



## **Southwold Primary School and Early Years' Centre**

# **Complaints Policy**

Reviewed by the Full Governing Body 2024

*This policy has been re-written in clear conjunction with the DfE documentation: 'Best Practice Advice for School Complaints Procedures 2016: Departmental advice for maintained schools, maintained nursery schools and local authorities, January 2016'*

## Overview

*In accordance with Section 29 of the Education Act 2002, all local authority (LA) maintained schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised. There are certain complaints which fall outside the remit of this complaints procedure, for example, staff grievances or disciplinary procedures. The Governing Body will ensure that any third party providers offering community facilities or services through the use of its premises or facilities have their own complaints procedure in place.*

This policy is in place as a procedure to deal with complaints relating to the school. We believe that our school provides a good education for all our children, and that the head teacher and other staff work very hard to build positive relationships with all parents. Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved. However, the school is obliged to have procedures in place in case there are complaints by parents. The following policy sets out the procedure that the school follows in such cases.

The term “complainant” has been used for all those bringing a complaint against Southwold Primary School and Early Years’ Centre and includes all complainants, not specifically parents or carers.

## Framework of Principles

Southwold Primary’s Complaints Procedure is designed to:

- Encourage resolution of problems by informal means if 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
- 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 leadership team so that practice can be improved.

## Part One: General Principles of complaints

### Dealing with Complaints – Initial Concerns:

Southwold Primary is clear about the difference between a concern and a complaint:

A ‘concern’ is defined as ‘*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*’.

A complaint is generally defined as ‘*an expression of dissatisfaction however made, about actions taken or a lack of action*’.

Taking informal concerns seriously, at the earliest stage will reduce the numbers that develop into formal complaints.

These procedures deal with complaints but the underlying principle is that concerns will be handled, if at all possible, without the need for formal processes. In most cases the class teacher will receive the first approach. It will be helpful if staff are able to resolve issues on the spot, including apologising where necessary.

## **Dealing with Complaints – Formal Procedures:**

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

1. Where a parent feels that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the appropriate Phase leader. The Phase leader considers any such complaint very seriously and investigates each case thoroughly.
2. Should a complainant still feel dissatisfied, they should make an appointment to discuss it with the head teacher, who will consider all documentation and what has been done to resolve the complaint.
3. If the complainant feels the issue has not been resolved, they should escalate it to the Chair of Governors and Complaints Panel. This complaint must be made in writing, stating the nature of the complaint and how the school has handled it so far. The parent should send this written complaint to the Chair of Governors.

## **Investigating Complaints**

At each stage, the person investigating the complaint will make sure that they:

- Establish what has happened so far, and who has been involved
- Clarify the nature of the complaint and what remains unresolved
- Meet with the complainant or contact them (if unsure or further information is necessary)
- Clarify what the complainant feels would put things right
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- Conduct the interview with an open mind and be prepared to persist in the questioning.
- Keep notes of the interview

## **Resolving Complaints**

At each stage in the procedure the school will want to keep in mind ways in which a complaint can be resolved. 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

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

This effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

## **Serial and Persistent Complainants**

The school complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of Governors will inform them in writing that the procedure has been exhausted and that the matter is now closed.

School will do its best to be helpful to people who make contact with a complaint or concern or a request for information. However, in cases where school is contacted repeatedly by an individual making the same points, or who asks school to reconsider their position, the school will need to act appropriately.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. School will recognise when it really has done everything they can in response to a complaint. It is a poor use of schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond. However, school will be careful that it does not mark a complaint as 'serial' before the complainant has completed the procedure.

## **Unacceptable Behaviour From Complainants**

It is expected that the complainants will behave in an appropriate manner such that the process, either informal or formal, can proceed in a mutually acceptable way towards a resolution. The acceptable behaviour principles will be no different from those expected of pupils and teachers within the school, as outlined in the Behaviour Policy and the Parent and Visitor Code of Conduct. If the complainants consistently display unacceptable behaviour then the school has the right to postpone the meeting.

## **Time-Limits**

Complaints will be considered, and resolved, as quickly and efficiently as possible. The governing body will consider all written complaints within three weeks of receipt. However, where further investigations are necessary, new time limits will be set and the complainant sent details of the new deadline and an explanation for the delay. At all times the school will endeavour to provide reasonable notice to complainants of meetings or more formal hearings.

