

St Swithun's Church of England VC Primary School



Complaints Policy

Issue 4

February 2018

Author / Amended by	Date agreed by Governing Body	Next Review
Mrs M Whitehead	9.12.10	Dec 2013
Mrs A Whitehurst	Spring 2014	Spring 2017
Mrs A Whitehurst	February 2016	February 2018
Mr E Kirk	February 2018	February 2020

At St Swithun's Church of England VC Primary School we aim to provide a happy, secure, stimulating and Christian Values based environment in which children may develop positive attitudes to both living and learning.

Complaints

Date	Review Date	Coordinator	Nominated Governor
Feb 2018	Feb 2020	Mrs A Whitehurst	Chair of Governors

We believe this policy relates to the following legislation:

- Local Government Act 1974
- Local Government Act 1988
- Education Act 1996
- School Standards and Framework Act 1998
- Education Act 2002
- Education Act 2005
- Education and Skills Act 2008
- Apprenticeship, Skills, Children and Learning Act 2009
- Children, Schools and Families Act 2010
- Education (Admissions Appeals Arrangements) (England) (Amendment) Regulations 2008
- Education (Independent Schools Standards) Regulations 2010
- Education (non-maintained Special Schools) Regulations 2011
- School Admissions (Appeals Arrangements) (England) Regulations 2012

The following documentation is also related to this policy:

- Complaints About Ofsted: Raising Concerns and Making a Complaint about Ofsted (Ofsted)
- School Admission Appeals Code (DfE)

We believe that this school provides an excellent education and that the Headteacher and school personnel work very hard to build positive relationships and have in place clear lines of communication with all parents and others. In so doing complaints are kept to a minimum.

However, we are aware that under section 29 of the Education Act 2002 we must have in place clear procedures to deal with any complaint made against the school or individuals connected with it. We take any complaint seriously and we deal with them professionally following set procedures.

We are aware that under the Education Act 1996 parents have the right to complain directly to the Local Authority about any matter relating to the school's curriculum, any issue relating to the general education that we provide.

We have a duty to publish the complaints policy in the school handbook and on the school website with hard copies available from the school office.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

Aims

- To deal with any complaint against the school or any individual connected with it by following the correct procedures.
- To deal with all complaints thoroughly and by being open, honest and fair when dealing with the complainant.
- To work with other schools and the Local Authority to share good practice in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Governing Body

The Governing Body has:

- a duty to have in place a complaints procedure;
- delegated powers and responsibilities to the Headteacher to ensure all school personnel and visitors to the school are aware of and comply with this policy;
- responsibility of annually discussing the complaints log with the Headteacher;
- in place a self-evaluation process to monitor the way complaints are dealt with;
- responsibility of taking into account any local or national decisions that affect the complaints process, and will make any modifications necessary to this policy;
- responsibility for ensuring that the school complies with all equalities legislation;
- nominated a designated Equalities governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring required policies are made available to parents;
- the responsibility of involving the School Council in the development, approval, implementation and review of this policy;
- make effective use of relevant research and information to improve this policy;
- responsibility for the effective implementation, monitoring and evaluation of this policy

Role of the Headteacher

The Headteacher will:

- log all complaints received by the school and records how they were resolved;
- discuss the complaints log every year with the Governing Body;
- ensure all school personnel, pupils and parents are aware of and comply with this policy;
- work closely with the link governor and coordinator;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;

- make effective use of relevant research and information to improve this policy;
- monitor the effectiveness of this policy;
- annually report to the Governing Body on the success and development of this policy

Complaint Procedures

Stage 1 (Informal Stage)

- Complainant has an informal discussion with the person closely involved with the complainant's cause for concern or with the Headteacher direct.
- If after the discussion the matter is not resolved or if the complainant is not happy with the way that it has been handled then the process moves to the next stage.
- However, every effort should be made to resolve the matter at this stage.

Stage 2 (Formal Stage)

- Once a formal written complaint is received from the complainant then the Headteacher will undertake an investigation and reply in writing to the complainant within 15 working days.
- However, if the complainant is not satisfied with the outcome then the complainant should move to the next stage.
- If a formal written complaint is received about the Headteacher from the complainant then the complaint must be sent to the chair of Governors with a written reply being sent to the complainant within 15 working days.
- The Governing Body complaints panel may be convened.
- If the complainant is not satisfied with the outcome then the complainant should move to the next stage.

Stage 3 (Formal Stage)

- The complainant writes formally to the clerk to the governors outlining the reasons why he/she is not happy with the outcomes of the Headteacher's investigation.
- The complainant requests that an appeals panel reviews the complaint.
- An appeals panel meets within 12 to 20 working days after receipt of the complainant's letter.
- Following the panel meeting a letter will be sent to the complainant outlining their findings.

