COMPLAINTS POLICY

2018

Rodmarton Primary School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share the same commitment. All staff and volunteers are subject to an enhanced DBS check. Please refer to the school's Safeguarding Children Policy for more information.

'We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.'

Agreed by governors: April 2018
Next review: Summer Term 2020

At Rodmarton Primary School we encourage all parents and pupils to approach any member of staff in the first instance if they have a concern or complaint.

In the event that these initial approaches fail to resolve a complaint, this policy lays out the procedures that should be followed to allay any concerns about a particular issue.

If you do not understand any part of this policy please do not hesitate to contact the Headteacher or the member of the Governing Body responsible for complaints (please contact the school office in confidence to obtain contact details). Your complaint will then be investigated fully, ensuring all relevant facts are taken into consideration.

Where there is reference to the Chair of the Governing Body, the Vice Chair may substitute if the Chair is unavailable or it is deemed inappropriate, by the Chair or the complainant, to hear the complaint.

1 Registering a Complaint

Stage 1

We will always make every effort to ensure that anyone who wishes to make a complaint is treated fairly and given the chance to state their case. If you have a concern about the school, try to talk to someone at the school, preferably the person who is most closely involved. However, if they have difficulty discussing this issue with that member of staff, the complaint can be referred to another member of staff. Similarly, if the member of staff directly involved felt unable to deal with the complaint then another member of staff can be allocated to deal with the complaint in the first instance.

If you get in touch with one of the governors first of all they can give you only general advice. They may need to ask you to take up your concerns with the member of staff best able to help you, or with the headteacher.

Your concern can usually be settled quickly and without fuss by contacting the right person in the school. This could be your child's teacher, another member of staff or the headteacher.

If your concern cannot be sorted out in this way or you are not happy with the way it has been dealt with you should take it to stage 2:

Stage 2

You should should complete a Complaints Form which will be passed on to the headteacher who will investigate your complaint. The school will let you know that it has received your complaint within 5 school days. You will
be given the results of the headteacher's investigation in writing within 15 school days.

If your complaint is about the headteacher you can complain directly to the chair of governors (see Stage 3).

If your complaint has still not been resolved to your satisfaction you may take it to stage 3:

Stage 3

You can complain in writing to the chair of governors care of the school. You should make it clear why you are complaining, who you have already spoken to and what you want to happen as a result of your complaint.

The chair of governors will let you know that he or she has received your complaint within 7 school days and will then investigate it.

You will be told about the outcome of the chair of governors' investigation in writing within 20 school days.

If you are still not satisfied after receiving the chair of governor's report, you can ask to have your complaint referred to a complaints committee of the governing body at stage 4:

Stage 4

You can write to the clerk to the governors care of the school. You should say exactly why

you are unhappy with the chair of governors' findings and ask that a complaints committee be set up to look at the complaint.
The committee will meet between 12 and 20 school days after the clerk to the governors receives your letter. You will be told in advance about the process and what will happen at the meeting of the committee. You can attend and bring a relative or friend to support you if you want to. You will be told in writing about the committee's findings within 5 school days from the date of the meeting.

If the complaint concerns the Governing Body, then the form should be returned to the Local Authority (contact details can be obtained in confidence from the school office).

2 Complaints procedure when involving pupil with Special Educational Needs
Concerns about provision for disabled pupils and pupils with special needs should be referred to the SENDCo. Parents can contact school by telephone, letter or in person by an appointment.

The concern will be dealt with either through a letter, a phone conversation or an appointment arranged to discuss the matter in school. The SENDCo may need to involve other personnel involved in the child's care, for example, the Educational Psychologist, in order to resolve an issue as fairly and fully as possible.

The Code of Practice 2014 sets out procedure for complaints about provision. Parents are informed of their rights in the documentation from the LA. The school will advise parents on provision outlined in the statement, if this is requested. Parents have the opportunity, through the school's report system and review meetings, to alert the school to concerns or issues. If a parent continues to be dissatisfied, then the issue should be referred to the headteacher and, or, the LEA. We will provide a response in writing, giving the reasons for any decisions. We will also let you know how you can appeal should you wish to.

3 Which procedure do I need?
Sometimes, when concerns are more specific, there are more appropriate policies for dealing with them. The following list details specific topics of complaints and the correct policy to refer to. These policies can be accessed on the School's website or a copy can be requested from the school office.

- Pupils admissions; please see the school's admission policy or contact Gloucestershire County Council
- Pupil exclusions; please see the school's behaviour and exclusion policies
- Staff grievance, capability or disciplinary; these are covered by the school's staff conduct and staff capability policies
- Where the complaint concerns a third party used by the school; please complain directly to the third party themselves
- Anonymous complaints – please refer to the whistleblowing policy
- Subject access requests and Freedom of information requests; please see the schools data protection and freedom of information policy

4 Raising concerns
The majority of concerns can be dealt with without resorting to the procedure. Where you have a concern about any aspect of the school or your child's wellbeing, raise this with your child's class teacher via the phone or in person. Ideally, they will be able to address your concerns on the spot, or can arrange a meeting with you to discuss your concerns.

All concerns are dealt with confidentially, although staff may need to take notes if they feel that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of the Data Protection Act 1998. However, such notes would be able to be used as evidence if further investigation was required, or if the concern became a formal complaint.

5 Safeguarding
Wherever a complaint indicates that a child's wellbeing or safety is at risk, the school is under a duty to report this immediately to the Local Authority. Any action will be in accordance with the school's safeguarding policy, which is available via the school's website or from the school's office.

6 Social Media
In order for complaints to be resolved as quickly and fairly as possible Rodmarton Primary School requests the complainants do not discuss complaints publically via social media such as facebook and twitter. Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

7 Complaints that result in staff capability or disciplinary
If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the Head teacher and/or the individuals line manager. The complainant is entitled to be informed that action is being taken and the eventual outcome of any such action, but they are not entitled to participate in the proceedings or receive any detail about them.

8 Investigating the Complaint
The nature of the complaint will be clarified and unresolved issues outlined. It will be established what has happened so far and who has been involved. A meeting will be arranged to ensure all the information relating to the complaint has been documented and to find out what action the complainant feels would put things right.
Everyone involved in the complaint will be interviewed, accompanied by a friend or companion, if they wish, to ensure that all the facts of the complaint are understood. Notes will be kept of the discussions and all parties asked to sign the notes to show that they feel they were an accurate record of the meeting.

Those involved in the complaint will be encouraged to say what actions they feel would remedy the situation at any time. The Headteacher or Chair of Governors will remain impartial during the interviews. The Headteacher will maintain a record of any formal complaints at the school.

9 Resolving Complaints
Once the complaint has been fully investigated those persons involved will be informed of the findings and suggested actions to remedy the situation. Areas of agreement between the parties will be highlighted and any misunderstandings clarified to create a positive atmosphere in which to discuss outstanding issues. If, for any reason, any party involved in the complaint remains dissatisfied following any investigations, the Chair of the Governing Body will be informed who may then seek further advice on dealing with the matter. The Chair of the Governing Body does have the right to inform the complainant that the complaints procedure has been exhausted and that the matter is now closed.

10 The Complaints Appeal Panel
If necessary, the Chairman of the Governing Body will convene a Complaints Panel consisting of three governors who should not have been involved in the early stages of the complaint (they will elect their own Chair). A Clerk will be appointed to the panel who will

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. They will 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 and notify all parties of the panel's decision.

This Complaints Panel is the last school based stage of the complaints process. Individual complaints would not be heard by the whole Governing Body at any stage as this would compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

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. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

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. The panel Chair will ensure that the proceedings are as welcoming as possible. Extra care needs to 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 is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend. However, this must be agreed to by the panel Chair who has the final say in the matter. If the Chair feels that a child's presence is not appropriate or might irrevocably damage relationships between the child and the member of staff, for example, s/he may refuse to allow a child to be present.

The Chair of the panel needs to ensure that the complainant is notified in writing of the panel's decision, with the panel's response; this is usually within a set deadline agreed at the hearing. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed. In the event that the complainant does not feel that their complaint has been dealt with to their satisfaction by the school, they may contact the Local Authority. Contact details may be obtained from the school office at any time.

11 Time Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible and within realistic time limits that may be set by the appointed governor or Headteacher and agreed by the complainant.

12 Review of Complaints

The Governing Body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. The Headteacher will report any official complaints in the Headteacher's Report to Governors.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard the Governing Body may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Body will be a useful tool in evaluating the school's performance.

13 Publicising the Procedure

There is a legal requirement for this Complaints Procedures to be publicised. Rodmarton Primary School will include this information on the website. A copy will also be included in the Policy File held in the school office.

14 Review

There will be a biannual review of this policy by the Governing Body.

Rodmarton Primary School Complaint Form
Please complete and return to the office for the attention of the complaints co-ordinator who will acknowledge receipt and explain what action will be taken.

Your Name:

Pupil's Name:

Your relationship to the child:

Address:

Postcode:

Daytime telephone number:
Evening telephone number:

Please give details of your complaint:

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

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

Offical use

Date acknowledgement sent: **By whom:**
Complaint referred to:

Area Education Officers
www.gloucestershire.gov.uk/aeo

Customer Feedback Officer – (log of complaints reported by complainants)
www.gloucestershire.gov.uk/complaints
Children and Young People's Directorate
Shire Hall
Gloucester
GL1 2TP

Governor Services – (advice and training for governors)
www.gloucestershire.gov.uk/schollsnet/governors
Shire Hall
Westgate Street
Gloucester
GL1 2TP
Telephone: 01452 425113
e.mail – governor.services@gloucestershire.gov.uk

Ofsted
Enquiries
National Business Unit
Royal Exchange Buildings
St Ann's Square
Machester
M2 7LA
Telephone: 08456 404045

The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT
Telephone: 0870 0002288