



DOWNE PRIMARY
SCHOOL

COMPLAINTS PROCEDURE

June 2021

Preceding this point every effort should have been made through informal discussions to resolve the concern. Making a formal complaint should be the remaining action after all other reasonable attempts have irrevocably failed to reach a satisfactory conclusion.

This procedure aims to ensure a full and fair investigation by an independent person where necessary; and to respect the right of and desire for confidentiality for all involved in the process.

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will not consider complaints made outside of this time frame except if exceptional circumstances apply.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) or safeguarding teams, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

There are two stages to the formal complaints

Stage 1: Head Teacher

Stage 2: Governing Body Complaints Appeal Panel.

Stage 1:

If a parent or carer wishes to make a formal complaint then the Head Teacher will give her or him the school's Complaint Form to complete and ask for it to be returned to her within five school days.

In respect of the Equalities Act 2010 if a person is unable to make a written complaint themselves reasonable adjustments will be made eg. An independent person may write the complaint for them and they can sign it.

The Head Teacher will:

Receive the Complaint Form and write acknowledging receipt within five school days.

The Head Teacher may seek to clarify the nature of the complaint, ask what remains unresolved from earlier informal attempts to resolve the concern, ask for clarity about what outcome the complainant would like to see, if this is not clear. This may be done face to face or on the 'phone.

The head teacher will then investigate the complaint. This can be delegated to another member of senior leadership.

Write to the parent or carer with the result of the investigation within a further ten school days. If the Head Teacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

If the complainant remains dissatisfied, they will be advised of the right to escalate the complaint to stage 2. The letter will advise the parent or carer that if they wish to do so

then they should write to the Chair of Governors c/o the school, within 14 school days.

If the complaint is about the Head Teacher, or a member of the governing body, a suitably skilled governor will be appointed to complete all the actions at Stage 1. Complaints about the Head Teacher or member of the governing body must be made to the Clerk, via the school office.

NB An approach must NOT be made directly to a Governor, They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

They will refer the complainant to the Head Teacher so that this procedure can be followed.

Any complaints being investigated will not be shared with the full governing body only the Chair of Governors as there may be a need to form a panel to hear an appeal.

Stage 2:

The Clerk of the Governing Body will arrange for a panel of three Governors to hear the complaint. This complaints committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations from the parties.

The clerk will reply to the parents and inform them of the process. This will be as soon as possible, but within 21 school days. If the parent is invited to a meeting they may bring someone along to provide support, a friend or relative. This is not to be a legal representative. Representatives from the Media are also not permitted.

The Governors Appeal Hearing will be independent and impartial. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.

Recent copies of the written material will be submitted to the committee at least 5 days before the hearing. The governor panel will not hear any new complaints in this meeting nor consider evidence unrelated to the initial complaint. They will only consider the complaints raised in the original paperwork.

If there is a meeting, it will be held in private. Electronic recordings of meetings and conversations are not permitted. If a complainant has a disability which requires this, prior knowledge and consent of all parties attending must be sought before the meeting or conversations take place. Consent must be sought and this must be recorded in the minutes taken.

The 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 Chair of the Panel will write to the complainant and the Head Teacher notifying them of the Panel's decision within 5 school days.

Copies of the paperwork will not be retained by the governors at the conclusion of the hearing. The Clerk and the school will hold a copy which will be stored in a secure place and retained in line with the GDPR policy.

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The DFE (Department for Education) will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

The Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

Principles for resolving complaints:

At each stage, the person investigating the complaint should ensure that they:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- maintain an open mind and be prepared to persist in the questioning;
- keep notes of the interview or arrange for an independent note taker to record minutes of the meeting.

At each stage in the procedure, the school wants to resolve the complaint.

If appropriate, we will acknowledge that the complaint is upheld in whole or in part.

In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Withdrawing a complaint

If a complainant wants to withdraw their complaint, this can be done at any stage of the procedure, we will ask them to confirm this in writing.