Formal Complaint to a Local Authority

- Once a request has been received then the Local Authority complaints officer will only investigate whether the school has followed correct procedures in dealing with complaints but will not investigate the complainant's original complaint.
- After the investigation the Complaints Officer will write formally to the complainant.
- If the result is that the school did not follow correct procedures then the complaint will be referred back to the Chair of the Governing Body.
- If the result is that the school dealt with the complaint correctly then the Local Authority cannot make the school change its decision.
- The complainant may now wish to lodge an appeal with the Secretary of State for Education or with the Local Government Ombudsman.

Complaints regarding the Curriculum and General Educational Provision

All curriculum and general educational provision complaints will be dealt with by the Governing Body in line with their set complaints procedures.

Raising Awareness of this Policy

We will raise awareness of this policy via:

- the School Handbook/Prospectus
- the school website
- the Staff Handbook
- meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops
- school events
- meetings with school personnel
- communications with home such as weekly newsletters and of end of half term newsletters
- reports such annual report to parents and Headteacher reports to the Governing Body

Training

All school personnel will:

- have equal chances of training, career development and promotion
- receive training on this policy on induction
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

Monitoring the Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Headteacher and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement. (See Policy Evaluation)

Linked Policies

▪ Community Cohesion	▪ School Prospectus
▪ School Website	▪ Home-School Agreement

Headteacher:		Date:	
Chair of Governing Body:		Date:	

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Initial Equality Impact Assessment

Please complete an initial equality impact assessment once this policy has been customised to suit your purposes.

Policy Title	The aim(s) of this policy	Existing policy (✓)	New/Proposed Policy (✓)	Updated Policy (✓)
Complaints Policy	To deal with complaints		✓	✓

This policy affects or is likely to affect the following members of the school community (✓)	Pupils	School Personnel	Parents/carers	Governors	School Volunteers	School Visitors	Wider School Community
	✓	✓	✓	✓	✓		

Question	Equality Groups																		Conclusion							
	Age			Disability			Gender			Gender identity			Pregnancy or maternity			Race			Religion or belief			Sexual orientation			Undertake a full EIA if the answer is 'yes' or 'not sure'	
Does or could this policy have a negative impact on any of the following?	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Yes	No
		✓			✓			✓			✓			✓			✓			✓			✓			✓
Does or could this policy help promote equality for any of the following?	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Yes	No
	✓			✓			✓			✓			✓			✓			✓			✓				✓
Does data collected from the equality groups have a positive impact on this policy?	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Yes	No
	✓			✓			✓			✓			✓			✓			✓			✓				✓

Conclusion	We have come to the conclusion that after undertaking an initial equality impact assessment that a full assessment is not required.
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Preliminary EIA completed by	Date	Preliminary EIA approved by	Date
E.kirk	16.2.18	Policy Working Group	28.2.18

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Policy Evaluation				
Points to be considered	Yes	No	N/A	Please supply evidence
• Policy annually reviewed		✓		Two yearly cycle
• Policy in line with current legislation	✓			
• Coordinator in place	✓			
• Nominated governor in place	✓			
• Coordinator carries out role effectively	✓			
• Headteacher, coordinator and nominated governor work closely	✓			
• Policy endorsed by governing body	✓			
• Policy regularly discussed at meetings of the governing body	✓			
• School personnel aware of this policy	✓			
• School personnel comply with this policy	✓			
• Pupils aware of this policy		✓		
• Parents aware of this policy	✓			
• Visitors aware of this policy		✓		
• Local community aware of this policy		✓		
• Funding in place			✓	
• Policy complies with the Equality Act	✓			
• Equality Impact Assessment undertaken	✓			
• Policy referred to the School Handbook	✓			
• Policy available from the school office	✓			
• Policy available from the school website	✓			
• School Council involved with policy development		✓		
• All stakeholders take part in questionnaires and surveys	✓			
• All associated training in place	✓			
• All outlined procedures complied with	✓			
• Linked policies in place and up to date	✓			
• Associated policies in place and up to date	✓			
A statement outlining the overall effectiveness of this policy				

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Policy Approval Form

Policy Title:	Complaints Policy					Date when written:	February 2018		
Policy written by:	Mrs Anita Whitehurst				New Policy (✓ or x)	<input type="checkbox"/>	Revised Policy (✓ or x)	✓	
Stakeholders consulted in policy production: (✓ or x)	Governors	Senior Leadership Team	Teaching Personnel	Support Personnel	Administrative Personnel	Parents	Pupils	Local Community	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Date when approved by Governors:	February 2018		Date when presented to stakeholders:			Date when implemented:	February 2018		
Published on: (✓ or x)	School Website			School Prospectus			Staff Handbook		
	<input type="checkbox"/>			<input type="checkbox"/>			<input type="checkbox"/>		