

# RACK HOUSE COMMUNITY PRIMARY SCHOOL

## Complaints Policy

The policy has been written to support the following mission statements.

- To provide a welcoming and safe environment for all children.
- To recognise and celebrate success in everyone.
- To provide a broad, balanced and stimulating curriculum, which is relevant to children's needs and interests.
- To be committed to strong, collaborative partnerships with families and the local community.

Rack House Community Primary School is committed to providing high quality education for all pupils within a culture of good relationships and close partnerships between home, school and the community.

We welcome any comments which help us to improve the service we provide and we appreciate the need to have a clear complaints procedure in place so that any expressions of dissatisfaction can be investigated and responded to.

The school expects that any complaint be made as soon as possible after an incident arises (although three months is generally considered to be an acceptable time frame in which to lodge a complaint).

The procedure below is to be followed in the event of a complaint being made:

### **Stage 1 – Class Teacher**

Concerns or complaints should be made to the class teacher as soon as possible. If the class teacher is unable to deal immediately with the matter, then details must be made and the Head Teacher or Deputy Head informed accordingly.

As part of this process the teacher must ensure that the complainant is clear about what action or monitoring has been agreed.

If the complainant is not satisfied by the outcome of Stage 1 then they are to be advised that they can move to Stage 2.

Where the concern or complaint is not specific pupil related but rather against the school or members of staff, the complainant should contact the Head Teacher as per Stage 2.

### **Stage 2 – Head Teacher**

In the first instance, a complaint at Stage 2 will be discussed informally with the Head Teacher. If a resolution is not reached then the complaint must be formally made to the Head Teacher; this can be in person, by telephone, or in writing (letter or email) to the Head Teacher. The formal complaint will be acknowledged in writing within 5 school days of receipt.

The Head Teacher will then investigate the complaint within a further 10 school days. This may involve discussion with the complainant to clarify the staff associated with the complaint or the child involved. Where it is necessary for discussions to take place with the child, the child will be accompanied by a parent/carer or staff member not directly involved.

The Head Teacher will keep written records of all meetings, telephone calls and other documentation relating to the complaint investigation.

Once all relevant facts have been established, the Head Teacher responds. If the complaint was in writing, a written response will be sent either manually by post or electronically. The response must be given within 10 school days of receipt of the formal complaint. If further time is required to issue the response, the complainant must be provided with both an explanation for the delay and a new deadline.

If the complainant is not satisfied with the response, they are advised to write to the Chair of Governors.

NB: If the complaint is against the Head Teacher or a member of the Governing Body, the Stage 2 procedures will be carried out by the Chair of the Governing Body. If the complaint is against the Chair of Governors, the Stage 2 procedures will be carried out by the Vice Chair of the Governing Body, and the complaint must be made in writing (letter or email) to the Clerk of the Governing Body.

### **Stage 3 - Chair of Governors.**

The complainant must formally contact the Chair of Governors, ideally via letter or email, stating the nature of their complaint. The Chair of Governors (or in the absence of the Chair of Governors, the Vice Chair or nominated Governor) will fully investigate the complaint.

If the complaint is deemed to be of a sufficiently complex nature, the Chair (or Vice Chair or nominated Governor) may commission external specialist support to aid the investigation of the complaint.

Once all relevant facts have been established, the Chair (or Vice Chair or nominated Governor) will respond in writing (letter or email). The response must be given within 20 school days of the receipt of the formal contact from the complainant letter. If further time is required to complete the investigations, the complainant must be provided with both an explanation for the delay and a new deadline.

If the complainant is not satisfied with the outcome at this stage then the complaint can be moved to the next level for an appeal to the Governing Body.

### **Stage 4 - Appeal to the Governing Body.**

The complainant must write to the Clerk to the Governing Body requesting an appeal and clearly stating the specific grounds on which the appeal is being made e.g. the process as per the Complaints Policy has not been followed or possibly additional information relating to the original complaint has come to light.

**The Governing Body reserves the right not to proceed with an appeal where the complainant offers no specific grounds of appeal: it will not proceed with an appeal simply because the complaint has not been upheld at Stage 3.**

The Clerk will ensure that the Governors making up the membership of the Governors Panel have no prior detailed knowledge or involvement in the complaint. *However, complainants do have the right to request an independent panel, if they believe there is likely to be bias in the proceedings. The school must consider the request; however, ultimately the decision is made by the Governors.*

The Governing Body will arrange for a Governors Panel of at least three Governors to meet to either;

- fully review the documentation i.e the complaint, subsequent investigation reports and any witness statement. If necessary, the Governors Panel can as required invite the Head Teacher's into the review meeting to clarify any aspect of the documentation.

or

- hear the appeal, as presented in person by the complainant (or their accompanying relative/friend), to enable all parties to state their case and for any questions to be raised and addressed. At the start of the hearing meeting, the Chair of the Governors Panel will confirm the order of the meeting.

After the review meeting or hearing, the Governors Panel will notify the complainant of their decision within 10 school days. This will include informing the complainant that the school's complaint procedure has been exhausted and that the matter is now closed.

The Governors Panel's decision is **final**, and there is no further right of appeal to the school or Governing Body against the decision.

#### **Appeal Process Time Scales:**

1. Letter acknowledged and Governors Panel informed within 5 school days on receipt.
2. The Governors Panel sets a date to meet as soon as reasonably practicable but no longer than 15 school days from the acknowledgement of the letter.
3. If the Governors Panel cannot meet because the end of term is less than 15 days from the date of acknowledgement of the letter of complaint, it must meet within 10 school days of the start of the new term.
4. Governors Panel obtains a report from the Head Teacher and any further information/documentation required within 5 school days before the meeting.
5. The Governing Body Panel will communicate their findings in writing to all parties concerned within 10 school days. The Governors Panel may suggest a resolution if appropriate.

#### **Upholding or not upholding complaints.**

At each stage of the complaints procedure the conclusion will be either:

- a. That the complaint is not upheld and reasons for this are clearly given.

or

- b. That the complaint is upheld (in part or in full) and, where appropriate, some form of action is taken. It may be appropriate to offer one or more of the following:
  - An apology;
  - An explanation;
  - An admission that the situation could have been handled differently or better;

- An assurance that the event complaint of will not recur;
- An explanation of the steps that have been taken to ensure that it will not happen again;
- An undertaking to review school policies in light of the complaint

### **Beyond the Governing Body**

As previously stated, the decision of the Governors Panel is final. Once this point is reached, the complainant will have exhausted the school's complaints procedures. The following details about other complaint mechanisms are included for information purposes only and do not form part of the school's own complaints procedure.

### **The Local Authority**

If the complaint has been about the school's failure to implement the statutory requirements of the national curriculum, religious education or collective worship, the complainant may appeal to the Local Authority.

### **The Secretary of State**

The complainant has a separate right to complain to the Secretary of State for Education under Education Act 1996 on the grounds that the Governing Body or LA is acting or proposing to act unreasonably or has failed to discharge its duties under the Act.

### **Consulting the Secretary of State via the Department of Education (DfE)**

The DfES Public Enquiry Unit can be contacted on:

Telephone: 0870 000 2288

Fax: 01928 79 4248

Email: [info@dfes.gsi.gov.uk](mailto:info@dfes.gsi.gov.uk)

Policy approved by the Governing Body: March 2018

Policy review frequency: two years