

## Bathampton Primary School



Together on a learning adventure

### Complaints Policy

(This policy is part of a suite of policies, and should be read in conjunction with the policy on Vexatious Complaints)

#### **1 Introduction**

Bathampton Primary School has been described as having a ‘welcoming and delightfully happy environment in which pupils thrive and want to do their best.’ We want all children to enjoy school, to be challenged to achieve their very best, and to consider their time at the school as their own ‘learning adventure’. We are committed to giving all of our children every opportunity to achieve the highest of standards. We do this by taking account of pupils’ varied life experiences and needs. We offer a broad and balanced curriculum and have high expectations for all children. The achievements, attitudes and well-being of all our children matter.

Bathampton Primary School aims to work in partnership with parents in the best interests of the children. Any complaint will be given careful consideration and will be dealt with fairly and honestly.

We will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

#### **2.0 Actions before making any complaint**

This complaints procedure is not intended to replace the usual informal discussions that take place between parents/guardians, staff and the Headteacher about problems and concerns as they arise. Most issues can be, and should be, resolved through this dialogue. These concerns might include such matters as your child’s work or progress, relations with staff, relations with other pupils including bullying, or your child’s personal welfare.

The first point of contact regarding concerns should always be the class teacher. Appointments to see the class teacher are available after school and may be made via the school office.

When meeting with the teacher to raise your concerns, please be patient. The teacher may need time to perform an investigation, put corrective measures in place and then determine their effectiveness. This may require several discussions to reach a conclusion satisfactory to all parties. Desired actions for the school and parent/guardian, timescales, and the need for further meetings, if necessary, should be discussed.

However, if you feel that the concern is of a sufficiently serious nature you should make an appointment to discuss it with the Headteacher.

### **3.0 Referral of complaints**

The majority of complaints against the school will fall within the remit of the Head or the Governing Body to consider. However, there are some categories of complaint for which the school is not responsible or are not covered by this complaints policy.

The Local Authority has the responsibility for dealing with complaints about the following:-

- Admission to the school
- Statutory Assessment of special educational needs
- Exclusion of pupils from the school
- Matters likely to require Child Protection investigation
- Any complaint about the action of the Governing Body

A list of the correct persons to address these complaints to is given at the end of this policy (Annex 3).

Other internal school policies cover complaints in the following areas:-

- Whistleblowing
- Staff grievances and disciplinary procedures

Providers should be contacted directly with regard to complaints about services provided by external bodies using the school's premises or facilities.

### **4.0 Unreasonably persistent complainants**

An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner. The Vexatious Complaints policy gives details of how Bathampton School will identify and handle unreasonably persistent complaints or the harassment of staff, governors, parents or members of the school community.

### **5.0 General principles regarding any complaint**

The following principles will apply to any complaint:-

- The complaint will be handled with care and sensitivity
- All stages of the complaints procedure will be investigatory rather than adversarial
- Confidentiality will be respected at all times
- Responses to any complaint will be prompt (timescale guidelines are detailed below)
- We will remain in communication with you during the investigation and you will be kept informed of timescales
- The handling of the complaint will be thorough and fair and address all the points at issue

Individual Governors cannot act unilaterally by investigating a complaint or making any prior judgement about it. The Governor should in the first instance refer the parent to the class teacher, the Headteacher or the Chair of Governors as appropriate and in accordance with this policy.

It is important that all the stages are followed in the complaints procedure. The Local Authority is unable to deal with complaints under the remit of this procedure and if there is escalation to the Secretary of State before the formal school procedures have been exhausted it will result in you being referred back to the school's procedure.

The complainant should limit the number of communications with the school while a complaint is being progressed. It is not helpful if repeated correspondence is sent as it could delay the outcome being reached.

## **6.0 Timescale Guidelines**

Where it is not possible to respond to a complaint within the stated guidelines you will be informed of the reason for the delay and given an anticipated response date.

