

The Federation of the Church Schools of Shalfleet and Yarmouth

Achieving Together for a Brighter Future



COMPLAINTS POLICY

Approved by	FGB
Portfolio	Standards
Approved on	Spring 2020
Review date	Spring 2021
Review Cycle	1 Years
Policy Type	Statutory
Ratified/FGM Date	

Signed:_____ **Date:**_____

General Principles

We value good home/school relations and will, therefore do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.

It is hoped that a complaint can be resolved without formally invoking this policy, particularly where the complaint can be redefined as a problem or a concern. The procedures identified in this policy should not be seen as replacing the good practice of resolving concerns or problems as they arise.

We will treat all concerns and complaints seriously, courteously and quickly and will advise parents and others of the school's procedures for dealing with their concerns. In return the Federation of the Church Schools of Shalfleet and Yarmouth request that the complainants do not discuss complaints publically and/or via social media such as Facebook and Twitter. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils. Complaints will be dealt with confidentially for those involved and we expect complainants to observe confidentiality also.

The aim of this Complaints Policy is to ensure that a complaint is fully considered and wherever possible resolved to the satisfaction of the complainant.

We intend to adhere to the timelines stated in this policy however situations may arise which prevent this from happening in which case we aim to keep the complainant informed. Complaints will be considered and resolved as quickly and efficiently as possible.

At any point in the process the complainant or the person(s) subject to a complaint may request a representative or a colleague (*see under definition – not employed by the school*) to support. The involvement of such a person should be declared to the Complaints Co-ordinator.

All complaints (Stage 2 onwards) will be logged in a complaints register which will be kept up to date by the Complaints Co-ordinator. Records of complaints, progress of each complaint and final outcome will be held at the appropriate school. Complainants can request access to see the records of their complaint under the Freedom of Information, Data Protection Acts and GDPR regulations. The Complaints Co-ordinator for The Federation of the Church Schools of Shalfleet and Yarmouth is the Headteacher. The investigators at the schools are the School Business Manager or other senior members of staff. Where the complaint is about any senior member of staff they will not be able to take part in the investigation or consider the complaint.

Where a complaint indicates that a child's wellbeing or safety is at risk, the school is under a duty to report this immediately to the Local Authority. Any action taken will be in accordance with the school's safeguarding and child protection policy which can be found on our website.

This policy follows the guidance issued by the DfE which can be found on the following link: <https://www.gov.uk/government/publications/school-complaints-procedures>

Definition of a Complaint

A 'complaint' within the terms of these procedures is a formal expression of dissatisfaction by a person or persons with a legitimate interest in the school, but not employed by the school.

For the purposes of this policy "we" means the school, its governors and any external governors who may be nominated to hear your complaint.

A copy of this Complaints Policy is held in the school office and is available for parents. A summary of the policy is given to all parents/carers when their child joins the school.

Parents/carers are encouraged to come to the school to talk about their concerns. The school has an open door policy and staff are available to see parents/carers before and after school, and at other times by appointment.

Dealing with Complaints: The Complaints Process

- **Stage 1: Informal Stage:** The school aims to resolve the concern through informal contact at the appropriate level in school.
- **Stage 2: Formal Complaint (1st formal stage):** Written complaints (submitted on the correct form) are considered by the Headteacher. If however, your complaint is about the Headteacher or Chair of Governors, you may go directly to Stage 3.
- **Stage 3: Chair of Governors (2nd formal stage):** If you are still not satisfied by the Headteacher's response to your complaint, or your complaint is about the Headteacher, you may make your complaint to the Chair of Governors, who has special responsibility for dealing with complaints. If the complaint is about the Chair of Governors, then another governor will be nominated to hear the complaint. If this is not possible, an external governor will be nominated.
- **Stage 4: Governors' Appeal Panel (3rd formal stage):** This is the next stage once stages 1, 2 & 3 have been worked through. It involves a panel of governors. Should the complaint be about the Chair of Governors, a panel of external governors will be appointed.

