Olveston CEVC Primary School

Complaints Policy

Signed (Vice Chair): Signed copy in school office	Name Justin Garrett	Date: March 2025
Signed (Headteacher):	Name: Lee Dunn	Date: March 2025
Ratified: by Full Governing Body	Next Review: March 2028	

Equality Impact Assessment (EqIA)

This policy has been assessed with regard to its impact on equalities issues. The equality impact assessment has been conducted by the Head teacher and focused on race, gender, disability, age, sexual orientation, gender identity and religion/belief. Community Cohesion has also formed part of the impact assessment work in order to ensure respect for diversity, alongside a commitment to common and shared bonds.

EqIA outcomes

- *The assessment found no areas of potential negative impact and actions resulting in positive impact are in place.*

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Complaints Policy

Part 1: General Principles

Dealing with Complaints – Initial concerns

Members of staff need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

This policy deals with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The existence of the complaints procedure need not in any way undermine efforts to resolve the concern informally.
In most cases the class teacher will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary. When meeting with the class teacher to raise your concerns, please be patient, the class teacher may need time to perform an investigation or put corrective measures in place and then determine their effectiveness. This informal stage may require several meetings to reach a conclusion satisfactory to all parties.
If a parent feels that a concern has not been solved through discussions with the class teacher, or that it is of a sufficiently serious nature, then an appointment to discuss it with the Headteacher should be made. The parent should indicate that the appointment is regarding a complaint and detail any previous communication with the class teacher, formally or informally.
If the complaint is about the actions of the Head then the initial approach should be made in writing to the Chair of Governors via the school.

Complaints not in the scope of this policy

This policy covers all complaints about any provision of facilities or services that the school provides with the **exceptions** listed below, for which there are separate (statutory) procedures.

Exceptions	**Who to contact**
• Admissions to schools • Statutory assessments of Special Educational Needs (SEN)	Concerns should be raised direct with local authorities (LA).
• School re-organisation proposals	Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.
• Matters likely to require a Child Protection Investigation	Must be reported to ART on 01454 86 6000 email: ART@southglos.gov.uk

• Exclusion of children from school	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.
• Whistleblowing	The school has an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.
• Staff grievances and disciplinary procedures	These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.
• Complaints about services provided by other providers who may use school premises or facilities.	Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.

General Principles Regarding Any Complaint

The following principles will apply to any complaint:

- The complaint will be handled with care and sensitivity.
- All stages of investigation of the complaint procedure will not be adversarial
- Confidentiality will be respected at all times
- Responses to any complaint will be prompt (usual timescales are detailed below)
- The Complainant will be given adequate feedback and kept informed of timescales
- The Complainant will be kept informed of the options to appeal during the process
- Any investigation will be thorough and fair and seek resolution and/or make recommendations.
- Any investigation will address all the points at issue which are within the school's jurisdiction.

Complaints should normally be raised within 3 months of any incident, although complaints made outside this time limit will be considered if there are exceptional reasons for the delay. Once a complaint is made it will be dealt with as submitted and should not be added to during the process.

If any Governor is contacted directly by a parent regarding a complaint then that Governor will refer the parent to this complaints procedure. Individual Governors cannot act unilaterally by investigating a complaint or making any prior judgement about it. The Governor can only refer the parent to the class teacher, the Headteacher or the Chair of Governors as appropriate.

If the complaint is one that may result in disciplinary or legal action against the Headteacher, or the complaint is regarding the Headteacher, then the complaint should immediately be escalated to Stage 1b (informal investigation by the Chair of Governors) and, if that fails, to Stage 2 (see below) via submission of a Formal Complaint Form (Appendix C) to the Chair of Governors who will convene a complaints panel.

If at any stage of a complaint it becomes apparent that the Complainant is seeking some sort of financial compensation then any investigation will be halted whilst advice is sought from the Local Authority Risk and Insurance Manager.

Children from the school should only be called on as witnesses in very exceptional circumstances and, in such circumstances, should be accompanied by a parent or member of staff during any meetings.

If an anonymous complaint is received, or the Complainant requests anonymity, then the Complainant will be urged to identify themselves in the interests of fairness and of dealing effectively with the complaint. However if the anonymous complaint is of a sufficiently serious nature then the Headteacher or Chair of Governors will decide whether action is appropriate. If an anonymous complaint raises child protection issues then the complaint will be referred immediately to the Local Authority.

The Complainant should not attempt to bypass steps in the complaints procedure. Escalation to the Local Authority or Secretary of State levels before the formal school procedures have been exhausted will result in the Complainant being referred back to the schools procedure by those bodies.

