



BEECHWOOD
Primary School

COMPLAINTS POLICY & PROCEDURE

JANUARY 2024
Spring Term

Approved by: **Leadership & Management Committee**

Date:

Last reviewed on: **January 2024**

Next review due by: **January 2025**

COMPLAINTS POLICY & PROCEDURE

1. Rationale:

This complaints policy and procedure is made pursuant to section 29 of the Education Act 2002 which requires governing bodies of all maintained schools (including academies) and maintained nursery schools to have in place a procedure for dealing with all complaints relating to their school and to any community facilities or services that the school provides.

This policy is based on the Cheshire East Local Authority model complaints policy and procedure which has been produced following consultation with Cheshire East Association of Primary Heads; Cheshire East Association of Secondary Heads; Cheshire East Association of Special School Heads; Cheshire East Association of Governing Bodies; Cheshire East school workforce Trade Unions; the Diocese Of Chester; and the Diocese of Shrewsbury.

This policy takes into account current Department for Education guidance.

All references to working days refer to days when the school is open to pupils and for staff training days.

The Governing Body will ensure a copy of the procedure is published on the school website and will also ensure hard copies are available on request from the school office.

2. Scope of the Policy and Procedure:

This policy can be used if you are a parent/carer of a registered pupil at the school or if you are a member of the wider community or a person representing an ex-pupil of the school. It does not apply to current staff members, or former members of school staff in any matter arising out of their employment at the school.

Where your complaint makes an allegation of misconduct against members of staff, this procedure may be superseded by use of the staff disciplinary procedure or other appropriate staffing procedure at any time or following recommendations at the conclusion of the complaints process.

If your complaint is about any third party provider on the school site, you will normally be expected to use their complaints procedure.

Complaints will normally be dealt with following the 4 stages set out below.

3. General Principles:

All complaints will be dealt with in a transparent way and as quickly as is reasonably practical. Parents and carers will be kept informed during the investigation of the complaint and of the outcome except where this is confidential e.g. in the case of a staff disciplinary process.

It is important that complaints are dealt with as expeditiously as possible. The school will normally expect a complaint to be raised within 60 working days of the event/matter unless the Headteacher or Chair of Governors agrees that there are exceptional reasons for not doing so. All correspondence to the school or governors should be by **email or letter**, care of the school office and not to the home address of any governor or staff member.

The timescales for dealing with a complaint within this procedure will be adhered to as far as is reasonably practicable. Where this is not possible, the complainant will be informed, within the

specified timescale, as to why this is the case, and given a revised timescale for dealing with the complaint.

The school has appointed a school's complaints co-ordinator, the headteacher, whose role is to have responsibility for the operation and management of the school's complaints procedure.

The governing body recognises that complaints may provide helpful insights and feedback for the headteacher and staff, as well as the governing body, and as such support improvement in processes and practice.

4. Resolving Complaints:

At each stage in the procedure, the school will want to consider the ways in which the complaint can be resolved which may include acknowledging 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 taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

At each stage the complainant will be asked to state what action you feel might resolve the issue.

5. Vexatious Complaints:

The school defines vexatious complaints as follows:

- complaints which are obsessive, persistent, harassing, prolific, repetitious;
- insistence upon pursuing complaints and/or unrealistic outcomes beyond all reason;
- insistence upon pursuing complaints in an unreasonable manner;
- complaints which are designed to cause disruption or annoyance;
- demands for redress which lack any serious purpose or value.

The school may judge a complaint to be pursued in an 'unreasonable manner' where the frequency of contact with the school hinders the consideration of the complaint and/or impedes the ability of the headteacher and school to meet the needs of all pupils equitably.

Where the headteacher, and/or Chair of Governors, or other nominated governor judges a complaint to be frivolous or vexatious, having considered all the relevant circumstances, they will take such actions as they consider appropriate which may include rejecting the complaint and/or restricting contact between the complainant and the school.

Any such decision will be communicated in writing along with the reasons for it.

Where the complainant seeks to reopen a matter the same as, or similar to, a matter previously considered under the procedure, the Chair of Governors has the right to inform the complainant that the procedure has been exhausted and the matter is closed.

6. Stages of the Procedure:

Many concerns and minor complaints can be resolved quickly and informally through the class teacher or another member of staff, depending upon the nature of the complaint.

Unless there are exceptional circumstances, every effort will be made by the school to have a full discussion and resolve the issues informally before moving into the formal stages of this procedure.

Stage 1 (Informal) - Initial Concern

The concern/issue should be raised by appointment with the class teacher/person complained of as soon as possible. The purpose of the meeting should be to establish the nature of the concern and to seek a realistic solution to the problem.

The staff member may, if they consider it appropriate, or if so directed by their line manager/headteacher, refer the complainant to a more senior or experienced member of staff who will try to resolve the concern informally. Where a particular member of staff (e.g. child's class teacher) is the subject of the complaint, the parent/carer may choose to have any concerns addressed by a different member of staff.

If the concern is not resolved through such discussion, an appointment with one of the assistant headteachers or headteacher should be made. The purpose of this meeting is to establish the nature of the on-going concern and hopefully resolve it satisfactorily. It is for the headteacher to determine which staff members should attend any such meeting.

Parents/carers should note that individual governors are unable to act on a complaint outside of the procedure set out in this document.

If initial attempts to resolve the issues informally are unsuccessful and the complainant remains dissatisfied, the formal complaints procedure set out below may be invoked.