A flow chart of stages can be seen at [Appendix A](#).

An explanation of roles and responsibilities can be seen at [Appendix C](#).

Stage 1: Informal Stage

The aim of the Informal Stage is to bring the majority of concerns to a satisfactory conclusion through an open dialogue between relevant parties. The first point of contact should be your child's class teacher.

Once your concern is known to us, we will see you, or contact you by telephone or in writing as soon as possible (usually within 3 working days). The member of staff contacting you will ask you what may resolve the matter and will attempt to resolve it.

If necessary we will contact appropriate people who may be able to assist us with our enquiries and we would normally update you on our progress within ten working days.

The member of staff dealing with your concerns will make a note of all the details and any actions or monitoring of the situation that has been agreed with you. They will also follow up to check the matter has been addressed appropriately or resolved. That member of staff has a duty to inform the Headteacher if the issue is not resolved.

Where a parent/carer feels that a situation has not been resolved through this contact, or where a parent/carer feels that their concern is of a particularly serious nature, they should make an appointment to discuss it with the Headteacher, who is the Complaint Co-ordinator.

The Complaint Co-ordinator considers any concern very seriously and will delegate the investigation of the complaint to the 'Investigator', within the time lines indicated above. Most concerns are normally resolved at this stage.

Where the issue concerns the Headteacher, the Chair of Governors should be contacted via the school office.

The governors feel strongly that every effort will be made to resolve all concerns informally, without the need for formal procedures. However, when an initial attempt to resolve an issue has been unsuccessful, and the person raising the concern remains dissatisfied, they may take the matter further by raising a formal complaint within 28 days of the conclusion of the informal stage.

We aim to resolve any issues in the informal stage within 12 school working days.

Stage Two: Formal Complaint

A formal complaint should be made in writing to the Headteacher, who is the Complaint Co-ordinator, by using the Complaint Form ([Appendix B](#)) as soon after the concern as practically possible so that recollections are still fresh. This form is required so that all parties are clear to the exact nature of the complaint. It would also be useful if you could state what actions you feel would resolve the problem. Should you require any support to complete this form, assistance will be provided by the school or if needed alternative methods will be explored.

Once received, it will be recorded in the complaints register by the Complaints Co-ordinator along with the nature and details of the complaint.

The investigation of the complaint will be delegated by the Complaints Co-ordinator to the Investigator.

If the complaint is about the Headteacher, the Complaint Form should be sent to school for the attention of the Chair of Governors and will go directly to Stage 3.

If the complaint is about the Chair of Governors, the Complaint Form should be sent to school for the attention of the Clerk to the Governors and will go directly to Stage 3.

Stage Three: Chair of Governors

If you are still not satisfied with the response of the Headteacher under Stage 2, you should write to the Chair or Governors who will investigate the complaint.

If the complaint is about the Chair of Governors, the complaint should be sent to the Clerk to the Governors, using the complaint form, who will arrange for a governor or an external governor to investigate the complaint.

Timescales for Stages 2 & 3

We will acknowledge your complaint in writing as soon as possible after receiving it. This will be within five working days. Normally we would expect to respond in full within 15 school working days but if this is not possible we will write to explain the reason for the delay and let you know when we aim to be able to provide a full response.

As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help explain the reasons for your complaint.

The Headteacher or Chair of Governors may also be accompanied by a suitable person if they wish. The meeting may also be attended by the Clerk to the Governors to take notes of the meeting.

Following the meeting, the investigator will, where necessary talk to witnesses and take statements from others involved. We will normally talk to pupils with parents/carers present unless this would delay the investigation of a serious or urgent complaint. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.

The investigator will keep written signed and dated records of all meetings and telephone conversations, and other related documents. All correspondence and conversations will be confidential.

If the complaint is one of staff discipline, this will be pursued under the school's Disciplinary and Grievance procedures. If the complaint involved child protection, it will be dealt with under the Child Protection Procedures.