## **7.0 Complaints Procedure Stages**

### **7.1 Stage 1 (Informal) – Teacher**

It is normally appropriate to communicate directly with the member of staff concerned. This may be by letter/e-mail, by telephone or in person. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

For serious concerns it may be appropriate to discuss the matter with the Headteacher rather than the class teacher.

If the complaint is about the Headteacher then the complaint process should start at stage 2.

*Consideration of the issues may take up to 10 school days.*

### **7.2 Stage 2 (Formal) – Formal Investigation**

If your concern/complaint has not been resolved through informal discussion you may choose to put the complaint in writing and pass it to the Headteacher who will be responsible for ensuring that it is investigated appropriately.

However, if the complaint is about the Headteacher, your complaint should be passed to the clerk to the governing body, for the attention of the Chair of the Governing body.

At this stage you should set out your complaint in writing. A complaint form (Annex 1) is provided to assist you to submit your complaint.

You should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. It is important that you include a clear statement of the actions that you would like the school to take in order to resolve your concern. Without this it is much more difficult to proceed.

If you require any specific assistance in putting your complaint in writing or when asked to attend any meeting please inform us so appropriate support can be put in place.

Please pass the completed form, in a sealed envelope to the school office. The envelope should be addressed to the Headteacher or to the Clerk to the Governing body, as appropriate.

Following the receipt of a formal complaint an ***acknowledgement will be sent to you within 5 school days indicating how the school intends to proceed.***

The Headteacher may invite you to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by a friend to assist you in explaining the nature of your concerns. It is possible that your complaint will be resolved through this meeting.

If an informal resolution is not possible then arrangements will be made for the matter to be fully investigated; the investigation will begin as soon as possible. You will be notified of how the investigation will proceed.

This will involve one of the following:-

- **Investigation by the Headteacher - where the Headteacher is not part of or subject of the complaint.** The Headteacher may delegate the investigation to another member of staff but not the decision or the action taken.
- **Investigation by Governor(s).** The Headteacher may delegate the investigation, decision and action taken to a governor or governors.
- **Investigation by Governor(s) - where the Headteacher is the subject of the complaint**

If necessary the investigator(s) will arrange to meet with you to discuss the details of your complaint and what can be done to resolve the issue. You can be accompanied by a friend at this meeting. Notes will be taken of any discussion and you will receive a copy of these.

It may be necessary to suspend the complaints procedure if it is apparent that staff disciplinary procedures or child protection procedures need to be followed. Advice from the Local Authority will be sought; in these circumstances you will be notified that the complaint procedure has been suspended and the likely timescale for any reactivation.

On completion of the formal investigation, when all relevant persons have been given the opportunity to give their response, you will be informed in writing of the conclusion.

***Consideration and formal investigation of a complaint (stage 2) will normally take 20 to 30 school days from the start of the formal investigation (excludes time for informal meetings with the Headteacher).***

### **7.3 Stage 3 - Review Process**

If you are not satisfied with the manner in which the complaint has been handled so far you may request that the governing body reviews the process that was followed in the handling of the complaint. Any such request must be made in writing to the Clerk of the Governing body (via the school office), ***within 10 school days of receiving the outcome of the investigation at Stage 2*** and include a statement specifying any perceived failures to follow procedure. A review request form is provided for your convenience (Annex 2).

On receipt by the Chair of Governors, an ***acknowledgement will be sent to you within 5 school days*** to confirm the review process.

Three Governors will be identified to review the investigation process and make a decision on behalf of the Governing Body. The Governors appointed will have had no previous involvement in the complaint or will have no conflict of interest.

The primary purpose of the review is to understand your continuing concerns and to consider the investigative process carried out at Stage 2 of this policy.

