



# COMPLAINTS POLICY

## A. General Principles:

1. This procedure is intended to allow you to raise a concern or complaint relating to the school, or the services that it provides.
2. An anonymous concern or complaint may not be investigated under this procedure, unless the Executive Headteacher / Head of School or Chair of Governors accepts that there are exceptional circumstances, for example a Child Protection issue. Anonymous complaints will not be automatically disregarded. They may relate to a serious issue which may subsequently resurface.
3. To allow for a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event to which the complaint refers, will not be considered except in exceptional circumstances.
4. The procedure respects people's desire for confidentiality;
5. The procedure addresses all the points at issue and provides an effective response and appropriate redress, where necessary;
6. The procedure provides information to the school's senior leaders so that services can be improved.
7. It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. The school takes informal concerns seriously and makes every effort to resolve the matter as quickly as possible.
8. There are occasions when complainants would like to raise their concerns formally. In these cases, our formal procedure should be invoked through the stages outlined within the school's complaints procedure.

### Who can make a complaint?

9. Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions). Schools must not limit complaints to parents or carers of children that are registered at the school.

10. This complaints procedure 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.

### Complaints not in scope of the procedure

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special Educational Needs (SEN)</li> <li>• School re-organisation proposals</li> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about admission appeals for academies are dealt with by the Education and Skills Funding Agency. (ESFA)</p> <p>The Local Authority remain responsible for statutory assessments of SEN and so complaints should be directed to KCC.</p>
<ul style="list-style-type: none"> <li>• Exclusion of children from school</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>Schools have 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: <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a> 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.</p>
<ul style="list-style-type: none"> <li>• Staff grievances and disciplinary procedures</li> </ul>	<p>These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.</p>
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities.</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct. The school is the point of contact for concerns in relation to the hire or safeguarding.</p>

11. Conflict between estranged parents over the application of parental responsibility is a common cause of complaints made to schools. A concern regarding this matter is usually dealt with by our Families and Community Manager.

## B. Complaints Procedure

12. In order to investigate your complaint as fully as possible the Coppice Primary Partnership has a staged process. Most issues are sorted out informally and we would recommend that you try this approach first. However, if you feel that there is nothing to be gained and you wish to make a formal complaint you have the right to go straight to stage 1 of the complaints procedure. There is a quick guide in the annex at the end of this full procedure document.

### Resolving concerns informally

13. 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. We will ask the complainant at the earliest stage what they think might resolve the issue.

14. While it is often a helpful way to resolve problems more quickly, a parent or pupil is not required to pursue informal ways to address complaints but has the right to make a formal complaint at any time.

### **Complaints Procedure Stage 1: investigation by the Head of School (or designated person)**

#### **Initiating a complaint:**

15. If your concern is not resolved you may put any complaint in writing to the Head of School, [or to the Executive Headteacher, if the complaint is about the Head of School] who will be responsible for ensuring that it is investigated appropriately.
16. If your complaint is about the Executive Headteacher, you should address your complaint directly to the Chair of the Board of Trustees.
17. Complaints at this stage need to be recorded in writing. A complainant may wish to write in themselves. Complainants may also make their complaint verbally and can expect help to put their complaint in writing.
18. You must include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed. (You may wish to use the complaints form – see appendix 1)
19. Please pass your letter and statement (or complaints form), in a sealed envelope to the Head of School or to the Executive Headteacher via the school office, as appropriate.

#### **Process of handling the complaint:**

20. The Head of School (or designated person) will acknowledge the complaint in writing within **three working days** of receiving the written complaint (Note: working days are Monday – Friday in term time only). 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 **ten working days**. If this proves impossible, a letter will be sent explaining the reason for the delay and giving a revised target date. This will be within a maximum of **20 working days unless it is a particularly complex issue**.
21. The Head of School (or designated person) will invite you to a meeting to clarify your concerns and to seek an informal resolution. If you accept that invitation, you may be accompanied, by a friend (not a member of staff, the legal profession or the media) if you wish, to assist you in explaining the nature of your concerns.
22. The Head of School (or designated person) may be accompanied by another staff member appropriate to the complaint. If the complaint is resolved at this stage the Head of School (or designated person) will confirm the outcome via a letter/email or phone call.
23. Alternatively the Head of School (or designated person) may need to undertake further investigation. The outcome of these investigations will be communicated to the complainant via letter or email within the timeframes outlined in point 18.
24. If necessary, the Head of School (or designated person) will interview other parties and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed unless this is judged not to be in the interests of the pupil's welfare. 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.

25. The Head of School (or designated person) will keep written records of meetings, telephone conversations and other documentation. Once all the relevant facts have been established as far as possible, the Head of School 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.
26. If you are not satisfied with the manner in which the process has been followed, you may request that the Local Governing Body reviews the process followed by the school in handling the complaint. If the complaint is against the Head of School and you are not happy with the response provided by the Executive Headteacher the complaint can be referred to the Board of Trustees. Any such request must be made in writing via the school office, within **10 school days** of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure. The procedure described below will be followed.

