



# Sheepscombe Primary School



## Concerns and Complaints Policy

This policy was adopted at a meeting of:	FGB
Held on:	07/02/2017
Date to be reviewed	November 2019
Signed on behalf of the Governors:	<i>M Tallents</i>
Name of signatory:	Mr Mark Tallents
Signed by Head teacher	<i>H Pilkington</i>
Name of Head Teacher	Mrs Heather Pilkington



**This policy applies to all staff and volunteers within the school.**

Designated Safeguarding Lead (DSL) -Vicky Barron (Headteacher)

**Deputy DSL - Tracey Lane**

**Safeguarding Governor - Lynsey Willis**

Gloucestershire Safeguarding Children Board (GSCB) procedures

<https://www.gscb.org.uk/>

This policy also meets the requirements relating to safeguarding and welfare in the statutory framework for the Early Years Foundation Stage 2017

## Complaints Against Schools

### 1. Parental Complaints

A sequential procedure involving three stages is recommended. A complaint should be considered as follows:

1. By the Class teacher;
2. By the Head Teacher;
3. By a panel of Governors.

Most parental concerns may be dealt with informally, by the pupil's class teacher. Should that prove unsuccessful, the complaint should be referred to the next stage of the procedure. This will mean a direct referral to the Head Teacher.

A complaints Form, for completion by the complainant if informal resolution has proved unsuccessful, is attached. Use of this form will both assist the resolution of individual complaints and allow their overall volume to be monitored. However, schools should take care that its use does not place less literate parents at a disadvantage.

### b. Governors' Complaints Appeal Panel

The vast majority of parental complaints are resolved by the Head Teacher.

The few exceptions that have to be considered by the Governing Body are likely to be contentious. It is therefore helpful to have in place a process by which governors will consider complaints which is robust and understood on all sides. The attached School Complaints Procedure provides guidance to governors concerning:

- - the establishment of a Complaints Appeal Panel
- - conduct of an Appeal Panel hearing
- - ensuring impartiality
- - time-scales for communicating governors' decisions,



- - the role of Chair and Clerk.

Governors on the Complaints Appeal Panel may draw up their own procedures, and these will of course depend upon the nature of the complaint being investigated. However, a non- adversarial approach is recommended. If a parent has complained about a teacher, for example, it will probably be more helpful for the Panel to interview them separately, rather than together.

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The full Governing Body should only become involved with the complaint when it receives a confidential report providing reasons for any recommended action. This report should be in summary form and avoid naming individuals. The full Governing Body should also monitor the volume and nature of complaints. This will allow any trends to be identified, and governors to assure themselves that the procedure is effective.

#### c. Unresolved Complaints

If a Governing Body cannot resolve a complaint, it may be referred to the Local Authority (LA). The LA cannot overturn a decision of the Governing Body, and its role is therefore advisory. Education Officers are willing to provide advice to Head Teachers and Governing Bodies at any stage in the procedure: contact details are given below. However, Governing Bodies are strongly encouraged to inform the LA as soon as they receive a formal complaint. This allows for consultation and advice, particularly over legal requirements, to be provided. It also ensures that a complainant contacting the LA is clear about how their complaint is being handled.

If a complainant tries to re-open an issue which has been considered at every stage of the procedure, the Chair of Governors may inform him/her in writing that the procedure has been exhausted and that the matter is now closed.

#### 2. Complaints for which a Specific Procedure is laid down

##### 1. Child Protection

Any complaint involving an allegation of child abuse should immediately be referred to the Education Department. (See the Area Child Protection Committee Procedures Manual - copy in school).

##### 2. Complaints against failure to assess a child's Special Educational Needs

If the complaint is about the school's responsibilities at MyPlan or MyPlan Plus stages, the Governing Body should deal with the complaint.

If the complaint concerns EHCP assessment, the parent should contact the LA.

##### 3. Complaints about non-availability of a school place



If a place at the parents' preferred school is not available and parents are not prepared to accept the place offered at another school, they have the right to appeal to a panel established by the County Council's Head of Legal and Democratic Services.

