

STOKE BISHOP CHURCH OF ENGLAND PRIMARY SCHOOL POLICY STATEMENT: COMPLAINTS

This policy complies with the standards set out in the Education (Independent School Standards England) Regulations 2014 Schedule 1, Part 7 and guidance issued by the EFA updated 27 January 2015.

In order to investigate your complaint as fully as possible the governing body of Stoke Bishop Church of England Primary School has implemented a staged approach. We are fully committed to dealing with all complaints fairly and impartially, in a friendly, respectful and professional way as it is in everyone's best interest to help ensure the matter can be resolved as quickly and informally as possible. We anticipate that almost all complaints that arise will be resolved at Stage 1 or Stage 2 below, and that Stage 3 and 4 will only need to be followed on very rare occasions.

Stage 1: The first contact

Parents are always welcome to discuss any concerns with the appropriate member of staff, who will clarify with the parent the nature of the concern and reassure them that the school wants to hear about it. The member of staff may explain to the parent how the situation happened. It can be helpful at this point to identify what sort of outcome the parent is looking for.

If the member of staff first contacted cannot immediately deal with the matter, s/he will make a clear note of the date, name and contact address or phone number. All members of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. S/he will check later to make sure the referral has been dealt with.

If the matter is brought to the attention of the Headteacher who may decide to deal with concerns directly at this stage. If the complaint is against the Headteacher the parent will be advised to contact the chair of the governing body.

The member of staff dealing with the concern will make sure the parent is clear what action (if any) or monitoring of the situation has been agreed, putting it in writing if appropriate. Where no satisfactory solution has been found within ten days, parents will be advised that if they wish their concern to be considered further they should write to the Headteacher.

Stage 2: Referral to the Headteacher for investigation

The Headteacher (or designated person) will acknowledge the complaint in writing within three school days of receiving the written complaint. The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This should normally be within fifteen school days. If this proves impossible, a

letter will be sent explaining the reason for the delay and giving a revised target date.

The Headteacher will provide an opportunity for the complainant to meet them to supplement any information provided previously. It will be made clear to the complainant that if s/he wishes s/he might be accompanied to any meeting by a friend, relative, representative or advocate who can speak on his/her behalf.

If necessary, the Headteacher will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. Pupils should normally be interviewed with parents/guardians present, but if this would seriously delay the investigation of a serious/urgent complaint or if the pupil has specifically said that s/he would prefer that parents/guardians were not involved, another member of staff with whom the pupil feels comfortable should be present. If a member of staff is complained against, they must have the opportunity to present their case.

The Headteacher will keep written records of meetings, telephone conversations and other documentation. Once all the relevant facts have been established as far as possible, the Headteacher will then produce a written response to the complainant, including a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint. The complainant will be advised that should s/he wish to take the complaint further s/he should notify the chair of governors within four weeks of the date of the letter.

If, in the course of an investigation, a fault is identified, the Headteacher should take immediate action to put matters right so that any potential injustice does not continue or risk happening to somebody else.

If the complaint is against the Headteacher, or if the Headteacher has been closely involved at Stage 1, the chair of the governing body will carry out all the Stage 2 procedures.

If the complaint is about a governor, the complainant should contact the chair of governors who will investigate the concerns. If the complaint is about the chair of governors the complainant should be referred to the vice chair. If the complaint is about the governing body as a whole, the complainant should be referred to the Education Funding Agency via the [school complaints form](#) at the following URL:

https://form.education.gov.uk/submitform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1

Stage 3: Review by the Complaints Panel

Complaints rarely reach this level, but it is important that governing bodies are prepared to deal with them when necessary. At this stage schools may wish to seek advice from the Governor Development Service or diocese as

appropriate. Alternatively, governors can contact the Local Government Ombudsman. This can provide a useful 'outside view' on the issues. The chair of the governing body will write to the complainant to acknowledge receipt of the written request for the governing body to review the complaint. The acknowledgement will inform the complainant that the complaints panel will comprise three members, of which at least one member of the panel is independent of the school's management and governing body, who will hear the complaint within twenty school days of receiving the complaint. The letter will 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 sent to the three members.

A meeting of the Governors' Complaints Panel will be convened by the chair of governors and a clerk to the panel will be appointed. The Complaints Panel can be drawn from the whole governing body and governing bodies of other local schools. Governors with prior involvement must not be included on the panel. If s/he has not previously been involved the chair of governors can chair the panel. It is up to the Complaints Panel to decide who should be its chair. When deciding on the make up of the panel, bear in mind the advantages of including a parent governor and if possible having a balance of race and gender. It is not appropriate for the Headteacher to sit on the panel. Careful consideration will need to be given whether it is appropriate for staff governors to be appointed as panel members.

The Chair of the Complaints Panel will ensure the panel hears the complaint within twenty school days of receiving the letter. All relevant correspondence relating to the complaint will be given to each panel member as soon as the composition of the panel is confirmed. If the correspondence is extensive, the Chair may prepare a thorough summary for sending to panel members.

The Clerk will write and inform the complainant, Headteacher, any relevant witnesses and members of the Panel at least five working days in advance of the date, time and place of the meeting. The notification will also inform the complainant of his/her right to be accompanied to the meeting by a friend/advocate/interpreter and explain how the meeting will be conducted.

The Headteacher will be invited to attend the panel meeting and will be asked to prepare a written report for the panel in response to the complaint. All concerned, including the complainant, should receive any relevant documents including the Headteacher's report, at least five school days prior to the meeting. The Headteacher may also invite members of staff directly involved in matters raised by the complainant to respond in writing or person.

The meeting should allow for:

- The complainant to explain their complaint and the Headteacher to explain the school's response
- The opportunity for both parties to ask questions of each other about the complaint.
- Panel members to have an opportunity to question both the complainant and the Headteacher

- Any party to have the right to call witnesses (subject to approval of the Chair) and all parties having the right to question all the witnesses
- Final statements by both the complainant and the Headteacher.

It is the responsibility of the Clerk of the panel to ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken or actions agreed. The notes do not need to be verbatim but should be sufficient to remind the panel of the evidence that has been presented and the reason for the decision.

The Chair of the Panel will explain to the complainant and Headteacher that the panel will consider its decision and that a written decision will be sent to both parties within five school days. The complainant, Headteacher, other members of staff and witnesses will then leave.

The panel will then consider the complaint and all the evidence presented and

- Reach a majority decision on the complaint;
- Decide upon the appropriate action to be taken to resolve the complaint; and, where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.

A written statement outlining the decision of the panel must be sent to the complainant and Headteacher. The letter to the complainant should also explain how a further appeal can be made.

The school should ensure that a copy of all correspondence and notes are kept on file in the school's records. These records should be kept separately from the pupil's personal records.

Stage 4 Review of the Complaints Panel Decision

If a parent or pupil is making the complaint, and they wish to go beyond the governors' complaints panel, they should be advised to contact the Education Funding Agency via the school complaints form at the following URL:

https://form.education.gov.uk/submitform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1