Part 2: Dealing with Complaints – procedures

The following procedures will need to be invoked when initial attempts to resolve the issue (see Part 1 above) are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

There are 2 stages in the procedures:

- Stage 1 – Complaint investigated informally by (a) the Headteacher or (b) the Chair of Governors
- Stage 2 – Complaint investigated formally by a panel of governors.

Stage 1 Informal

a) Complaint handled by the Headteacher. If a parent feels that a concern has not been solved through discussion with the class teacher, or that it is of a sufficiently serious nature, then an appointment to discuss it with the Headteacher should be made. The parent should indicate that the appointment is regarding a complaint.

If the Headteacher cannot resolve the complaint at the initial meeting then the school may carry out an investigation of the complaint. It will be the Headteacher's responsibility to decide who should conduct the investigation. This may be the Headteacher or may be a member of the Senior Leadership Team, especially if there is the likelihood of a personnel issue emerging from the investigation.

The investigation will normally be completed within **10 school days** and a follow on meeting held with the parent to discuss the results of the investigation. Further meetings may be held as required if both parties agree that the concern may be resolved by subsequent meetings, whilst still at the informal level. The Headteacher will also respond in writing to the Complainant, including a response to each point of complaint made.

The Headteacher will make written notes of any complaint. The notes will include details of the complaint, how it was dealt with, by whom and the outcome. In the event of the complaint proceeding to the formal stage, these notes will be made available to the Complaints Panel.

If discussions between the Headteacher and the Complainant prove fruitless, and the issue cannot be resolved to the Complainant's satisfaction, then the Headteacher will advise the Complainant that they may make a formal complaint to the Governing Body, by putting the complaint in writing (using the Complaints Form) to the Chair of Governors **within 15 school days**. Complainants are very strongly advised to use the Complaints form as this will help ensure the complaint can be effectively investigated.

b) Complaint about the Headteacher. The above procedures apply if the complaint is about the Headteacher, but an informal investigation will initially be undertaken by the Chair of Governors unless the Chair decides it is necessary to move straight to Stage 2.

Stage 2 Formal

When the Chair of Governors has received a formal complaint, a panel of three Governors will be convened to hear the complaint, and make a decision about it on behalf of the Governing Body. The Governors appointed to the panel will have had no previous involvement in the complaint. As many Governors as possible will receive training in dealing with complaints.

The primary function of the Complaints Panel is to decide on the merits or otherwise of the complaint. However, the panel will also play an important role in attempting to resolve the complaint. The panel will reach a decision on whether the complaint is

upheld or rejected and may call for certain action to be taken by the school or the parents.

The Complaints Panel, supported by a clerk, will invite written evidence from all parties to the complaint. Any written evidence will be circulated to all parties prior to any meetings. The Complaints Panel will then meet with all parties to the complaint, formally and separately. These meetings will be held as soon as possible, given the time constraints of all parties, at locations acceptable to all parties. Each party may be accompanied by a friend who can only speak on their behalf in exceptional circumstances if the Complaints Panel agrees that this is necessary. All parties will be given a fair opportunity to express their point. The procedure for the meeting with the complainant will be as follows:

- Introductions will be performed by the Chair of the Complaints Panel
- The Complainant makes a statement of their complaint and the outcome sought
- The panel will question the Complainant
- The Complainant may make a final statement

Meetings with other parties will follow a similar pattern. The meetings will be minuted, normally by the clerk to the governors. It may be appropriate for a member of staff such as the school secretary to act as clerk, although consideration will be given to the sensitivity of the particular complaint. Meetings will not be recorded electronically.

The decision reached by the panel will be notified in writing to the Complainant and any subject(s) of the complaint. It will also be reported back to the next meeting of the full governing body. Only a brief summary to the full governing body will be provided, with no detailed or named information.

Written replies to Complainants will aim to answer all the points of concern, be factually correct, avoid jargon, and tell the Complainant what to do next if they are still not satisfied. It may be appropriate for the Chair of the Complaints Panel to telephone the Complainant regarding the outcome. However this will always be followed up with a letter to make sure there is no misunderstanding.

When a formal complaint is received by the Chair of Governors a letter of acknowledgement and a request for written evidence will be sent to the Complainant **normally within 15 school days**. All other parties to the complaint will receive a letter outlining the complaint and requesting written evidence. The letters will detail the Governors involved in the Complaints Panel and the nominated Chair. Any written evidence should be sent to the nominated Chair of the Complaints Panel. The panel will convene the complaints meetings as soon as is practically possible after the receipt of all written evidence, at mutually acceptable times. Following the conclusion of the complaints meetings with all parties, the panel will provide a written response to the complaint **normally within 15 school days**.

