

# William Barnes Primary School

## Complaints Policy

|                                     |                                 |
|-------------------------------------|---------------------------------|
| <b>Adopted date:</b>                | <i>6<sup>th</sup> July 2020</i> |
| <b>Signature of Headteacher:</b>    | <i>Karen Wrixon</i>             |
| <b>Signature of Governing body:</b> | <i>Cliff Walters</i>            |
| <b>Next review date</b>             | <i>Summer 2022</i>              |

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## Introduction

Governing Bodies of all maintained schools and maintained nursery schools in England are required, under Section 29 of the [Education Act 2002](#) to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised.

The Secretary of State has direction making powers under sections [496 and 497 of the Education Act 1996](#) and although they are not under a duty to intervene in every case that is brought to their attention, they must always consider whether, in light of the information provided to them by a complainant, they should exercise their powers.

## What is a concern and what is a complaint?

A concern may be defined as *‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’*. A complaint may be generally defined as *‘an expression of dissatisfaction or disquiet which requires a response’*.

Informal complaints – **William Barnes Primary School** takes informal concerns seriously and will make efforts to resolve matters earliest stage possible.

Formal complaints - This formal procedure will be used when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

## How to make a Complaint

Formal complaints are to be made in the first instance, to the school’s Complaints Co-ordinator.

This role is undertaken by **William Barnes Primary School Office**. A complaint can be made in person, in writing or by telephone and you will be asked to complete a complaints form (Appendix 5). The Complaints Co-ordinator will record the date the complaint is received and will acknowledge in writing (letter or email) receipt of the complaint within 3 school days. In order for the school to deal with your complaint effectively, it would be helpful to receive complaints as soon as possible after the incident concerned.

### Who can make a Complaint?

Any person may make a complaint to the school if the school is directly responsible for the issue being complained about. It is not limited to parents with children registered at the school and schools cannot refuse to deal with a complaint once the child has been removed from the school register.

### Anonymous Complaints

**William Barnes Primary School Office** in conjunction with the Headteacher and Chair of Governors will determine whether the gravity of an anonymous complaint warrants its investigation.

### Complaints received out of Term Time

Complaints made outside of term time will be deemed to have been received on the first school day after the holiday period.

### Principles of the Procedure

An effective complaints procedure shall: -

- **Not** exclude any group with protected characteristics from making a complaint.
- Encourage resolution of problems by **informal** means wherever possible.
- Be easily **accessible** and **publicised**.
- Be **simple** to understand and use.
- Be **impartial**.
- Be **non-adversarial**.
- Allow **swift** handling with established **time-limits** for action and keeping people informed of the progress.
- Ensure a full and **fair** investigation by an independent person where necessary.
- Respect people's desire for **confidentiality**.
- Address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary.
- Provide **information** to the school's senior management team so that services can be improved (i.e. learning from feedback).
- Have due regard to the principles of the Equality Act 2010 and how they impact upon schools, parents, carers and children/young people.

### Scope of this Complaint Procedure

This procedure covers all complaints with the **exceptions** listed below for which there are separate (statutory) procedures.

This policy does **not** cover the following issues: -

- admissions to schools;
- exclusion of children/young people from school;
- statutory assessments of special education needs;
- school re-organisation proposals subject to statutory procedures;
- matters likely to require a Child Protection Investigation;
- whistle-blowing;
- staff grievances and disciplinary procedures;
- complaints about services provided by other providers, such as contractors (who will have their own complaints procedure in place) and other Council service units.

Complaints that have already been investigated can not be considered again. Legal, safeguarding or disciplinary proceedings may take precedence over complaints procedures and timescales.

### Concurrent considerations

Legal, safeguarding or disciplinary proceedings may take precedence over complaints procedures and timescales.

If there is a risk that dealing with a complaint might prejudice a concurrent consideration, the complaints procedure will be suspended until the concurrent consideration is concluded. The Complaints Co-ordinator will write to the Complainant explaining the reason for the decision and the nature of the concurrent consideration. Once the concurrent consideration is concluded, the complaint can be investigated as appropriate.

### Resolving complaints

At each stage in the procedure, the schools will want to resolve the complaint if possible. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, 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 complained 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.

### Informal complaints or concerns

As stated above, the school takes any concerns or informal complaints very seriously. The school will endeavour to resolve issues informally wherever possible to prevent matters escalating to the formal procedure. If you would like to raise concerns, please start by telling the class teacher or head of year about your concern. This is usually the best and quickest way of resolving issues.

It is recommended that you speak to the class teacher or head of year as soon as possible, as this will give all parties the opportunity to discuss your concerns.

The purpose of this discussion is to establish the issues and to seek a realistic resolution if possible.

### Complaints about the Headteacher

If your complaint is about the Headteacher, it will be considered by the Chair of Governors at Stage 2 of the procedure. Please make your complaint either directly to the Chair or as outlined in *How to make a complaint* section on **page 3**.

### Complaints about members of the School Governing Body

If your complaint is about a school governor, it will be considered by the Chair of Governors at Stage 2 of the procedure. Please make your complaint to the Clerk to the Governors.

### Complaints about the Chair of Governors

If your complaint is about the Chair of Governors, it will be considered by the Vice Chair of Governors at Stage 2 of the procedure. Please make your complaint to the Clerk to the Governors.

### Formal complaints procedure – overview

If it is not possible to resolve the complaint informally, the complainant is to be advised to make a formal complaint. There are three stages to this procedure: -

| <b>Stage 1 – Complaint Heard by Headteacher</b>  | <b>Stage 2 – Complaint Heard by Chair of Governors</b>  | <b>Stage 3 – Complaint Heard by Governing Body Review Panel</b>                            |
|--|---|--|
| If the complaint cannot be resolved informally, then the Headteacher will investigate. | If the complainant remains unhappy or the complaint is about the Headteacher the investigation will be undertaken by the Chair of Governors.<br>Complaints about Governors will be considered by the Chair of Governors.<br>Complaints about the Chair of Governors will be considered by the Vice Chair. | This will consist of Governors not involved in the complaints process at an earlier stage. |

If the complaint is about a Headteacher, then the complaint will automatically be considered at Stage 2.

### Timescales

Every effort will be made to investigate and respond to complaints as quickly as possible. The following timescales will be adhered to at each stage.

Stage 1 – complaint acknowledged within 3 working days. Investigation and response sent within 10 working days with extension(s) of 10 working days depending on the complexity of the issues raised. The complainant will be kept up to date on reasons for any delays and given new timescales for a response as necessary.

Stage 2 – complaint acknowledged within 3 working days. Investigation and response sent within 10 working days with extension(s) of 10 working days depending on the complexity of the issues raised. The complainant will be kept up to date on reasons for any delays and given new timescales for a response as necessary.

Stage 3 -

### **Detailed procedure**

#### ***Stage 1 – Complaint Heard by Headteacher***

Formal complaints must be made to **William Barnes Primary School Office**. A complaint can be made in person, in writing or by telephone. **William Barnes Primary School Office** will record the date the complaint is received and will acknowledge in writing (letter or email) receipt of the complaint within 3 school days.

The Headteacher will investigate the complaint and respond to the Complainant within 10 school days of the date of receipt of the complaint. If this date cannot be met, the Complainant will be given an update and revised response date. The Headteacher will advise the complainant to contact the Complaints Co-ordinator if they wish to escalate their complaint to Stage 2.

#### ***Stage 2 – Complaint Heard by the Chair of Governors***

If the Complainant is dissatisfied with the outcome of the Headteacher's investigation at Stage 1 and wishes to take the matter further or if the complaint is about the Headteacher, they can ask for the matter to be considered by the Chair of Governors by contacting **William Barnes Primary School Office**. Complaints about governors are also considered by the Chair of Governors or the vice Chair if about the Chair.

The Chair of Governors/Vice Chair will acknowledge the complaint within 3 school days. The acknowledgement will include a summary of the complaints procedure and a response date given. This will be within 10 school days. If this date cannot be met, the Complainant will be given an update and revised response date.

The Chair of Governors will provide a formal written response to the Complainant detailing actions taken to investigate the complaint and provide a full explanation of decisions taken and the reasons for them. Where appropriate, it will include details of actions the school will take to resolve the complaint.

The Complainant will be provided with details of how to contact the Governing body if they are not satisfied with the response.

#### ***Stage 3 – Complaint Heard by the Governing Body's Complaints Review Panel***

The Complainant must contact the Clerk to the Governors giving details of the complaint in writing if possible. If not, the school will make the arrangements to take this information from the Complainant as necessary. Complaints must have been considered by the first two stages before proceeding to panel.

The Clerk to the Governors will acknowledge the request in writing within 3 school days and inform the Complainant of the right to submit any further documents or information relevant to the complaint. The panel will not consider new complaints. A deadline for submission of these documents will be 5 working days before the hearing.

The school will submit the Stage 1 and 2 responses (as appropriate) together with any written response from the Headteacher as appropriate. The Headteacher may also invite members of staff directly involved in matters raised by the Complainant to respond personally or in writing.

The Clerk to the Governors must convene the complaints committee elected from the Governing Body. The committee will comprise 3 governors who have had no previous involvement with the complaint. The complaint will not be heard by the entire governing body.

The Complaints Panel will set a timetable for the hearing and will notify the Complainant of this. The review hearing will be heard within 20 school days of receiving the request.

The aim of the panel will be to resolve the complaint and achieve reconciliation between the school and the Complainant if this is possible.

The hearing will be held in private. Any witnesses (other than the Complainant and the Headteacher) must only attend for the part of the hearing in which they give their evidence. Good practice would be that at no point will the Headteacher or the parent/carer be left with the complaint panel without the other being present.

Once the panel are satisfied that they have heard all the information they need to make a decision, the Chair of the Panel will explain to the Complainant and the Headteacher that the committee will consider its decision and respond in writing within 15 school days. The Complainant and the Headteacher will then leave.

The panel will then consider the complaint and all the evidence presented. The panel can: -

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar difficulties in the future.

A written response detailing the decisions, recommendations and the basis on which these have been made will be sent to the Complainant within 15 school days. The Complainant must be notified of the right to refer their concerns to the Department for Education if they are dissatisfied with the way their complaint has been dealt with.

## Recording

**William Barnes Primary School Office** will record all details of the complaint including: -

- Date of receipt.
- Action taken.
- Summary of complaint.
- Brief notes of meetings and telephone calls with the progress of the complaint.
- Ensure that the staff member subject to a complaint is informed as soon as possible.
- Any written response.
- Minutes of any meetings.
- Final outcome.
- Learning from complaints.

All functions of the complaints procedure will be mindful of the requirements of the General Data Protection Regulation (GDPR) and the Freedom of Information Act, 2000

### Publicity

Details of the school's complaints procedure can be found as follows: -

- the school prospectus;
- any report/communication from the governors to parents/carers;
- the information given to new parents/carers when their children/young people join the school;
- the information given to the children/young people themselves;
- the home-school agreement;
- home school bulletins or newsletters;
- documents supplied to community users including course information or letting agreements;
- a specific complaints leaflet which includes a form on which a complaint can be made;
- posters displayed in areas of the school that will be used by the public, such as reception or the main entrance;
- the school website: <http://www.williambarnes.dorset.sch.uk/>

### Monitoring of the procedure

The school will monitor the operation and effectiveness of this complaints procedure as well as how information about complaints is being used to improve services and delivery.

### Useful Contacts

#### **Complaints Co-ordinator**

William Barnes Primary School Office  
Bridge Street  
Sturminster Newton  
Dorset,  
DT101BZ

email: [office@williambarnes.dorset.sch.uk](mailto:office@williambarnes.dorset.sch.uk)

Tel. 01258-472257



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Appendix 1 – Flow Chart of Formal Process