## **Part Two: The Formal Complaints Procedure**

### **The Stages of Complaints**

A flow chart of the four stages of complaint is in Appendix A. There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the Phase leader, Head-teacher or Chair of Governors after a meeting with the complainant.

The four stages are:

1. Complaint heard by Class teacher
2. Complaint heard by Phase Leader
3. Complaint heard by the Head-teacher
4. Complaint heard by the Chair of Governors and Complaints Panel

Complaints against the Head-teacher will be investigated by the Chair of Governors.

Complaints in regard to both a staff member(s) and the head teacher will be dealt with by the governing body for the entirety of the complaint and the head teacher will not be involved.

Complaints against the Chair of Governors or any individual governor should be made by writing to the Clerk to the Governing Body.

The complaints procedure in summary form is in Appendices A and B.

### **Timing**

The complainant shall receive a response to their initial complaint within 14 working days. If further investigation is required that date will be extended and the complainant informed of the delay and the new response deadline.

Full details of complaints panel will be provided to the complainant allowing reasonable notice.

Staff members will be available in the first instance to hear the concerns or complaint, however, after this first meeting, all meetings will be scheduled by appointment.

## **Part 3: Managing and Recording Complaints**

### **Recording Complaints**

A complaint may be made in person, by telephone, or in writing, however, it is a requirement to complete the complaint form found in Appendix C. The complainant may have communication preferences due to disability or learning difficulties and school will allow alternative methods of contact. At the end of a meeting or telephone call, the member of staff will ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response forwarded to the members of staff or governing body dealing with the complaint.

Phase leaders, or the Head-teacher where appropriate, are responsible for holding such records securely and confidentially and reporting back, as required, to Senior Management.

Where school has ongoing issues with an individual parent or family, records will be kept of dialogues and interactions.

## **Complaints Panel**

The panel is drawn from the governing body and consists of three or four named governors.

The panel can:

- a. Dismiss the complaint in whole or in part.
- b. Uphold the complaint in whole or in part.
- c. Decide on the appropriate action to be taken to resolve the complaint.
- d. Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

Complaints will not be shared with the whole governing body, except in very general terms, in case an appeal panel needs to be organised. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.

The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations that satisfy the complainant that his or her complaint has been taken seriously.

An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care will be taken to ensure the setting is informal and not adversarial.

Extra care will be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent/carer is the complainant, the parent/carer will be given the opportunity to say which parts of the hearing, if any, the child needs to attend.

The Complaints Panel will be serviced by a clerk who will 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 decision

The Chair of the Panel has a key role, to ensure that:

- The correct procedure has been followed
- The clerk is notified to arrange a panel if a hearing is appropriate.

- The remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption.
- The issues are addressed
- Key findings of fact are made
- Parents and 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 chair of the Panel will ensure that the complainant is notified of the Panel's decision, in writing, with the Panel's response within ten working days. The letter will explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

## **Publicising the Procedure**

Details of the Complaints Procedures are included in:

- The school website
- The information given to new parents when their children join the school
- The home-school agreement
- Newsletters
- The "How to make a complaint" leaflet which includes a form on which a complaint can be made (Appendix B).
- Posters displayed in areas of the school, such as reception.

## **Dissatisfaction with handling of the complaint**

Complainants who are not satisfied with the handling of their complaint the complainant may make representation to the Local Authority within four weeks of the written outcome from governors. Further information about this process is available from the school or from the Local Authority. A further meeting is chaired by an independent person, who considers all the evidence and makes a further judgement in an attempt to resolve the complaint.

If any parent is still not content that the complaint has been dealt with properly, then s/he is entitled to appeal to the Secretary of State for Education.