N.B - Where it is not possible to respond to a complaint within the stated timescales, the Complainant will be informed in writing of the reason for the delay and given an anticipated response date.

Appeal to the Secretary Of State

A complaint may be made to the Secretary of State for Education if a person believes that a Governing Body or Local Authority is acting “unreasonably”, or is failing to carry out its statutory duties properly. However, intervention can only occur if the Governing Body has failed to carry out a legal duty or has acted unreasonably in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State could instruct either party to do to put matters right.
The School Complaints Unit (SCU) considers complaints relating to LA maintained schools in England on behalf of the Secretary of State. The SCU will look at whether the complaints policy and any other relevant statutory policies were adhered to. The SCU also looks at whether statutory policies adhere to education legislation. However, the SCU will not normally re-investigate the substance of the complaint. This remains the responsibility of the school.
The SCU will not overturn the school’s decision about a complaint except in exceptional circumstances where it is clear the school has acted unlawfully or unreasonably. If the SCU finds that the school has not handled a complaint in accordance with its procedure, it may request that the complaint is looked at again. The Secretary of State must be satisfied that a decision is unreasonable in the sense that no reasonable authority or governing body, acting with due regard to its statutory responsibilities, would have reached that decision. The Secretary of State cannot do anything until the school has finished looking into the complaint. Further information can be obtained from the SCU by calling **0370 000 2288** or by going online at: www.education.gov.uk/help/contactus

Vexatious Complaints

The number of complaints that become protracted will be very limited. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the governing body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

School Policy Regarding Harassment or Abusive Behaviour

The Headteacher and Governing Body are fully committed to the improvement of our school. We welcome feedback from parents / carers and will always try to resolve any concerns as quickly as possible.

Sometimes, however, parents or carers pursuing complaints or other issues may treat staff and others in a way that is unacceptable. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of the school community.

Unreasonable behaviour may include:

- Actions which are out of proportion to the nature of the complaint, persistent – even when the complaints procedure has been exhausted, personally harassing, or unjustifiably repetitious
- An insistence on pursuing unjustified complaints and / or unrealistic outcomes to justified complaints
- An insistence on pursuing justifiable complaints in an unreasonable manner e.g. using abusive or threatening language; or making complaints in public or via social networking sites
- Refusing to attend appointments to discuss the complaint.

We regard harassment as the unreasonable pursuit of issues or complaints, particularly, but not limited to, if the matter appears to be pursued in a way intended to cause personal distress rather than to seek a resolution.

Behaviour may fall within the scope of this definition if:

- It appears to be deliberately targeted at one or more members of school staff or others, without good cause;
- The way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- It has a significant and disproportionately adverse effect on the school community.

The school expects anyone who wishes to raise concerns with the school to:

- Treat all members of the school community with courtesy and respect;
- Respect the needs of pupils and staff within the school;
- Avoid the use of violence, or threats of violence, towards people or property;
- Recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint;
- Follow the school's complaints procedure.

In cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps, as appropriate:

- Inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable, and request a changed approach
- Inform the complainant in writing that the school considers his/her behaviour to be unreasonable or unacceptable, and request a changed approach
- Require all future meetings with a member of staff to be conducted with a second person present. In the interests of all parties, notes of these meetings may be taken
- Inform the complainant that, except in emergencies, the school will respond only to written communication and that these may be required to be channelled through the Local Authority.

Part 3: Managing and Recording Complaints

The school will record the progress of the complaint and the final outcome. A complaint may initially be made in person, by telephone, or in writing. At the end of a meeting or telephone call, the member of staff will ensure that the complainant and

the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record. The school complaint form can be found in Annex C. **The complainant is strongly encouraged to complete the complaint form.**

The Headteacher is responsible for the records and will hold them centrally. Records of complaints will be kept for a minimum of six years.

Governing Body Monitoring of Complaints

The Governing Body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole governing body will not name individuals.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, the school will consider whether there are underlying issues that need to be addressed.

Publicising the Procedure

There is a legal requirement for the Complaints Procedures to be publicised. The Governing Body has decided to fulfil this requirement by including it in the school website.

The Complaints Procedure and any associated forms will be readily available to parents.