Stage 2 (Formal) - Complaint Heard by the Headteacher/Senior Member of Staff

If the complainant remains dissatisfied either with the way in which concerns have been handled, or the issue remains unresolved, the complainant may wish to ask the headteacher/or another senior member of staff, or an appropriate third party as decided by the headteacher, to hear the complaint.

The headteacher/or senior member of staff may ask another member of staff to assist with collating information as part of the investigation but the decision on the action to be taken will be made by the headteacher/senior member of staff.

The complaint should be made in writing and be returned to the school office addressed to the headteacher or senior member of staff.

The headteacher/senior member of staff, or other member of staff nominated, will contact the complainant within 10 working days of receiving the complaint, or as soon as is reasonably practical to arrange a meeting at a mutually convenient time. Parents/carers will be permitted to bring a friend or representative at this stage. Where necessary, the headteacher/senior member of staff, or other nominated member of staff, will carry out a full investigation into the issues raised. The headteacher/senior member of staff will give a written response within 10 working days of this meeting or as soon as is reasonably practical thereafter. Where the offer of a meeting is declined, this response will be made as soon as possible after the school is notified. Normally, this will be within 10 working days. Where the complainant remains dissatisfied with this response, the complaint should move to the third stage of the procedure.

Where your complaint is against the headteacher, the Chair of Governors, another governor or the Governing Body as a whole, the complaint will move straight to the third stage of the procedure.

Stage 3 (Formal) - Complaint Heard by the Chair of Governors/Other Governor

If the complainant is not satisfied with the response of the headteacher/senior member of staff, they should write to the Chair of Governors. Complaints against the Chair of Governors or any individual governor should be made in writing to the Clerk to the Governing Body. Complaints may be made in writing by letter or email via the school office. Complainants must not contact individual governors at their home address.

The Chair/Vice Chair/nominated governor should contact the complainant within 10 working days to offer to meet as soon as possible to discuss concerns.

The Chair/Vice Chair/nominated governor will review the investigation and headteacher/senior member of staff decision and may confirm this decision or reach a different decision. The governor may choose to reinvestigate the complaint in whole or in part. The governor may take advice initially from the Cheshire East Council Governance and Liaison Service, which may consult other LA officers.

The Chair/Vice Chair/nominated governor will communicate their response in writing to the complainant as soon as possible but, in any case, within 10 working days of the meeting. If this is not reasonably practicable, the complainant will be informed in writing, with reason(s) for the delay.

Where the complainant declines the offer of such a meeting, the governor will inform them of the outcome of the investigation within 10 working days of the notification that they do not wish to meet or as soon as is reasonably practicable afterwards.

Where the complainant remains dissatisfied with this response, the complaint should move to the appeal stage of the procedure.

Stage 4 - Appeal to the Governing Body Stage

If a parent or carer wishes to appeal against the decision made at the formal stage, they must indicate their intention to do so within 10 working days of receipt of the outcome of the formal stage.

The complainant must do this by sending a written appeal to the Clerk to the Governing Body, either by letter or email. This should state the original complaint and the reasons for appealing the outcome of the previous stages.

A governors' appeal panel will be convened, consisting of three governors who, where possible, have had no previous involvement in consideration of the complaint. A complaints appeal meeting will be held.

The meeting of the governors' panel should take place as soon as possible, but in any case a date and time should be set and communicated to the complainant within 20 working days of receipt of the request for an appeal. Every reasonable effort will be made by the clerk to agree the date and time. Normally, the appeal hearing will take place at the school, but for practical reasons an alternative venue may be arranged by the clerk. The governors' decision will be communicated in writing as soon as possible but, in any case, within 5 working days of the meeting.

The Panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure problems of a similar nature do not happen again.

The complainant will have no further right to appeal this decision within the school although they may be able to seek a review of the Governor's appeal panel in certain circumstances to the external bodies listed below.

7. Opportunities to Request a Review:

Complaining to the Secretary of State

If it is believed that the Governing Body has acted unreasonably a complaint can be made in writing to the Secretary of State for Education; complaints to the Secretary of State regarding maintained schools are handled by the Department for Education. In such case write to The Schools Complaints Unit (SCU) Department for Education, 2nd Floor, Piccadilly Gate, Manchester, M1 2WD.

Complaining to Ofsted

Ofsted has powers to investigate certain types of complaint from parents to help them to decide whether to inspect a school. Before complaining to an external body, it would usually be expected **that all stages of this procedure had first been exhausted.**

8. The Role of the Cheshire East Information Advice and Support Service

The Cheshire East Information, Advice & Support Service (CEIAS) helps parents/carers whose children have difficulties with learning, medical needs or mental health problems, from 0 to 25. The service is confidential and offers impartial advice and information to enable parents and carers to make decisions about their child's education. This includes supporting parents with complaints to schools or the Local Authority.

The service can help consider what the complaint is about and the options available to resolve it, including more informal measures that can be explored in the first instance. If a parent or carer wishes, the service can explain how to put a letter/case together to take the matter forward. Someone from the service can attend meetings to offer support but will not speak on the complainant's behalf or make decisions. The service also offers support after meetings have taken place to consider the conclusions of the meeting and if the parent/carer feels a satisfactory outcome was achieved. If not, there may be further options to consider.

Contact details for the service are 0300 123 5166

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This policy was adopted at a meeting of Leadership and Management Governor sub-committee meeting, held on _____

Date to be reviewed: **January 2025**

Signed:

Name of signatory:

S. Harper

J. Cargill

Role of signatory:

Headteacher

Chair of Governors