



## **Coads Green Primary School**

### **Complaints Procedure**

#### **Introduction**

The school is legally responsible for dealing with the majority of complaints. The purpose of this procedure is to lay out how complaints will be dealt with by the school. It is important to note that An Daras Trust only have the lead role in investigating complaints in the circumstances laid out in Stage 4. Set procedures have to be followed for each of these.

The school governors must ensure that complaints are investigated thoroughly and fairly and that complainants are given a response within a reasonable timescale.

Children as well as parents have legitimate rights to express concerns or to make complaints, but maturity and understanding will vary from child to child. Therefore, the school will consider a complaint on its merits. Please note that a person does not have to be a parent or a pupil of the school to make a complaint. Please also note that anonymous complaints cannot be examined under a complaint's procedure.

Governors have an important role to play in considering complaints. However, it is important for parents to understand that individual governors must not investigate complaints outside this procedure.

The complaints co-ordinator is Claire Bader.

#### **Stage 1. - Informal Resolution.**

Many enquiries and concerns can be dealt with satisfactorily by the class-teacher, the headteacher or other members of staff, without the need to resort to a formal procedure. The school values informal meetings and discussions.

There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion. However, if the face-to-face discussion seems unlikely to resolve matters, then proceed to the next stage of the procedure.

It is important to note that any complaint that relates to a diversity issue will also be recorded on the diversity incident report form.

#### **Stage 2 - Formal Written Complaints.**

Where it has not been possible to resolve a complaint by way of informal discussion, the complainant should set out the precise nature of the complaint in writing and return this to the headteacher. The school governors will not be involved at this stage. However, if the headteacher or a governor is the subject of a complaint, the complainant should send the form directly to the chair of governors. If a complaint against the headteacher is received by the headteacher, then s/he will pass it on to the chair of governors immediately.

In a written complaint you must include the following information:

- Your name
- Pupil's name

- Your relationship with the pupil
- Address and telephone number
- Details of your complaint
- What action you have taken, if any, to try and resolve the complaint
- What actions you feel might resolve the problem at this stage

Should a complaint be about a general matter, the headteacher may be able to respond immediately, e.g. if it only requires an explanation of school policy. For most other complaints, which are likely to relate to specific actions or events, there is likely to be a need for further investigation in order to clarify the facts. The headteacher or their nominee will normally undertake this investigation. However, the headteacher may feel that to proceed to Stage 3 (below) is the best course of action, depending on the circumstances. The chair of governors will then convene a meeting of the governor panel (stage 3 below).

Complaints with respect to the conduct of a member of staff will be dealt with in accordance with the additional guidance laid out in Appendix 1. A meeting will be arranged between the complainant and the Head of School (or relevant person) but this will not automatically include any member of staff named in the complaint. All formal complaints that are received will be recorded in the school and acknowledged within 5 school days. Investigations at this stage should normally be completed within 20 school days of receipt of the complaint, unless there is an ongoing child protection investigation, or where the staff disciplinary procedure is involved or another exceptional circumstance. The school will aim to send a formal response within 5 school days of the completion of the investigation.

In the letter conveying the outcome of the investigation, the complainant should be informed of the process for referral to the chair of governors if they wish to take their complaint further. Should the staff Disciplinary procedures or child protection procedures have been started then the complainant will be notified that other processes are being followed. Any notification shall be confidential to protect the member of staff.

The complainant may wish to proceed to consideration of the complaint by the governors as set out below. It is up to the complainant to make this decision within two weeks of being informed of the outcome of the stage 2 investigation unless there are exceptional reasons why this is not possible. It is up to the chair of governors to decide if there are any such circumstances.

### **Stage 3 - The Local Governing Board.**

In all cases where the headteacher is unable to resolve a complaint to the satisfaction of the complainant, the complainant should write to the chair of governors for the matter to be considered. All complaints that reach this stage will be recorded on existing records where available and acknowledged within five school days.

A panel of three governors must be convened by the chair of governors and given the task of checking over the facts of the case. Individual governors have no powers to investigate a complaint outside the complaints process. If necessary, a meeting with the complainant should be held in order to reach an appropriate solution.

The panel will normally review the investigations carried out under stage 2 and will decide whether or not any further investigation should be undertaken. However, in most cases where an investigation has been previously carried out, the panel may decide only to consider the evidence already presented. Where complaints have been referred directly to stage 3 (relating to the headteacher or a governor), the panel will undertake the initial investigation.

Investigations at this stage should normally be completed within 15 school days of receipt of the complaint, unless there is an ongoing child protection investigation or where the staff disciplinary procedure is involved or another exceptional circumstance. The school will aim to send a formal

response within 5 school days of the completion of the investigation. This gives a target of 4 school weeks for the completion of this stage of the procedure.

Following the stage 3 investigation, the panel will decide on one of two outcomes: -

1. Recommend that appropriate remedial action necessary to resolve the complaint be undertaken, or
2. Confirm that all internal investigative measures have been exhausted and uphold the original response. The decision of the governors' panel will be communicated in writing to the complainant within five school days of the meeting. The decision is confidential to the complainant and to the governing body. The panel will report all outcomes of their investigations to the governing body.

#### **Stage 4 - Appeals to the Secretary of State or the Ombudsman**

Finally, complainants have a right of appeal to the Secretary of State for Education. It should be pointed out that the members of staff also have the same right of appeal.

If a complainant feels that there has been maladministration in the manner in which a complaint has been dealt with, this can be referred to the Local Government Ombudsman.

Please note that the Ombudsman can look into complaints about how something has been done, but she/he cannot question what has been done simply because the complainant does not agree with it.

The relevant addresses are:

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| The Secretary of State<br>Department for Education<br>Sanctuary Buildings<br>Great Smith Street,<br>Westminster,<br>London SW1P 3BT<br>Tel: 0171 925 5000 | Local Government Ombudsman<br>The Oaks,<br>Westwood Way,<br>Coventry<br>CV4 8JB<br>Tel: 01203 695999 |
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#### **Monitoring and Evaluation**

At all formal stages of the complaints' procedure, the following information should be recorded:

The name of the complainant.

The date and time at which complaint was made.

The details of the complaint.

The desired outcome of the complainant.

How the complaint is investigated (including written records of interviews held).

Results and conclusions of investigations.

Any action taken.

The complainant's response (satisfaction or further pursuit of complaint)

The Trust has appointed the Headteacher as the Complaints Officer in Coads Green Primary School. Records should be retained for a period of 3 years.

It is the responsibility of the Headteacher and Local Governing Board to ensure that the procedures outlined above are closely followed and a review of these procedures should be made in the light of any formal action to ensure that any parties involved feel confident that they have been fairly represented.

**Confidentiality**

Confidentiality is vital. All conversations and correspondence will be treated with discretion. Complainants have the right to know what use will be made of personal information and, accordingly, personal information will only be shared between staff on a 'need to know' basis.

**Impact of Policy**

This policy has set out clear routes and guidelines for all stakeholders who wish to make a complaint about staff or procedures at Trust schools. This will ensure that correct procedures are followed by all concerned and that those facing a possible complaint understand their rights and responsibilities during any investigation.

Policy reviewed: September 2022

Next review: September 2024 (or as required)