## **Monitoring and review**

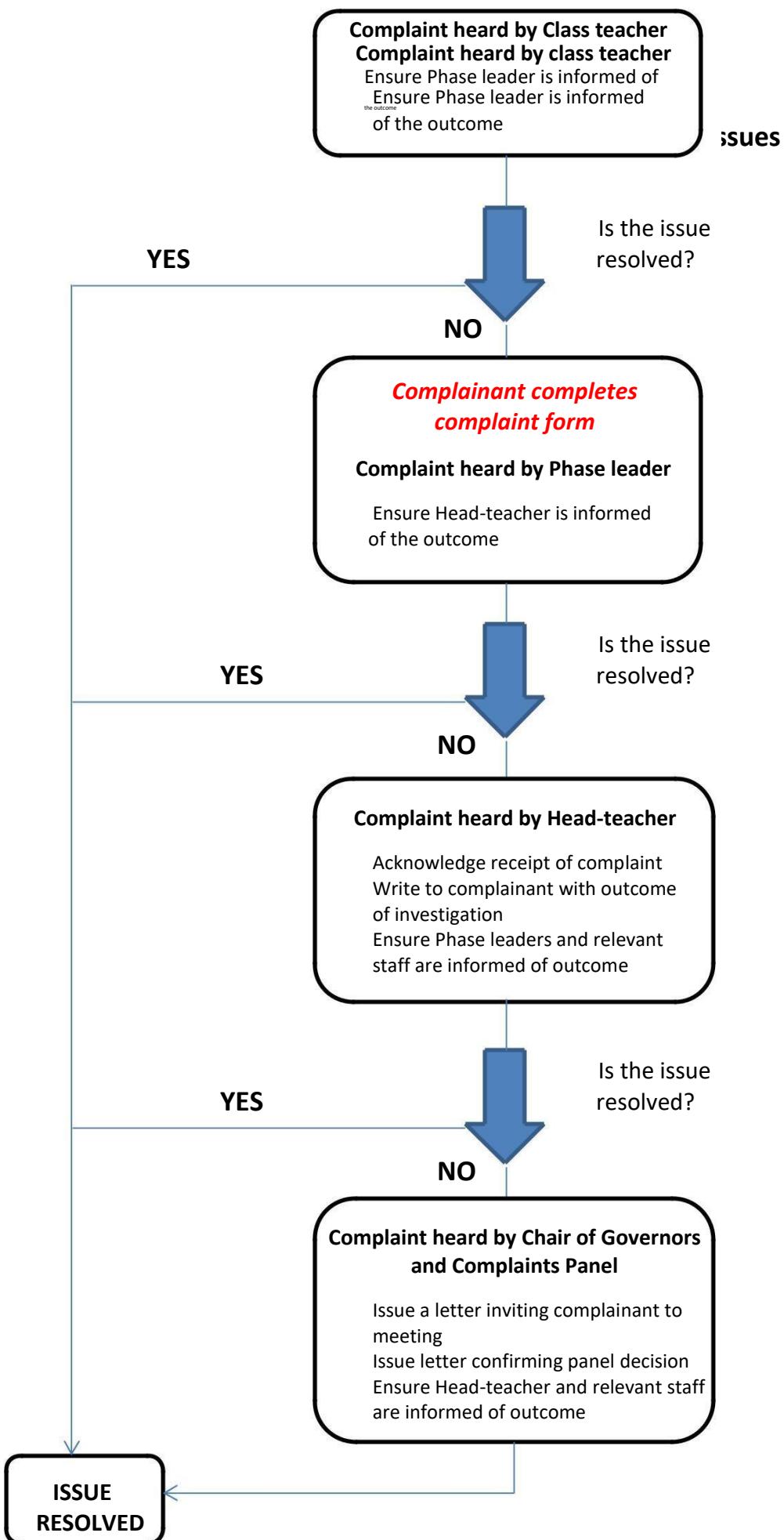
The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The head teacher logs all complaints received by the school and records how they were resolved. Governors examine this log on an annual basis.

Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.

