

# Spalding Parish Church of England Day School

*We are a caring Christian Community built on Compassion,  
Trust, Friendship and Hope.*

## Complaints Procedure



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Adopted by Governing Body:	December 2015
Signed by Chair of Governors:	Melvyn Price

# Spalding Parish Church of England Day School

## Complaints Procedure

### 1. Introduction

Spalding Parish Church of England Day School are committed to developing a strong partnership with parents/carers and other stakeholders. This provides a good basis for mutual understanding and for preventing and resolving complaints and grievances.

Spalding Parish Church of England Day School hope that the adoption of a clear complaints procedure will help to ensure that most complaints are resolved quickly and smoothly and as close to the source of the misunderstanding or problem as possible. In this way complainants can feel assured from the outset that all complaints will be listened to carefully, in line with a defined procedure for dealing with issues that have not immediately been resolved. We also hope that a staged framework might prevent an early and unnecessary escalation of the problem. In addition, we will ensure that lessons learned from the investigation of complaints will prove useful to improve the academy's policy and practice.

### 2. Scope

A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of actions by the school or its staff that affects an individual or a group and requires a response from the school. All complaints, regardless of their origin, will be dealt with in accordance with this policy with the policy complying with Section 29 of the Education Act 2002.

### 3. Principles

We believe that most complaints can be resolved satisfactorily by informal discussion involving the key people.

Informal queries and complaints should be taken up directly with the relevant member of staff either verbally or in writing.

All complaints will be acknowledged within 48 hours of receipt and dealt with as quickly and efficiently as possible. The length of the period will vary with the gravity and complexity of the complaint and the urgency with which it needs to be settled. However, the intention is that all complaints should be settled within a period which is reasonable in the circumstances.

All formal complaints will be investigated fully, fairly and carefully and complainants will be kept informed of progress.

The aim is always to secure the resolution of the complaint to the satisfaction of the complainant if possible.

### Recording

The Head Teacher will acknowledge receipt of a complaint within three working days.

The complaint will be recorded by the Clerk to Governors, together with the outcome and reasons for the outcome. The complainant will be informed of the outcome in writing, together with their entitlement to appeal the outcome.

Where the complaint is upheld, any action to be taken by the school in response, will also be recorded and shared with the Board of Governors.

#### **4. Stage One: Informal Complaints**

Informal complaints or concerns should be raised with the relevant member of staff, such as class teacher. Where an informal complaint is raised with the Head Teacher, it will normally be passed to the most appropriate member of staff to deal with it informally. If the complainant indicates that they would have difficulty discussing the complaint with this member of staff, the Head Teacher may direct them to the relevant Phase Leader.

In certain circumstances, the Head Teacher may instead choose to deal with the complaint informally in person, or the relevant member of staff may ask the Head Teacher to deal with it informally in person.

If the complaint has been made in writing, the Head Teacher may choose to treat it as a formal complaint and invoke the formal procedure.

If the complaint has been made to the Chair of Governors in the first instance, he or she will refer the complaint to the Head Teacher. However, if the complaint concerns the Head Teacher and has already been taken up with the Head Teacher without being resolved, the complaint must be made to the Chair of Governors using the Complaint Form (see Appendix A). The Chair of Governors will then invoke the formal procedure.

The member of staff to whom the complainant is referred will carry out an investigation and decide on any appropriate action. The complainant and the Head Teacher will be informed of the conclusions drawn from the investigation and action to be taken, together with details of how to make a formal complaint if they remain dissatisfied.

It is a precondition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way. The Chair of Governors shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met. The policy on what is deemed unacceptable behaviour is outlined in Appendix B.

In some cases, matters affecting general school policy may be judged by the Head Teacher in consultation with the Chair of Governors, to be an appropriate area for discussion at Governing Body or committee level, in order to resolve the complaint. In these circumstances care will be taken to ensure that the identity of the complainant and the individual complained of are not disclosed in case a formal complaint is made subsequently.

