



## COMPLAINTS PROCEDURE

### Exceptions to the Procedure

This procedure does not cover those areas of school life for which other procedures exist including:

	For further information contact:-
(a) staff grievance and capability procedures	Human Resources
(b) staff disciplinary procedures	
(c) child protection investigations	
(d) admission appeals <sup>1</sup>	Local Area Office
(d) exclusion appeals <sup>2</sup>	Local Area Office – Behaviour Support Service
(e) appeals against the decisions of the LA about a child's special educational needs and provisions	Local Area Office – SEN Officer

Complaints involving the following areas:	
(f) Human Rights	Schools are recommended to seek advice from Legal Services at County Hall.
(g) Race Relations	
(h) Sex Discrimination	
(i) Disability Discrimination	
(j) Age Discrimination	

## PROCEDURE

### **a) Informal Stage**

<sup>1</sup> In Foundation and Voluntary Aided Schools, complaints should be sent to the school's governing body.

<sup>2</sup> In Foundation and Voluntary Aided Schools, complaints should be sent to the school's governing body.

- Anyone with a concern about any aspect of the school is encouraged to raise their concern, either personally or through someone else, with their child's class teacher, a senior member of staff or with the Headteacher. Everything possible should be done at this stage to resolve the matter.
- If the concern cannot be resolved by informal means then the person expressing the concern will be told of the option of pursuing a formal complaint and be provided with a copy of this procedure.

**b) Formal Complaint – Stage One – Investigation by a designated member of staff/Headteacher<sup>3</sup>**

- Formal complaints must be detailed in writing (a complaints form is attached for this purpose). To ensure that the complaint is properly investigated it must be as clear as possible. If necessary clarification will be sought from the complainant about any aspect of the complaint which is unclear;
- If a complainant requires help to put their complaint in writing then they will be offered the opportunity to meet with the designated member of staff/Headteacher who will make a written note of the complaint and agree it with the complainant;
- The designated member of staff/Headteacher will send an acknowledgement within 5 working days of receiving the written complaint and will confirm:
  - ✓ details of the complaint to be investigated;
  - ✓ who will be investigating the complaint;
  - ✓ that a substantive response to the complaint will be given within 20 working days of receipt. If this timescale cannot be met an explanation will be given with a revised timescale;
- The complaint will be recorded;
- The designated member of staff/Headteacher will investigate the complaint in accordance with the principles of the Complaints Policy;
- The designated member of staff/Headteacher will write to the complainant within 20 days of receipt of the complaint (or by date given in the acknowledgement letter) and advise him/her of the outcome of the investigations.
- If the complaint is upheld the complainant will be informed accordingly and given an indication of the steps that will be taken to put matters right. The school will seek guidance from Legal Services at County Hall before making any admissions which may lead to a legal claim. If, on the basis of the information available, it is not possible to arrive at a definitive decision on the complaint the complainant will be informed accordingly with the reasons why;
- The complainant will also be informed that if they are dissatisfied with the outcome of the investigation then they have the right to appeal against the outcome to the Chair of the Governing Body and how to do it.

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<sup>3</sup> If the complaint is about the Headteacher then the complaint should be dealt with by the Chair. In the event of the complainant remaining dissatisfied the complaint should then proceed to stage three.

### **c) Formal Complaint – Stage Two – The Chair of the Governing Body**

- Requests for a stage two investigation must be in writing and addressed to the Chair of the Governing Body at the School;
- The Chair will send an acknowledgement within 5 working days of receiving the request and tell the complainant that a substantive response to the complaint will be given within 20 working days of receipt. If this timescale cannot be met an explanation will be given with a revised timescale;
- The request will be recorded;
- The Chair will investigate the complaint in accordance with the principles of the Complaints Policy;
- The Chair will write to the complainant within 20 days of receipt of the complaint (or by date given in the acknowledgement letter) and advise him/her of the outcome of the investigations.
- If the complaint is upheld the complainant will be informed accordingly and given an indication of the steps that will be taken to put matters right. The Chair will seek guidance from Legal Services at County Hall before making any admissions which may lead to a legal claim. If, on the basis of the information available, it is not possible to arrive at a definitive decision on the complaint the complainant will be informed accordingly with the reasons why;
- The complainant will also be informed that if they are dissatisfied with the outcome of the investigation then they have the right to appeal against the outcome to the Complaints Appeals Committee and how to do it.

### **d) Formal Complaint – Stage Three – Complaints Appeals Committee Hearing**

- Requests for a stage three hearing must be in writing and addressed to the Clerk to the Governing Body at the School;
  - ✓ the Clerk will acknowledge the request within 5 working days of receiving the request
- The Clerk may make a request to other schools in the STAR Alliance to provide governors to hear a complaint reaching Stage Three, as it may not be possible to field a suitable appeals panel from the school's own governors.
- The Clerk will ask the investigator at Stage 1 to attend the hearing to present the school's case.
  - ✓ if written submissions are to be made by the Head teacher they should be submitted to the Clerk at least 10 working days before the hearing to enable copies to be provided to the committee, the complainant and any other relevant parties.
- At least 7 working days prior to the meeting the clerk will:
  - ✓ notify all parties of the date, time and place of the hearing;

- ✓ provide all parties with a copy of any written representations submitted;
  - ✓ provide all parties with details of the format of the hearing;
  - ✓ ask the parties whether they have any particular needs for the meeting e.g. induction loop, translator etc;
  - ✓ confirm who will be in attendance at the hearing or whether they wish to rely upon written submissions.
- Within 5 working days following the hearing the clerk shall:
- ✓ inform all the parties concerned in writing of the decision(s) of the Committee;
  - ✓ if the Committee has agreed to request the LA to review the process by which the committee arrived at its decision then all parties will be informed of this;
  - ✓ the complainant will also be informed that if he/she remains dissatisfied then they may write to the Department for Education, Castle View House, East Lane, Runcorn, Cheshire WA7 2GJ.

Last agreed by governors May 2015

Next review due May 2018



# Athelstan Community Primary School

It will help us if you use this form to make your complaint but please write a letter if you prefer, covering all the points on the form. Please continue your answers on a separate sheet if there is not enough space on this form. When you have filled in the form, send it to The Headteacher (insert name and address of school) if you need any help completing this form please contact the Headteacher.

We will only process your personal data in order to respond to your complaints. In general it will be used for administrative and statistical purposes.

Your name

Mr <input type="checkbox"/>	Ms <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Other .....
First name (BLOCK CAPITALS) .....				
Surname (BLOCK CAPITALS) .....				

Your address

Postcode	

Daytime tel. no.  Mobile tel. no.

Email address

Do you have any special requirements, for example if English is not your first language, disabilities?

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Have you contacted the school about this matter before? Yes  No

If yes, who did you contact, when and how?
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Have you received a reply? Yes  No

If so, when was this?
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How would you like to see the matter resolved? Please use additional sheets if required

If you have any documents to support your compliment, comment or complaint, please send them with this form. Please tick the box if you would like them returned to you.

We will send an acknowledgement within 5 working days of receiving your communication and will tell you what is happening. If a further response is required, this should reach you within 20 working days.

**FOR OFFICE USE ONLY**

Complaint reference  Date Received

Acknowledgement sent

Substantive reply sent