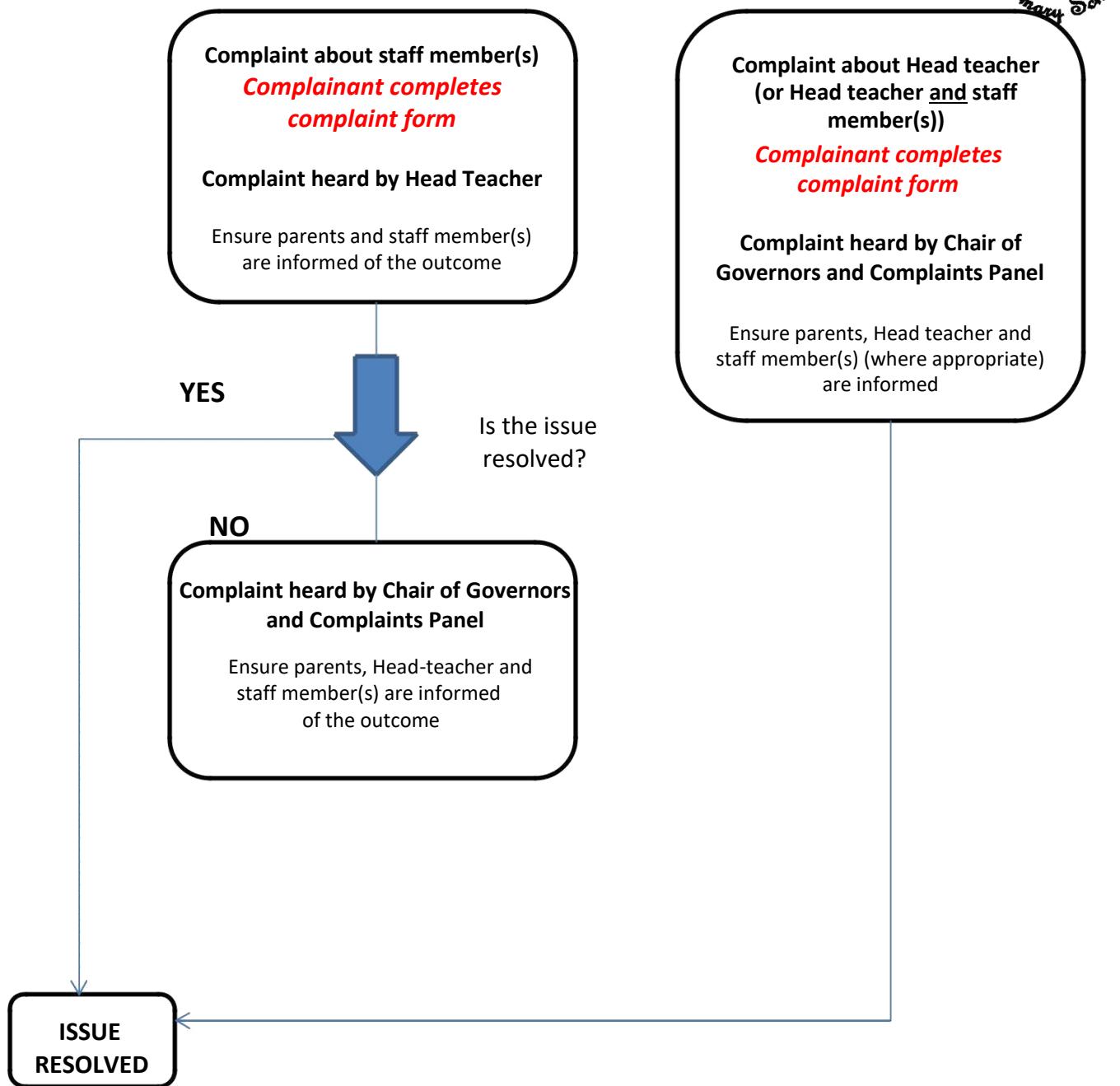
## Complaints not in scope of the procedure

This complaints procedure covers all complaints about any provision of facilities or services that a school provides with the **exceptions** listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
Admissions to schools Statutory assessments of Special Educational Needs (SEN) School re-organisation proposals Matters likely to require a Child Protection Investigation	Concerns should be raised direct with local authorities (LA). For school admissions, it will depend on who is the admission authority (either the school or the LA). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.
Exclusion of children from school	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .
Whistleblowing	Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a> or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.
Staff grievances and disciplinary procedures	These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.
Complaints about services provided by other providers who may use school premises or facilities.	Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.



## Appendix B: Flowchart – Complaints about school staff



**APPENDIX C****Complaints Form**

**Please complete and return to the appropriate Phase Leader of Southwold Primary School, who will acknowledge receipt and explain what action will be taken.**

**Your name:** \_\_\_\_\_

**Pupil's name:** \_\_\_\_\_

**Your relationship to the pupil:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
\_\_\_\_\_

**Email:** \_\_\_\_\_

**Day time telephone number:** \_\_\_\_\_

**Details of your complaint:** (Continue on a separate sheet if more space is required)

**What action have you already taken to try and resolve your complaint? (e.g. who did you speak to and what was the outcome?)**

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

**Are you attaching any paperwork? If so, please give details.**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_