Every effort will be made to resolve the problem to the satisfaction of the complainant at this informal stage. Possible outcomes include:

- 🏠 Complaint resolved to the satisfaction of the complainant;
- 🏠 Complaint not resolved to the satisfaction of the complainant.

### **5. Stage Two: Formal Resolution at Local Level: Investigated by member of Senior Leadership Team**

The Head Teacher will ensure that a complaint is fully investigated. The Head Teacher may delegate responsibility for conducting the investigation to another member of staff.

Where the complaint concerns the Head Teacher, the Head Teacher will inform the complainant in writing that they should send a completed Complaint Form to the Chair of Governors, who will then take the place of the Head Teacher throughout the formal procedure.

Once the investigation has been completed, the Head Teacher will review all the information and discuss the findings with the complainant with the aim of resolving the complaint to the complainant's satisfaction.

The Head Teacher will decide on the outcome and inform the complainant in writing of the decision, together with details of how to appeal against the decision if they remain dissatisfied. A meeting may also be arranged to convey the reasons for the decision.

Rarely, the decision may involve taking disciplinary action against an individual, for which there is a separate procedure. In this event, the complainant will be informed that the complaint will be pursued through disciplinary action. The school's disciplinary procedures require that all details of proceedings remain confidential, and consequently the complainant will not be informed of the outcome.

Possible outcomes include:

- 🏠 Complaint withdrawn;
- 🏠 Complaint dismissed;
- 🏠 Complaint dealt with under another procedure;
- 🏠 Complaint upheld.

### **6. Stage 3 – Formal Resolution: Chair of Governors**

The complainant must put the complaint in writing, addressed to the Chair of Governors, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the academy has not met reasonable expectations.

The Chair of Governors may appoint a member of the Governing Body to investigate the complaint. The investigation may include the offer of a meeting with the complainant, whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.

The investigator will put her/his findings in writing and will indicate what, if any steps, should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of any meeting with the complainant; if no meeting is arranged it will be within 15 school days of the written complaint being received.

## **7. Stage 4 – Appeals Hearing**

The Governor Complaints Committee of the school will consider all complaints at Stage 4.

The Governor Complaints Committee will comprise at least 3 Governors, who have not had any previous knowledge of the complaint.






None of the members of the Governors Complaints Committee will have been directly involved in the matters detailed in the complaint.

The Clerk to Governors will invite the Head Teacher to put in writing a response to the complainant's reasons. The academy will provide this within 15 school days. At the end of that period the Clerk will convene a meeting of the Governor Complaints Committee. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the school and the members of the Governor Complaints Committee. Whenever possible, the meeting will be held within 15 school days of the end of the school's response time. At any meeting, the complainant will be entitled to be accompanied by a friend, colleague or other representative. The representative may ask questions, confer with the complainant and make summary statements but may not answer questions on behalf of the complainant.



The meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. The complainant will have the opportunity to put her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The school will have the opportunity to put its side of things and each side, as well as the Committee members, will be able to ask questions. The complainant will have the opportunity to make final comments to the committee.

### **The Role of the Clerk**

All committees considering complaints must be clerked. The Clerk would be the contact point for the complainant and be required to:

-  Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
-  Collate any written material and send it to the parties in advance of the hearing;
-  Meet and welcome the parties as they arrive at the hearing;
-  Record the proceedings;
-  Notify all parties of the panel's decisions.

### **The Role of the Chair of Governors or Nominated Governor**

-  Check that the correct procedure has been followed;
-  If a hearing is appropriate, notify the clerk to arrange the committee.

## The Role of the Chair of the Committee

The Chair of the Committee has a key role, ensuring that:

- 🏰 The remit of the committee is explained to the parties and that each party has the opportunity of putting their case without undue prejudice;
- 🏰 The issues are addressed;
- 🏰 Key findings of fact are made;
- 🏰 Parents or others who may not be used to speaking at such a hearing are put at ease;
- 🏰 The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- 🏰 The panel is open minded and acting independently;
- 🏰 No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- 🏰 Each side is given the opportunity to state their case and ask questions;
- 🏰 Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

The committee may make findings and recommendations and a copy of those findings and recommendations will be:

- 🏰 Sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about;
- 🏰 Available for inspection on the school premises by the Governing Body and the Head Teacher.

