

# **Complaints Procedure**

## **Our Lady's Bishop Eton Primary School**



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Approved by:

Full Governors

Updated Spring 2018

# COMPLAINTS

## OVERVIEW

The school takes all complaints seriously and follows the procedure recommended by the Local Authority.

## AIMS

The school aims to:

- Make parents aware of the school complaints procedures, (prospectus, website, displayed in school ) Section 29 Education Act 2002
- Welcome parents/carers who raise issues seeing them as advocates for their children
- Resolve complaints as quickly as possible within an informal process that is impartial, non-adversarial and confidential
- Direct issues to staff who can deal with them without having to initially involve the Headteacher
- Learn and implement change if warranted and acknowledge this to parents
- Maintain relationships with the wider community of the school
- Keep any staff involved informed and review the outcomes with them

## STRATEGIES: In order to achieve our aims:

Our school monitors complaints of all types and uses the data to inform school development and improvement. For any formal complaint a log and record of all actions, phone calls, letters etc are kept.

### GENERAL COMPLAINTS (DEFINITION FROM LOCAL AUTHORITY)

General complaints may cover issues such as home school communication, homework, (setting of or volume), school organisation including uniform, lunchtime arrangements, access to extra-curricular activities and educational visits, SEN provision and issues between pupils including claims of bullying.

If a parent has a general complaint with respect to a classroom issue they should, wherever possible, take this to the class teacher in an effort to resolve the matter informally without the involvement of the Headteacher.

Staff will listen to the complaint in a non-judgemental objective manner and as appropriate:

- Take time to respond and check the facts as presented agreeing a time by which a reply will be made. If the complaint can best be dealt with by other staff who may have been involved allow them to do so, (following an appropriate briefing/conversation).
- Respond to the facts
- Detail, and inform the complainant of, any actions taken to resolve the issue
- Provide the Headteacher with a copy of all notes relevant to the complaint

If the school has not been able to deal with the general complaint informally;

**STAGE 1:** The complainant makes a formal complaint in writing to the schools designated complaints officer (the Headteacher) using the school's complaints form. **(Appendix 1)**

The complaints officer will then decide if the complaint relates to safeguarding or professional conduct or if the complainant is a member of staff constitutes a grievance and follow the appropriate procedures accordingly.

The complaints officer will respond in writing within 5 working days outlining the proposed actions to investigate or seek further information. Such actions will reflect best practice and the Complaints Officer will seek advice as necessary in order to:

- Consider all relevant witnesses and any other evidence in an effort to clarify the exact nature of the complaint and establish the objective facts upon which it is based
- Identify the appropriate action to be taken

The response or outcome to the complaint, which will address all factual issues raised, will then be notified to the complainant within 10 working days.

If the complainant responds again in writing with other issues or not accepting the initial response the school will respond again in writing or arrange a meeting with a senior member of staff or the Headteacher.

If it is felt a definitive response has been provided this second letter will include information as to the additional steps complainants can take within the procedure.

**STAGE 2:** If the complainant feels their issue has not been dealt with to their satisfaction at **Stage 1** there should be recourse to making a complaint to a committee of the governing body. **(Appendix 2)**

**STAGE 3:** If the complainant is still not happy with the outcome following representation to the governing body the final stage is to complain directly to the Local Authority if the complaint is specifically about the provision of collective worship or National Curriculum Entitlement or if the complaint is about other issues to the Secretary of State who can only respond to complaints if:

*"a person believes that a governing body or LA is acting 'unreasonably' or is failing to carry out its statutory duties properly (see sections 496 and*

497 of the Education Act 1996). However, intervention can only occur if the governing body or the LA has failed to carry out a legal duty or has acted unreasonably in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State could instruct either party to do to put matters right. The Secretary of State must be satisfied that a decision is unreasonable in the sense that no reasonable authority or governing body, acting with due regard to its statutory responsibilities, would have reached that decision.” (Guide to the Law for School Governors. Jan 2010)

Should our school receive a **complaint about the conduct of a member of staff** the school will initially make a judgement as to whether this could be considered a **disciplinary issue** or more importantly a **safeguarding issue**. Complaints such as the manner in which staff relate to parents or others outside of school, failure to provide information or breaches of confidentiality, reports of staff behaving in a way that contravenes the school code of conduct or school procedures, financial irregularity will come under the area of professional conduct and the school will follow the agreed disciplinary procedures. This would include a formal investigation that would then lead to further appropriate steps under the procedures if required.

If the school receives a complaint that can be construed as a **safeguarding concern**, i.e. conduct of a member of staff towards a pupil, action by a member of staff that could have put pupils at risk, or conduct of a staff member that could be construed as inappropriate e.g. misuse of information technology; then the school will follow the **‘Managing Allegations Against Staff Procedures’ issued by Liverpool Safeguarding Board** and consult the ‘LADO’, Local Authority Designated Officer for advice as appropriate.

In situations where **staff make a complaint about other staff or governors or a governor initiates a complaint about a member of staff** an initial decision will be made as to whether the complaint relates to safeguarding, professional conduct or constitutes a grievance and the appropriate procedures will be implemented.

In the case of complaints received in school related to the school’s **SEN provision** for an individual pupil or group of pupils the initial route for dealing with the issue raised will be through the school’s general complaints procedures including efforts to resolve issues informally wherever possible. Where pupils have a statement of special educational need, the annual review process will also be used to help resolve issues raised. Parents will be advised to refer complaints which may involve the LA, e.g. levels of support, access to therapies etc to the appropriate services.

#### **ADDITIONAL INFORMATION**

- Complaints against Head teachers must be in writing and directed to the chair of governors via the clerk to governors.
- Complaints against a Chair of Governors should be in writing written to the governing body as a whole via the clerk to governors and discussed at a full governing body meeting from which the chair withdraws.
- For complaints made via a solicitors letter receipt will be acknowledged in writing and the letter passed to the LA legal department or the schools own legal advisors for a decision as to how to proceed.

## Appendix 1

**COMPLAINTS FORM: Please complete and return to Mrs. Bostock (Complaints Co-ordinator) who will acknowledge receipt and explain what action will be taken.**

**Your name:**

**Pupil's name:**

**Your relationship to the pupil:**

**Address:**

**Postcode:**

**Mobile 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.**

**Signature:**

**Date:**

**Office**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**

**Outcome:**