Appendix A – Roles and Responsibilities

The Role of the Clerk

The panel considering the complaint will be clerked. The clerk is the contact point for the complainant and is required to:

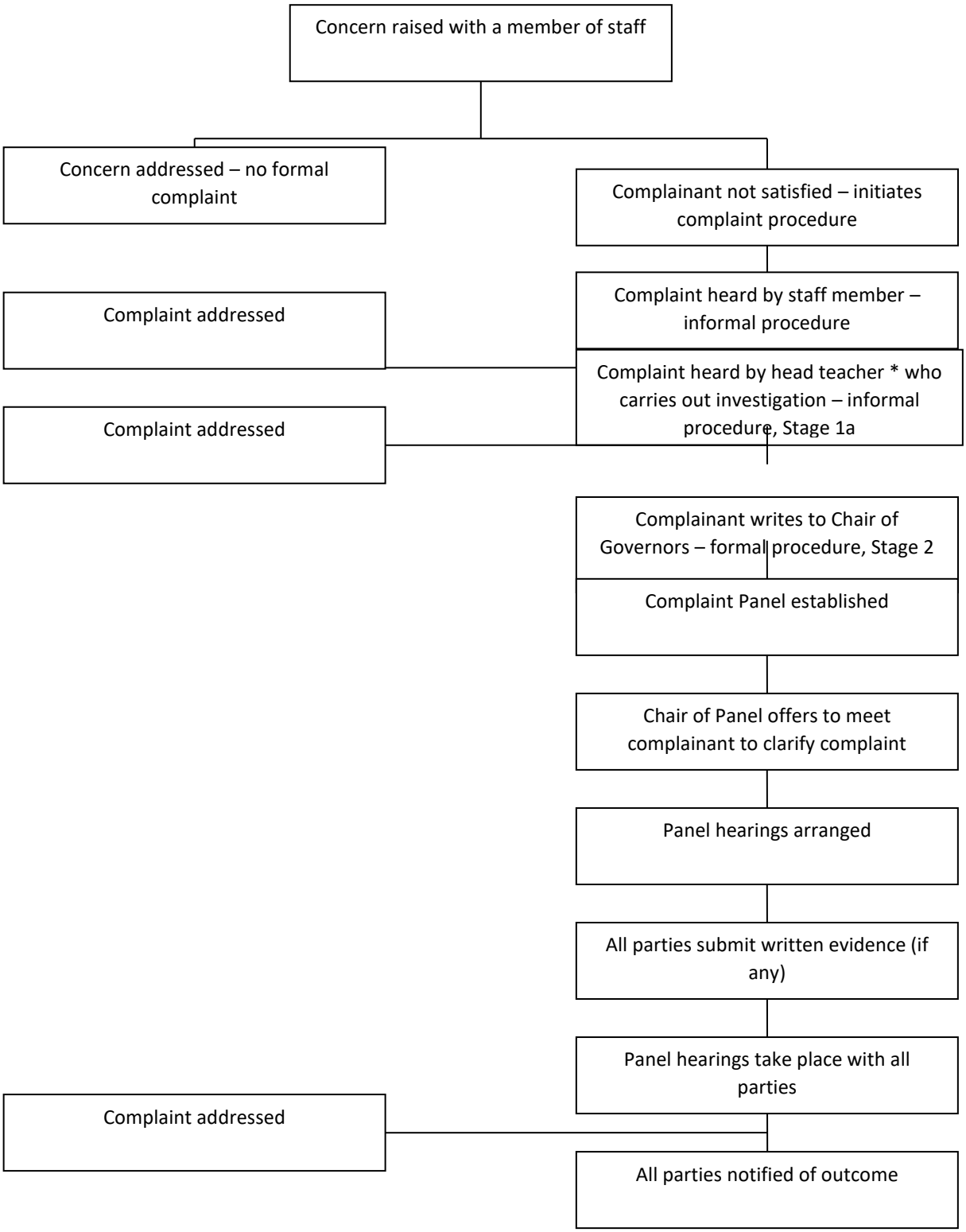
- Liaise with the panel chair to set the date, time and venue of meetings, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of meetings;
- meet and welcome the parties as they arrive;
- make full written records the meetings;
- notify all parties of the panel's decision.

The Role of the Chair of the Panel

The Chair of the Panel will ensure that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case in individual meetings 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 meetings are put at ease;
- meetings are conducted in an informal manner and all parties are treated with courtesy and respect;
- 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;
- sensitive material is dealt with confidentially and access to it is restricted.

Appendix B – Flow chart of complaints process



* If complaint concerns head teacher then this stage is carried out by the Chair of Governors (Stage 1b)

Appendix C - Olveston CEVC Primary School complaint form

Olveston CEVC Primary School complaint form

Please complete and return to the headteacher, Mr Dunn, 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 whom:

Complaint referred to:

Date: