



Complaints Policy

Reviewed policy on:	Summer 2022
Reviewed policy shared with staff:	Summer 2022
Reviewed Policy shared with Governors	Summer 2022
Policy to be reviewed again on:	Summer 2024

Introduction

Cherry Orchard Primary School aims to be a caring, positive, and supportive place where young people can learn and receive high quality education. School staff are committed to ensuring that the school community feels valued and respected as individuals. We have good transparent communication and a willingness to listen to our children and parents/carers including when they are raising an initial concern or formal complaint. This policy sets out the procedures for dealing with situations where there is a formal complaint or an initial concern from a complainant about an aspect of a child's education and/or experience at school.

This policy will ensure that the school manages initial concerns and formal complaints appropriately, in a timely and transparent way, and in a manner that complainants will consider to be fair and objective. In order to investigate your complaint as fully as possible the Governing Board (GB) has a staged process.

Resolving Initial Concerns and Complaints:

This policy makes a clear distinction between a 'concern' and a 'complaint'.

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

- *A complaint may be defined as an expression of dissatisfaction however made, about actions taken or a lack of action.*

What we will do:-

- Encourage resolution of problems by informal means wherever possible.
- Ensure that every member of our school staff understands the importance of listening to the school community.
- Ensure that all school staff are aware of this policy and their role should a complainant approach them with an initial concern/complaint.
- Ensure that all complaints/ initial concerns are taken seriously at the earliest stage and that all points of the complaint/initial concern are considered.
- Address all the points at issue and provide an effective response and appropriate redress, where necessary.
- If all attempts to resolve the issue informally are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further, support and guidance will be given.
- If the complainant remains unhappy with the outcome, the Executive Head Teacher and/or Head of School will arrange to meet and discuss the complaint/concern. They will review the actions taken to date and the reasons why things are still not resolved.
- Allow swift handling with established time limits for action and keeping all parties informed of the progress of the investigation.
- If the Executive Head Teacher and/or Head of School is unable to resolve the issue to the satisfaction of the complainant, they will be informed that they have the opportunity to make the complaint formal. We will ensure that the complainant is advised of the process and is given this policy.

- Ensure that the guidance leaflet is written in a way which is accessible and clear, that it is available on our school website and as a paper copy from the school office. Arrangements will be made to ensure that anyone making a complaint can access the information in a format which meets their needs.
- Ensure that the individual's confidentiality is respected.
- Ensure that the formal process is followed fairly and in line with this policy and that the chair/investigating officer will receive any paperwork and evidence which has been gathered during the informal stage and that if necessary, they are given the opportunity to speak to any members of staff.
- Ensure that there is a room available in the school for the investigating officer to meet the complainant and any member of staff. All paperwork pertaining to the complaint will be available, signed and dated.
- Ensure that the complaints panel is convened, and an appropriate room will be made available for the meeting and if necessary, a further room for any witnesses to wait.

Our staff will seek to learn from the process and ensure that any mistakes or weaknesses are used to improve our practices for delivery of high standards of education to all pupils and the care we offer at the school.

We will ensure that the complainants are confident that we will continue to work with them positively during the process, and that any pupils are not penalised in any way because of the complaint.

Equal Opportunities.

Our school values all our children, staff, and parents/carers. We celebrate diversity and will not tolerate any forms of discrimination. We are committed to using our policies to ensure that our school has an ethos of openness, fairness, and excellent communication.

All documentation will be made available in a format which allows for equal access by anyone wishing to make a complaint.

What this policy does not cover

The complaints policy does not cover admissions and exclusions. These areas are covered by other processes.

To note; if other bodies are investigating aspects of the complaint, for example the police, LA safeguarding teams or Tribunal, OfSTED, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Cherry Orchard Primary School in the relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Resolving Complaints

At each stage, this school remains committed to resolving your complaint. If appropriate at this informal stage, we will acknowledge that the complaint is upheld in whole or part or not upheld. We will ensure that this is in writing where necessary and will include one or more of the following;

- An explanation.
- An admission that the situation could/should have been handled differently or better.
- An assurance that we will try to ensure the event complained of will not recur.
- An explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- An undertaking to review school policies in light of the complaint
- An apology.
- The reason why the complaint was not upheld.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Roles and Responsibilities

The Governing Board will:-

- Ensure that the school has a policy and procedure in place to deal with all complaints relating to their school.
- Ensure that the policy is reviewed every 2 years.
- Receive a report from the Executive Headteacher or Head of School annually. They will use this data to evaluate the effectiveness of the policy/procedure and if required review the policy/procedure in advance of the 2 year review date.
- Ensure that all members of the school community are fully aware of the expectations of this policy, and ensure that if they are approached as an individual by a complainant regarding a concern, they will signpost the complainant to the relevant member of staff.
- Respect the complainant's desire for confidentiality and remain impartial.
- Monitor the nature and level of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure, making changes where necessary.

The Executive Headteacher and/or Head of School will:-

- Ensure that all staff are aware of the policy and the procedures they will follow should a complainant approach them with an initial concern or complaint and that it is properly recorded.
- Ensure that all complaints are dealt with fairly and objectively and within the agreed timescales set out in the complaints procedure.
- Report at least annually to GB with statistical data relating to all complaints received, so if required, services can be improved.