Once we have established all the relevant facts, we will send you a written response to your complaint. This will give an explanation of the Headteacher's, Chair of Governors', governor's or external governor's decision and the reasons for it. If follow up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relationships with you.

The investigator of the complaint may decide that the school has done all it can do to resolve the complaint, in which case we may use our discretion to close the complaint at this point.

If you are unhappy with the way in which we reached our conclusions, you may wish to proceed to stage 4 which would need to be done within 15 school working days of the written response to your complaint.

Stage Four: Governor's Appeal Panel

If the complaint has already been through stages 1 to 3 and you are not happy with the outcome as a result of the way the complaint has been handled, you can take it further to a governors appeal panel.

The purpose of this arrangement is to give you the chance to make your representations in front of a panel of governors who have no prior knowledge of the details of the case and who can, therefore, consider it without prejudice.

Prior to the meeting, the panel will consider all information available and will consider only new evidence in relation to the initial complaint made. No new evidence should be presented on the day of the appeal where possible.

The Complaints Appeal Panel can:

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

The governors appeal panel operates according to the following formal procedures:

The governing body will convene a panel of three governors and will aim to arrange for a panel meeting to take place within 20 working school days from receipt of the request for the appeal.

You will be asked if you wish to provide any further written documentation which should be received 5 working days prior to the appeal hearing. The Headteacher will be asked for a written report on behalf of the school, and the panel can request additional information from other sources if necessary.

You will be informed at least 5 working school days in advance of the date, time and place of the meeting. You are entitled to be accompanied at this meeting by a person of your choice. The Clerk to the Governors will take notes of the meeting.

In closing the meeting the Chair will explain that the panel will consider its decision and that written notice of the decision will be sent to you and the Headteacher within five working school days.

Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If however you feel you would like a copy of the notes of the meeting it would be helpful to indicate this in advance. If the panel is happy for the note to be copied to you, the Clerk can then forward them to you in the understanding that they are of a sensitive nature and must remain confidential.

Right to Appeal

If the complaint is not resolved, a parent/carer may make a representation to the Secretary of State for Education. The Governing Body will give full consideration to any recommendations or directions they might make.

Complainants should write to:

The School Complaints Unit (SCU), Department for Education, 2nd Floor, Piccadilly Gate, Manchester, M1 2WD

This is the final stage of appeal.

The arrangements made by the governing body relating to the treatment of complaints from parents of pupils with special educational needs concerning the provision made at the school

The normal arrangements for the treatment of complaints at The Federation of the Church Schools of Shalfleet and Yarmouth are used for complaints about provision made for special educational

needs. We encourage parents to discuss their concerns with the class teacher, SENCo or Head teacher to resolve the issue before making the complaint formal to the Chair of the governing body. This can be done by emailing the Deputy Headteacher, Georgina Westhorpe, directly: gwesthorpe@yarmouthceprimary.co.uk or by making an appointment via the school office Shalfleet 01983 760269 Yarmouth 01983 760345. If the issue is not resolved, please email the Head teacher, directly on: headteacher@yarmouthceprimary.co.uk. The Chair of the governing body can be contacted via the school offices.

If the complaint is not resolved after it has been considered by the governing body, then a disagreement resolution service or mediation service can be contracted. If it remains unresolved after this, the complainant can appeal to the First-tier Tribunal (Special Educational Needs and Disability), if the case refers to disability discrimination, or to the Secretary of State for all other cases.

There are some circumstances, usually for children who have an Educational, Health and Care Plan, where there is a statutory right for parents to appeal against a decision of the Local Authority. Complaints that fall within this category cannot be investigated by the school.

