This will be separate from pupils' personal records.

The broad outcomes recommended by the panel can be reported to the next full Governing Body or appropriate Committee, with the identity of all those taking part kept confidential. The Governing Body will monitor implementation of any recommendations from the panel.

The role of the Local Authority

The primary responsibility for resolving complaints rests with the Governing Body. 1998 Education Act, Part 11, Chapter 3, paragraph 39[1]

The role of the Local Authority in schools' complaints is to provide advice to all parties.

When the Schools Service receives a general complaint which does not come under one of the areas covered by statutory requirements nor is obviously concerned with child abuse or staff disciplinary matters, the complainant will be referred to the School's Complaints Procedure, as set out above.

Local Authority staff will give advice to Headteachers, Governors and parents on the use of the Complaints Procedure.



A Representative of the Local Authority can be invited to a Stage 4 hearing, in order to provide advice and guidance to all parties.



Appendix A

Procedure for the Conduct of a Stage 4 Governors' Panel Hearing.

1. The Chair of the Panel will invite all parties (except any witnesses) into the room, introduce them and explain the role of each person.
2. The Chair will explain to all present that the purpose of the hearing is to review the complaint, to try to resolve it and achieve reconciliation between the school and the complainant. However, it may only be possible to establish the facts of the situation and make recommendations about future actions.
3. The Chair will then ascertain whether the proposed procedure is acceptable. If so, the hearing will proceed along the following lines.
 - (i) The complainant describes his/her complaint and may call witnesses.
 - (ii) The Head Teacher may seek clarification from the complainant and any witnesses.
 - (iii) The Governors' Panel or its Advisors may seek clarification from the complainant and any witnesses.
 - (iv) The Headteacher will respond to the complaint and may call witnesses.
 - (v) The complainant may seek clarification from the Headteacher and any witnesses.
 - (vi) The Governors' Panel (including any Advisors) may seek clarification from the Headteacher and any witnesses.
 - (vii) The Headteacher will be given the opportunity to sum up.
 - (viii) The complainant will be given the opportunity to sum up.
 - (ix) Both parties will leave the room to allow the Panel to deliberate, but any Advisors may remain to offer technical and procedural advice.
4. The Panel should make a decision or judgement on: The validity of the complaint; appropriate actions to be taken by the school and the complainant where appropriate; recommendations on changes to school's systems or procedures to ensure similar problems do not arise in the future.
5. The decision or judgement may be communicated orally to all parties immediately. Alternatively, the outcome may be deferred, so that additional time may be taken for the Panel to consider the evidence.
6. In any case, the decision or judgement will be confirmed in writing to all parties within five working days. NB. If there is more than one complainant, this procedure should be followed for each one in turn, unless the complainants agree to the complaint being heard with all complainants present in one sitting.



Dealing with Complaints about Racism in School.

1. Racist behaviour to a child.

The procedures to be followed are contained in the Local Authorities guidance **'Notification of Racist Incidents'**

2. Racist incident alleged against School Staff.

(i) The report/complaint should be made to the Headteacher or, if the Head Teacher is the subject of the report/complaint, to the Chair of Governors.

(ii) As racism is a disciplinary offence, the normal disciplinary procedures are followed.

3. Institutional racism

Parents who perceive that racist practice or policies are operated by the school should pursue these through the established Complaints Procedure.



Earls Barton Primary School: Meeting request form

I wish to meet [insert name of the member of staff] to
discuss the following matter:

Brief details of topic to be discussed:

Dates/times when it would be most convenient for a meeting:

Your name:

Relationship with school *(eg parent of a pupil on the school roll)*:

Pupil's name *(if relevant to the matter to be discussed)*

Your address:

Telephone numbers Daytime:

Evening:

Email address:

Signed

Date

[Please complete this form and return it to the school office]

School use:

Date form received:

Date response sent:

Received by:

Response sent by:



Earls Barton Primary School: formal complaint form

Please complete this form, and return it to the school office or to the head teacher who will acknowledge its receipt and inform you of the next stage of the procedure.

Your name:

Relationship with school (eg parent of a pupil on the school roll):

Pupil's name (if relevant to your complaint):

Your address:

Telephone numbers Daytime:

Evening:

Email address:

Please give concise details of your complaint (including dates, names of witnesses, etc) to allow the matter to be fully investigated:

You may continue on separate paper, or attach additional documents if you wish.

Number of additional pages attached =



What action, if any, have you already taken to try to resolve your complaint? (ie who have you spoken with or written to, and what was the outcome?)

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

Signature:

Date:

School use:

Date form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:			
Date:			



Earls Barton Primary School: Complaint review request form

Please complete this form, and return it to the head teacher (or clerk to the governing body) who will acknowledge its receipt and inform you of the next stage of the procedure.

Your name:

Your address:

Telephone numbers: Daytime:

Evening:

Email address:

Dear Sir/Madam I submitted a formal complaint to the school on, and I am dissatisfied by the procedure that has been followed.