The parent should contact the admissions team at Shire Hall

#### 4. Exclusion of pupils from school

Complaints about exclusion of pupils from school by the Head Teacher which have already been considered by the Governing Body should be referred to the LA. This process is documented in the school's exclusion policy.

#### 5. Complaints about the curriculum

Complaints within this category include those concerning the items below should be referred to the Governing Body in the first instance.

- - provision of the National Curriculum
- - provision of Religious Education and worship
- - exemptions from the National Curriculum
- - operation of charging policy in relation to the curriculum
- - compliance with regulations about the provision of information

#### 6. Complaints against staff

If it appears that disciplinary action against a member of staff may be necessary, Conduct Procedures detailed in the LA's "School's Personnel Handbook" should be followed. The Head Teacher should seek advice from the LA's Employee Relations Officers.

#### 7. Confidential complaints by staff ("Whistle Blowing")

The County Council's Code of Conduct and Confidential Reporting Procedure (Whistle Blowing) allows school staff who are concerned about possible malpractice or corruption at work to raise such issues in confidence. Areas covered by the Code include:

- - gifts, hospitality, and sponsorship;
- - use of school facilities and equipment;
- - membership of a secret society.

Advice about the use of this procedure should be obtained from the LA's Employee Relations Officers (details above).

#### 8. Complaints about racist incidents



A racist incident is defined as "any incident which is perceived to be racist by the victim or any other person". This definition has been agreed by the Government, the LA and Police Service. Guidance on responding to racist incidents is provided in the LEA guidance "Racial Harassment in Schools".

On matters of individual casework, contact the LA.

The Education Department's support for parents wishing to make a complaint is currently under review.

### Sheepscombe Primary School Complaint Form

Please complete and return to the head teacher who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

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)?

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:

### Sheepscombe Primary School Complaints Procedure

#### Stage 1 - Informal Resolution

- Most concerns and complaints can be sorted out quickly by speaking with your child's class teacher.
- All staff will make every effort to resolve your problem informally.
- They will make sure that they understand what you feel went wrong and they will explain their own actions to you.
- They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case they will come round to your point of view but it will help both you and the school to understand both sides of the question. It may also help to help prevent a similar problem arising again.

#### Stage 2 - Formal Resolution

- If you are dissatisfied with the teacher's response you can make a complaint to the head teacher. This should be made in writing.
- The head teacher will ask to meet with you to discuss the problem. You may take a friend or someone else with you if you wish.
- The head teacher will conduct an investigation of the complaint and may interview any members of staff or pupils involved.
- If your complaint is about an action of the head teacher personally, you should refer it to the Chair of Governors.



### Stage 3 - Referral to Chair of Governors

The problem will normally be solved by this stage. However, if you are still not satisfied you may wish to contact the Chair of the Governing Body (via the School Office) to ask for a further investigation.

### Stage 4 - Complaint Panel Hearing

- If you are still not satisfied you can request a Complaint Panel Hearing.
- Your complaint will then be heard by a group of three governors who have no previous knowledge of the problem and so will be able to give it a fresh assessment.
- You will be invited to attend and speak to the panel at a meeting which the head teacher will also attend.
- The aim of the Appeal panel hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant.

All parties will be notified of the Panel's decision in writing within three school working days after the date of the hearing. The letter will also contain what you need to do if you wish to take the matter further.

**N.B.** In cases where the matter concerns the conduct of the head teacher, the head teacher and Chair of Governors will be informed of the complaint. The Chair will arrange for the matter to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint.

## Roles and Responsibilities

### The Role of the Clerk

The Department strongly recommends that any panel or group of governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

### The Role of the Chair of the Governing Body or the Nominated Governor



The nominated governor role:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the clerk to arrange the panel;

The Role of the Chair of the Panel:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Panel's Decision

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

This policy complies with Section 29 of the Education Act 2002 -

<http://www.legislation.gov.uk/ukpga/2002/32/section/29>