Vexatious Complaints

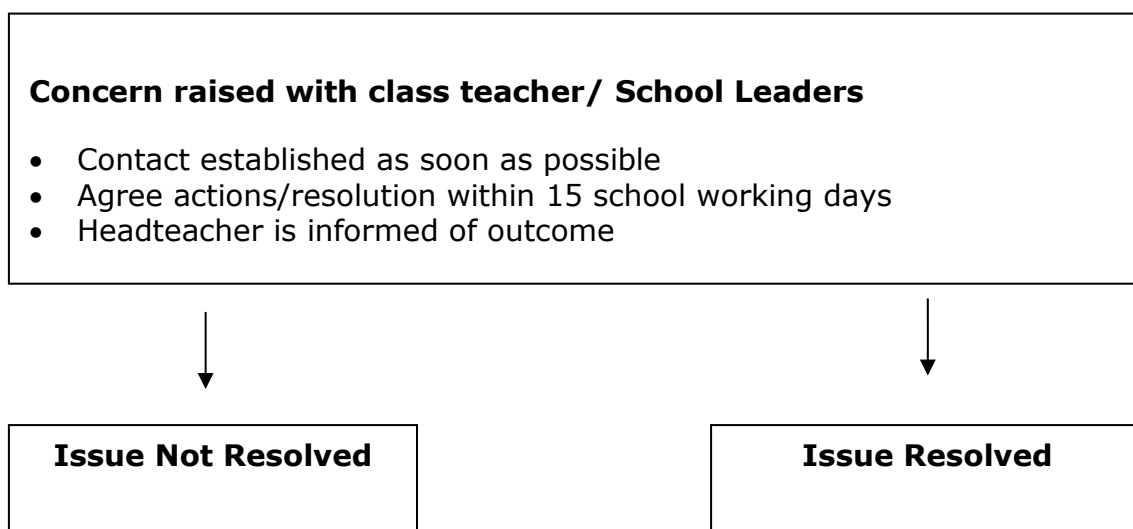
Very occasionally the school may feel that it needs to close a complaint where the complainant is still dissatisfied. Sometimes this is a case of 'agreeing to disagree'.

There may be occasions when, despite all stages of the procedure being followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of Governors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school to respond.