The committee will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the clerk will notify all concerned.

The Appeals Committee may:

- 🏰 Dismiss the complaint in whole or part;
- 🏰 Uphold the complaint in whole or part;
- 🏰 Decide on any further action to be taken;
- 🏰 If appropriate, recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur

## 8. Attendance at a Complaints Committee Hearing

The Governor Complaints Committee will only be arranged if the complainant and/or their representative attend. If the complainant does not confirm attendance or fails to attend on the day without compelling reasons, the Governor Complaints Committee will not proceed and the complainant will lose their right to the complaint being heard. Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section as below.

## 9. Serial or Persistent Complainants

If at any level a complainant attempts to re-open an issue or a closely related issue that has already been dealt with under this complaints procedure, the Chair of Governors may write to the complainant to inform him/her that the procedure has been exhausted and the matter closed, that

continued correspondence is vexatious and that the school will not respond to any further correspondence on this issue or a closely related issue.

## 10. SEND Complaints

It is in everyone's interests for complaints to be resolved as quickly and at as low a level as possible. As such, parents are encouraged to speak with their child's class teacher if they have any concerns, in the first instance. If however parents feel that their issues have not been resolved then they can make an appointment with the SENCO, a senior member of staff or the Head Teacher. If the matter remains unresolved then parents should reference the Complaints Procedure.

## 11. Record Keeping

A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. The school reserves the right to record meetings. Records will contain details of whether the complaint was resolved at stage 2, stage 3 or proceeded to stage 4 committee hearing. The action taken by the school as a result of a complaint (regardless of whether they are upheld) will also be recorded.

## 12. Monitoring, Evaluation and Review

The school will review this procedure every three years and assess its implementation and effectiveness.

If a parent is not satisfied about the handling of their complaint they can contact the EFA via the School Complaints Form:

[https://form.education.gov.uk/fillform.php?self=1&form\\_id=cCCNJ1xSjBE&type=form&ShowMsg=1&form\\_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1](https://form.education.gov.uk/fillform.php?self=1&form_id=cCCNJ1xSjBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1)

Spalding Parish Church of England Day School  
Complaints Form

Please complete and return to the Clerk to Governors who will acknowledge receipt and explain the complaints process.

Your name .....

Pupil's name .....

Your relationship to the pupil (if relevant) .....

Address .....

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Telephone number (day) .....

Telephone number (evening) .....

Please give brief details of your complaint .....

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What actions, if any, have you already taken to try to resolve your complaint? (Who did you speak to and what was their response?)

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What actions do you feel might resolve the problem at this stage?

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Are you attaching any paperwork? (If so, please give details)

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Signature ..... (Complainant)

Date .....

## *Appendix B*

### **Policy on Unacceptable Behaviour**

The Governing Body recognises that it is the last resort for complainants. They also have a duty to ensure the safety and welfare of pupils, parents and staff.

Spalding Parish Church of England Day School staff and Governing Body are committed to dealing with all complaints fairly and impartially and to providing a high quality service to those who make them. As part of this service it would not normally limit the contact complainants have. However, the Governing Body does not expect the school staff to tolerate behaviour by complainants, which is unacceptable, for example, which is abusive, offensive or threatening, and it will take action to protect staff from that behaviour. This applies to unacceptable behaviour on any part of the school premises, including the playground.

If the Head Teacher considers that a complainant's behaviour is unacceptable the complainant will be told why their behaviour is deemed to be unreasonable and will be asked to change it. If the unacceptable behaviour continues the Head Teacher will take action to restrict the complainant's contact with the school.

The decision to restrict access to the school will be taken by the Head Teacher. All restrictions imposed will be appropriate and proportionate.