My complaint was submitted to and I received a response from on

I have attached copies of my formal complaint and the response(s) from the school.

I am dissatisfied with the way in which the procedure was carried out, because

You may continue on separate paper, or attach additional documents if you wish.

Number of Additional pages attached =



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

Signature:

Date:

School use

Date form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Request referred to:			
Date:			



Response to spurious complainant

Dear [insert name of complainant]

Thank you for submitting your concern in the letter received on *[insert date]*. After careful consideration, I'm unable to deal with this matter under the governing body's complaints procedure. This is because *[include one of the following statements:]*

The substance of your complaint has been addressed under the complaints procedure already.

OR

The concerns you have raised do not fall within the scope of this procedure *[suggest an alternative procedure. For example, admissions policy, exclusion policy, behaviour policy, grievance procedure, etc]*

If you wish for my decision to be reviewed, you can follow the school's formal complaint procedure by writing to the Clerk to the Governing Body.

Yours sincerely,

Head teacher or Chair of Governing body



Acknowledgement of receipt of formal complaint and invitation to meet

Dear *[Insert name of complainant]*

I have received your formal complaint, dated and I am grateful that you have brought this to my attention.

The school and governing body take any complaint seriously. Therefore, I would like to meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend if you would find this helpful.

Please telephone..... to arrange an appointment **OR** I can offer you an appointment at on Please let me know if this is convenient.

I hope we will be able to resolve your concerns through our meeting, but if not, I will ensure the appropriate investigation takes place.

Yours sincerely,

Head teacher Or Chair of governing body



Acknowledgement of receipt of formal complaint referred by a third party [eg LA or MP]

Dear *[Insert name of complainant]*

I have received a copy of the documentation that you sent in to setting out a complaint about

This has been passed to the school because it has responsibility for these matters. The school and governing body take any complaint seriously. Therefore, I would like to meet with you so that I may understand the details of your concerns more clearly.

Please telephone to arrange an appointment **OR** I can offer you an appointment at on Please let me know if this is convenient.

Meanwhile, I'd be grateful if you would complete and return the formal complaint form that is enclosed, along with details of the school's complaints procedure.

I hope we will be able to resolve your concerns through our meeting, but if not, I will ensure the appropriate investigation takes place.

Yours sincerely,

Head teacher Or Chair of governing body



Acknowledgement of receipt of formal complaint and advising complainant that the matter is being dealt with under a confidential school procedure

Dear

I have received your formal complaint dated and I am grateful you have brought this to my attention.

The school and governing body take any complaint seriously. Therefore, I have initiated an immediate investigation. It is possible that the investigator will wish to meet with you to clarify the evidence that you have provided so far. If so, they will write to you to make suitable arrangements.

Because your concerns relate to the conduct/capability of a member of staff, the investigation will be carried out under the school's personnel procedures. This means the detail of the procedure and its outcome must remain confidential to the school and the member of staff concerned.

OR

Because your concerns relate to the behaviour of a pupil, the investigation will be carried out under the school's pupil conduct and disciplinary procedures. This means the detail of the procedure and its outcome must remain confidential to the school and the parents of the child concerned.

In due course, I may be able to provide you with some information about the outcomes of the investigation and the processes that have been followed, but in any event, I'll let you know when the matter has been concluded.

If I can be of any further assistance, do let me know.

Yours sincerely,

Head teacher Or Chair of governing body



Notification of decision regarding formal complaint

Dear

Following receipt of your complaint and careful consideration of all the available relevant evidence, the panel has concluded that:

The concern is not substantiated by the evidence in that

OR

The concern was substantiated in part/full because The school will review its practices/procedures..... with the intention of avoiding any reoccurrence. Parents will be informed in due course of any policy changes.

OR

To address fully the matters investigated, the school has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, the circumstances that gave rise to your complaint should not be repeated.

OR

To address fully the matters of concern you identified, the panel recommended that the governing body should review its..... policy as a matter of urgency. We are confident this should prevent similar concerns arising in future.

I hope this will now conclude the matter and we can look to the future working together for the benefit of your child's and the school.

Yours sincerely,

Head teacher/Chair of governing body/Chair of panel



Review outcome notification

Dear

After careful consideration of your representations in the context of the relevant evidence, the governing body's complaints review panel has concluded the school followed the relevant procedure appropriately in respect of your complaint.

Summary of reasons

Therefore, we now consider the matter closed.

OR

After careful consideration of your representations in the context of the relevant evidence, the governing body's complaints review panel has concluded the school followed the relevant procedure appropriately in respect of your complaint except

Therefore, the following action will be taken

Once this action has been completed, the school will consider the matter to be closed.

OR

After careful consideration of your representations in the context of the relevant evidence, the governing body's complaints review panel has concluded the school followed the relevant procedure appropriately in respect of your complaint except

However, the panel determined this procedural failure did not affect the outcome of the consideration of your complaint, so while we regret this error, we will now consider this matter to be closed as far as the school is concerned.

Yours sincerely,

Chair of complaints review panel

c.c. Head teacher

Chair of governors