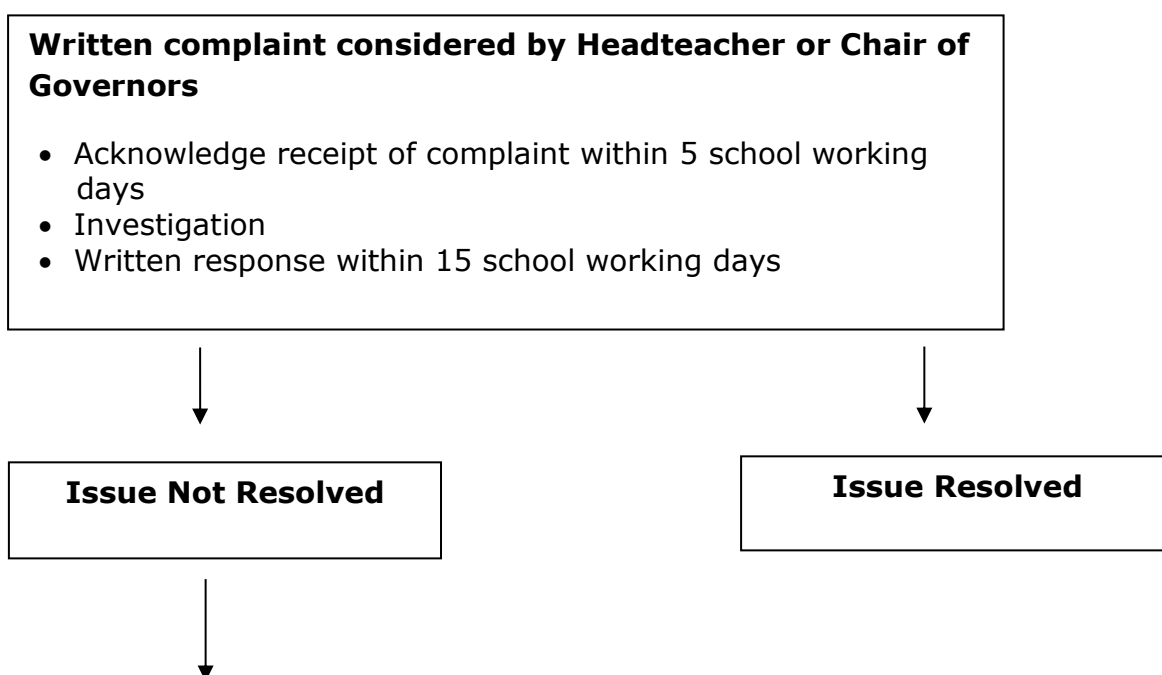
Flowchart

Summary of Dealing with Complaints

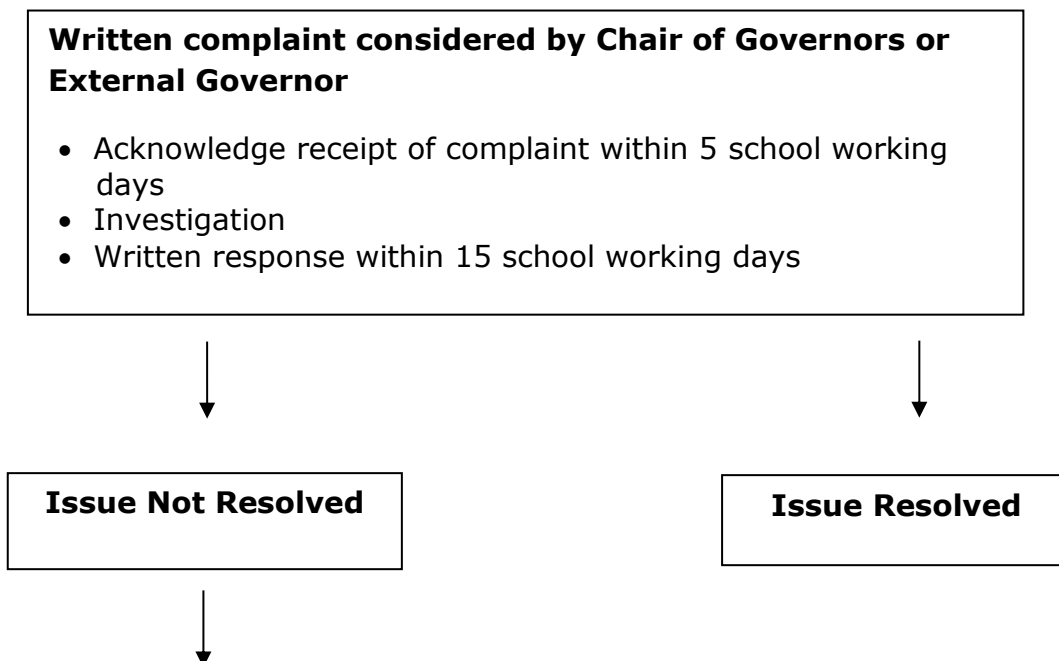
Stage 1: Informal stage



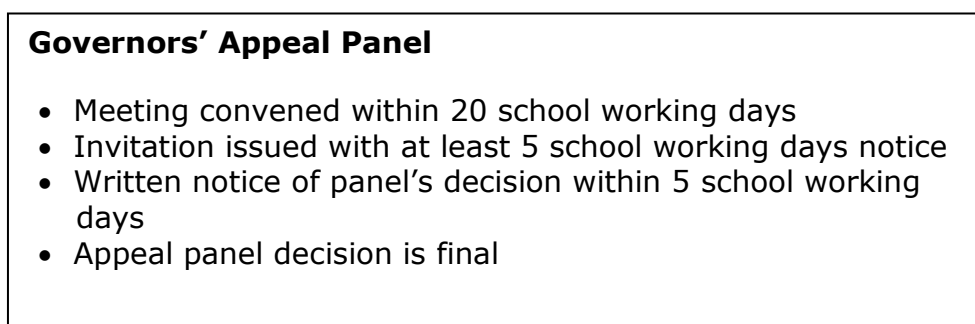
Stage 2: HT



Stage 3: Chair of Governors



Stage 4: Governors' Appeal Panel



Complaints Form

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

Your Name	
Pupil's Name	
Your Relationship to the Pupil	
Address	
Postcode	
Daytime Telephone Number	
Evening Telephone Number	
E-mail Address	