### **Stage 2: Review by the Chair of the Local Governing Body (or designated person, including the Executive Headteacher)**

27. If the complainant is not satisfied with the outcome of the first stage, s/he may request that the complaint be considered by the Chair of the Local Governing Body (or designated person). Such a request should be in writing via the school office.
28. The Chair (or designated person) will conduct a review of the matter to date.
29. The Chair (or designated person) will report his/her findings to the Head of School, the complainant and Executive Headteacher within **15 school days** of receipt of the written request to use the Second Stage.
30. If you remain not satisfied with the outcome of stage 2, you may request that this is considered within the Third Stage of the complaints procedure. Any such request must be made in writing via the school office, within **10 school days** of receiving notice of the outcome of the Second Stage. The procedure described below will be followed.

### **Stage 3: Review by a panel of Local Governing Body**

#### **Review Process**

31. A review of the process followed by the school or of the investigation of the complaint will be conducted by a panel of 2 or 3 members of the Local Governing Body. This will usually take place within **20 school days** of receipt of your written request to use the Third Stage.
32. The review will normally be conducted through consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.
33. The panel will first receive written evidence from the complainant.
34. The panel will then invite representatives of the school (usually the Head of School who had considered the matter) as appropriate, to make a response to the complaint.

35. The panel will also have access to the records kept of the process followed.
36. You, and the school representative[s], will be informed in writing of the outcome, usually within **10 school days** of the panel meeting.

#### **Further information about the process for the Third Stage.**

37. The Chair (or designated person) of the Local Governing Body will write to the complainant to acknowledge receipt of the written request for a panel of the Local Governing Body to review the complaint. The acknowledgement will inform the complainant that either two or three members of the school's governing body will hear the complaint within **20 working 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.
38. A meeting of the Governors' Complaints Panel will be convened. No governors with prior involvement in the issues complained about will be included on the panel. The Head of School will not sit on the Panel. A governor will chair the panel meeting.
39. The complainant, Head of School, any relevant witnesses and members of the Panel will be informed 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 and the complainant's right to submit further written evidence to the Panel.
40. The Head of School 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 attendees including the complainant should receive a set of the relevant documents including the Head of School's report and the agenda, at least five working days prior to the meeting.
41. Submission of additional documents or requests for additional attendees will be at the discretion of the Chair of the panel.
42. At the panel hearing:
  - The complainant will have the opportunity to present their complaint.
  - The Head of School will explain the school's position.
  - Those present will have the opportunity to ask questions.
  - Panel members will ask questions of the complainant and the Head of School.
  - The Head of School will be given the opportunity to make a final statement to the panel.
  - The complainant will be given the opportunity to make a final statement to the panel.
  - The chair will ask the complainant if he or she feels they have had a fair hearing.
  - The Chair of the Panel has responsibility to ensure that the meeting is properly minuted.
  - The complainant, Head of School, other members of staff and witnesses will then leave.
43. The Panel will then consider the complaint and all the evidence presented and
  - Agree a 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 recur.

44. A written statement clearly setting out the decision of the Panel must be sent to the complainant and Head of School within **10 school days** of the meeting. The letter to the complainant should also advise how to take the complaint further. 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.

**For most complaints the decision of the panel of governors is the last step in the procedure.**

### **Referring Complaints**

45. Should you remain not satisfied you may decide to refer the complaint to the Education and Skills Funding Agency. Further details can be found via the link below. If you cannot access the link, or would prefer to have a paper copy, please inform the school office.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/557407/Complain\\_about\\_an\\_academy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/557407/Complain_about_an_academy.pdf)

### **Serial and Persistent Complainants**

46. Leaders and Governors are fully committed to the improvement of the school. We welcome feedback from parents/carers and others, and will always try to resolve any concerns as quickly as possible.
47. Sometimes, however, parents/carers or others, pursuing complaints or other issues 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.
48. Schools should do their best to be helpful to people who contact them with a complaint or concern or a request for information. However, in cases where a school is contacted repeatedly by an individual making the same points, or who asks them to reconsider their position, schools will need to act appropriately.
49. There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is important for schools to recognise when they really have done everything they can in response to a complaint. It is a poor use of schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed.
50. If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond.

### **Barring from the School Premises**

51. Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.
52. If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Head of School or the Academy Trust can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. The school will always give the parent the opportunity to formally express their views on the decision to bar in writing.

53. The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.
54. Anyone wishing to complain about being barred can do so, by letter or email, to the Head of School or Chair of Governors. However, complaints about barring cannot be escalated. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

## Appendix A – Complaints Form

Please complete and return (by hand or by email) to the school office. Someone will acknowledge receipt and explain what action will be taken.

Your name:	
Child's name and class:	
Your relationship to the child:	
Address:	
Postcode:	
Contact 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.

Please use additional pages if necessary.