All our staff will:-

- Ensure that they are confident in their understanding of what the expectations are if a complainant approaches them with an initial concern or complaint.
- Endeavour to resolve any issues at the first point of contact.
- Ensure that they inform the Executive Headteacher or Head of School that they have been approached with a complaint.

School Complaints Procedure

How to share a concern

If a parent has a concern they should, in the first instance, discuss the matter with their child's class teacher. so that they can take action before the problem seriously affects the child's progress. Most matters of concern can be dealt with in this way.

What to do if the matter is not resolved

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 Head of School or the Executive Headteacher. The Head of School and Executive Headteacher consider any such complaints very seriously and will investigate each case thoroughly and report any findings back to the parent. Most complaints are resolved at this stage.

Formal Complaints

Stage 1

Formal complaints must be made in writing and addressed to the Executive Headteacher or Head of School. The written complaint will be acknowledged within 3 school days of receipt. The written complaint will need to include clarity of what the complaint is, confirmation that the school has had an opportunity to resolve the issue informally and what they perceive to be any unresolved elements of the complaint.

The Executive Headteacher or Head of School is likely to delegate the investigation to another member of the school's leadership team but will retain the responsibility to decide the outcome of the complaint.

The process will include interviewing any staff who may have witnessed the concern or been involved previously, any staff who are named in the complaint and the complainant. They will keep a written record of the interviews.

The Executive Headteacher or Head of School will provide a written response to the complaint 3 days after the receipt of complaint (if this deadline is not going to be achieved the Executive Headteacher or Head of School will write to the complainant explaining why and give a revised response date).

The response will include details of the actions taken; who was interviewed and an explanation of why the decision has been made. It may include the proposed actions to be taken to prevent the incident happening again. The letter must include how the complainant can escalate their complaint should they remain dissatisfied with the Stage 1 process.

If the complaint is about the Executive Headteacher or Head of School, the chair or vice chair will carry out the investigation. If the complaint is against a member of the Governing Board, the school will use a member of the Governing Board which is collaborated with the school. Complaints about the Executive Headteacher or Head of School or a Governor should be made in writing to the Clerk via the school. After the investigation has been completed the chair/vice chair will write the formal response to the complainant; if it is against a member of the Governing Board the independent investigator will respond.

Stage 2

If the complainant remains dissatisfied with the outcome of Stage 1 and wishes to take the matter further, they can move to Stage 2. This is a meeting with a panel of the Governing Board – 3 Governors. The members of the panel will be impartial; the panel could include Governors from the collaborated school.

The request to move to Stage 2 should be written to the Clerk (via the school office) within 10 school days of receipt of the Stage 1 response.

The Clerk will acknowledge receipt in writing within 3 school days. If the request for Stage 2 is outside of this timescale consideration will only be made in exceptional circumstances.

The Clerk will arrange the date and time of the meeting, this should be arranged within 10 school days of the Stage 2 letter – if this is not possible the Clerk will provide a rationale for this and give an expected timeline.

The school will provide 3 possible dates for the meeting. If these are refused by the complainant without very good reason the Clerk will arrange the meeting on one of the proposed dates. If the complainant is unable to attend the meeting will be held in their absence using the written submissions from both parties.

The committee will elect a chair of panel. They will decide whether they would wish to call witnesses to the hearing or whether to rely on written submissions.

The complainant may invite someone along with them to the hearing to provide support; this can be a relative or friend.

This is a closed meeting and not open to the public or the media. The electronic recordings of the meetings or conversations will not be permitted unless the complainants own disability or special need require it. Consent must be sought in advance and the consent will be recorded in the minutes by the Clerk.

The Clerk will ensure that all attendees are informed of the date, time, and venue of the meeting. They will request copies of any further written materials to be submitted to the committee at least 5 school days before the meeting. All written material will be sent to all attendees.

It will be the committee's decision as to whether they will accept papers at the meeting.

The committee will not accept as evidence, recordings of conversations that were obtained covertly and without the formal consent of all parties.

The committee will consider the complaint and all evidence; they will decide whether to uphold the complaint in whole or part, or to dismiss the complaint in whole or part.

If the complaint is upheld the committee can consider how the school's policies and procedures can be improved to prevent any further complaints.

The chair will respond in full to the complainant and the school leadership team in writing within 10 days of the hearing.

If the complaint is against a Governor or the whole Governing Board, Stage 2 will be heard by members of the Governing Board the school has collaborated with. The response from the hearing will detail any actions taken, how the investigation was carried out and a full explanation for the decisions made.

The complainant will be informed in the final letter what the next stage is if they remain dissatisfied. That is if they consider that the school failed to handle their complaint in accordance with the school complaints policy or acted unreasonably or unlawfully, they can contact the DfE (only after they have completed Stage 2).

The DfE will not normally reinvestigate but will consider whether the school has adhered to the education legislation and any statutory policies connected to the complaint,

The complainant can contact the DfE on www.education.go.uk/contact; by telephone on 0370 0002288 or in writing to; Department for Education, 20 Great Smith St, Westminster, London SW1P 3BT.