



# SCHOOL COMPLAINTS POLICY 2016

---

This policy should be used in conjunction with the DfE Best Practice Advice for School Complaints Procedures 2016, alongside the Baydon St Nicholas Home/School Agreement.

## Introduction

Since 1 September 2003 governing bodies (GBs) of all maintained schools and maintained nursery schools in England have been required, under Section 29 of the Education Act 2002 to have in place a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides. This does not limit complainants to parents or carers of pupils registered at a school. A complainant could be a member of the wider community or representing an ex-pupil. The law also requires the procedure to be publicised. The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. Baydon St Nicholas CE VA Primary School is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint, you may wish or be asked to follow the school's formal complaints procedure.

## The difference between a concern and a complaint

A 'concern' may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. A complaint may be generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'. It is in everyone's interest that complaints are resolved as early as possible.

Many issues can be resolved informally, without the need to invoke formal procedures. Baydon St Nicholas will take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

There are occasions when complainants would like to raise their concerns formally. In these cases the formal procedure will be invoked through the stages outlined below and dealt with in a sensitive, impartial and confidential manner.

- Stage 1 (informal): concern heard by an appropriate staff member (e.g. class teacher)
- Stage 2 (formal): complaint heard by Headteacher (Mrs C Knighton)
- Stage 3 (formal): complaint heard by Chair of Governors
- Stage 4 (formal): complaint heard by Governing Bodies complaints appeal panel.

## What is involved at each stage

### Stage 1 – concern heard by staff member

Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern. The school requests that parents make their first contact with their child's class teacher although members of the school's leadership team may be involved at this stage. Members of the community should contact the office. On some occasions the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within a day or two. The vast majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at stage 1, please write to or call the school within 10 school working days. This will then escalate the complaint to stage 2.

### Stage 2 – complaint heard by Headteacher

Mrs Knighton may delegate the task of collating the information to another staff member **but not the decision on the action to be taken**. Mrs Knighton will arrange for the complaint to be acknowledged within 5 school working days of receiving it and a meeting may be convened to discuss the matter further. Following the investigation, Mrs Knighton will aim to provide a written response within 10 school working days of sending the acknowledgement. However if a complaint is more complex to review this can be extended to a maximum of 20 school working days. The school will provide you details of the new deadline and an explanation on the delay. If you are not satisfied with the result at stage 2 please write to or call the school within 10 school working days of getting our response and the complaint will escalate to stage 3.

### Stage 3 – complaint heard by Chair of Governors

If the matter has not been resolved at Stage 2 or the complaint is about the Headteacher, then you will need to write to the Chair of Governors c/o the school. The Chair of Governors will arrange for the complaint to be acknowledged within 5 school working days of receiving it and a meeting may be convened to discuss the matter further. Following an investigation, the Chair of Governors will aim to provide a written response within 10 school working days of sending out the acknowledgement. However if a complaint is more complex to review this can be extended to 20 school working days. The school will provide you details of the new deadline and an explanation on the delay. If you are dissatisfied with the result at stage 3, you will need to let the school know within 10 school working days of getting the response and the complaint will escalate to stage 4.

### Stage 4 – complaint heard by Governing Bodies Complaints Appeal Panel

If the matter has still not been resolved at Stage 3, then you will need to write to the Clerk of Governors giving details of the complaint and asking that it is put before the appeal panel. Should the Chair have been involved at any previous stage in the process a nominated Governor, impartial to the complaint, will convene a complaints panel. The complaint will be acknowledged within 5 school working days of receiving it. The hearing will normally take place within 20 school working

days of sending the acknowledgment. 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 5 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. The Governors appeal hearing is the last school-based stage of the complaints process.

From 1 August 2012 complaints about maintained schools not resolved by the school should be addressed to the School Complaints unit (SCU), Department of Education, 2<sup>nd</sup> Floor, Piccadilly Gate, Manchester, M1 2WD

## **Recording Complaints**

Complaints can be made in person, by telephone or in writing. In order to prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls will be kept by the school and a copy of any written response added to the record. Throughout the process the journey of the complaint will be recorded and the final outcome also noted. Mrs Knighton will be responsible for these records which will be held centrally.

## **Governing Body Review**

Complaints will not be shared with the whole governing body (except in very general terms) due to the possibility of an appeal panel needing to be formed. If a case arose in which the whole governing body were aware of the complaint then the school will arrange for an independent panel to hear the complaint. The school maintains the right to contact a different school, Wiltshire Local Authority or the Salisbury Diocese to ask for help.

Complainants have the right to request an independent panel, if they believe there is likely to be bias in the proceedings. Baydon St Nicholas will consider the request but ultimately, the decision is made by the governors.

## **Serial and Persistent complaints**

Baydon St Nicholas school is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abused, offensive or threatening.

Complainants should limit the number of communications with a school while a complaint is being progressed. Wherever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying and 'unreasonable' marking. (For a definition of an 'unreasonable complaint', please refer to Best Practice Advice for School Complaints Procedures 2016 published by the Department for Education January 2016).

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it.

In response to any serious incident of aggression or violence, the concerns and actions will be put in writing immediately and the police informed. This may include banning an individual from school.

For further information as well as a list of complaints which are not in the scope of this procedure, please refer to Best Practice Advice for School Complaints Procedures 2016 published by the Department for Education January 2016.