Please give details of your complaint (please include details of any witnesses if relevant):

What action, if any, have you already taken to try and resolve your complaint (to whom did you speak 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.

If you require a representative to support you in this process, please include their contact details here:

Name: _____ Email/Tel no: _____

Signature:

Date:

Official Use

Date complaint received	
Date acknowledgement sent	
Acknowledgement sent by whom	
Complaint referred to whom	
If not resolved, dated sent to Clerk to Governors	

Roles and Responsibilities

Appendix C

The Complainant - The complainant or person who makes the complaint will receive a more effective response to the complaint if he/she:-

- co-operates with the school in seeking a solution to the complaint;
- expresses the complaint in full as early as possible;
- responds promptly to requests for information or meetings or in agreeing the details of the complaint;
- asks for assistance as needed;
- treats all those involved in the complaint with respect.

The Complaints Co-ordinator (or Headteacher)

The complaints co-ordinator should:-

- ensure that the complainant is fully updated at each stage of the procedure;
- ensure that all people involved in the complaint procedure will be aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000;
- liaise with staff members, headteacher, Chair of Governors and Clerk to ensure the smooth running of the complaints procedure;
- keep records;
- be aware of issues regarding:-
 - sharing third party information;
 - additional support - this may be needed by complainants when making a complaint including interpretation support.

The Investigator

The Investigator is the person involved in Stages 1 and 2 of the procedure. The

Investigator's role can include:-

- providing a comprehensive, open, transparent and fair consideration of the complaint through:-
- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
- consideration of records and other relevant information;
- interviewing staff and children/young people and other people relevant to the complaint;
- analysing information;

- effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;
- identifying solutions and recommending courses of action to resolve problems;
- being mindful of the timescales to respond; and
- responding to the complainant in plain and clear language.
- The person investigating the complaint should make sure that they:
- conduct interviews with an open mind and be prepared to persist in the questioning;
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.

The Panel Clerk (this could be Clerk to the Governors or Complaints Coordinator)

The Clerk is the contact point for the complainant for the panel meeting and is expected 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;
- circulate the minutes of the panel hearing;
- notify all parties of the panel's decision;
- liaise with the complaints co-ordinator.

The Panel Chair

The Panel Chair has a key role in ensuring that:-

- the meeting is minuted;
- the remit of the panel is explained to the complainant and both they and the school have the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents/carers and others who may not be used to speaking at such a hearing are put at ease – this is particularly important if the complainant is a child/young person;
- the hearing is conducted in an informal manner with everyone treated with respect and courtesy;
- the layout of the room will set the tone – care is needed to ensure the setting is informal and not adversarial;
- the panel is open-minded and acts independently;

- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- both the complainant and the school are given the opportunity to state their case and seek clarity;
- written material is seen by everyone in attendance – if a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the hearing;
- liaise with the Clerk and complaints co-ordinator.

Panel Member

Panellists will need to be aware that:-

- it is important that the review panel hearing is independent and impartial, and that it is seen to be so;
- No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant;
- However, it must be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- Many complainants will feel nervous and inhibited in a formal setting;
- Parents/carers often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the hearing;

Careful consideration of the atmosphere and proceedings will ensure that the child/young person does not feel intimidated. The panel should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the hearing, if any, the child/young person needs to attend. The parent should be advised however that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting which the panel considers not to be in the child/young person's best interests.

The welfare of the child/young person is paramount.