Consideration will be given to the rigour and fairness of the process:-

- Were you given the time and opportunity to clarify your complaint and explain the outcome you were looking for
- Was the complaints policy applied appropriately in relation to your specific complaint
- Did relevant interviews take place of those individuals involved in events to ensure a thorough understanding of all relevant issues
- Was there a review of relevant school procedures and correspondence
- Are conclusions and recommendations reasonable and do they flow from the evidence or facts arising from the investigation

The Review Panel will be determining one of the following outcomes:-

1. Confirmation of the conclusions at Stage 2 on the basis of evidence indicating a full and fair investigation and outcome
2. Identification of some procedural anomalies but confirmation that the overall conclusion was sound
3. Identification of significant flaws in the investigation process which might lead to alternative conclusions and proposed remedies

The review will normally be conducted through consideration of written submissions, but reasonable requests to make oral representations will be considered sympathetically. There will only be a reinvestigation when the Governors consider there are major flaws in the previous process necessitating this action.

The decision reached by the Governors will be notified in writing to you and other relevant parties. *The timescale for the review process is normally 15 school days.*

#### **7.4 Stage 4 - Appeal to the Secretary Of State**

If you have followed our complaints policy but still consider your complaint has not been appropriately resolved then you are able to take your complaint to the Secretary of State for Education.

Any appeal to the Secretary of State for Education should be addressed to:

The School Complaints Unit (SCU)  
Department for Education  
2<sup>nd</sup> Floor, Piccadilly Gate  
Manchester  
M1 2WD

The SCU will not consider an appeal unless the complaint has exhausted the school procedures. SCU will examine if the complaints policy and any other relevant policies were followed in accordance with the provisions set out. SCU also examines policies to determine if they adhere to education legislation. However, the department will not re-investigate the substance of the complaint. This remains the responsibility of the School.

If legislative or policy breaches are found, SCU will report them to us and to you and, where necessary, require remedial action to be taken.

#### **8.0 Monitoring and review**

The Governing Body will review this complaints policy on a regular basis. The Headteacher will log all formal complaints received by the school and will record how they were resolved.

Governors will examine the complaints log on an annual basis and will consider the need for any changes to the procedure.

#### **Annex 1 - Complaints Form**

#### **Annex 2 - Complaint Review Request**

**Annex            3            -            Contact            Details            for            B&NES**

## Bathampton Primary School - Complaint Form

Please complete this form and return it to the school office. The Headteacher or Chair of governors will acknowledge its receipt and inform you of the next stage in the procedure.

### Personal Details

<b>Your Name(s)</b>	
<b>Pupil's Name (if relevant)</b>	
<b>Your Relationship to the Pupil (if relevant)</b>	
<b>Your Address</b>	
<b>Daytime Contact Number</b>	
<b>Evening Contact Number</b>	
<b>E-mail address:</b>	

### Details of the Complaint

**Please give concise details of your complaint, (including dates, names of witnesses etc...) to allow the matter to be fully investigated:**

**What action, if any, have you already taken to try and resolve your complaint?**

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**Resolution**

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

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**Evidence**

If you are attaching any supporting paperwork, please give details:

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<b>Signature</b>	
<b>Date</b>	

**School use**

<b>Date Received:</b>
<b>Date of acknowledgement:</b>

<b>Informal meeting</b>		
<b>Offered: Y/N</b>	<b>Accepted: Y/N</b>	<b>Meeting date:</b>

<b>Investigation</b>	
<b>Investigation required :</b>	<b>Y/N</b>
<b>Investigation by Headteacher/Governor(s) (names):</b>	



<b>Date complainant notified of investigation process:</b>
<b>Investigation completion date:</b>

## Bathampton Primary School - Complaint Review Request

Please complete this form and return it to the school office. The Chair of governors will acknowledge its receipt and inform you of the next stage in the procedure.

### Personal Details

<b>Your Name(s)</b>	
<b>Daytime Contact Number</b>	
<b>Evening Contact Number</b>	
<b>E-mail address</b>	

### Reason for the request to review the handling of a complaint

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### Evidence

If you are attaching any supporting paperwork, please give details:

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**Signature**

**Date**


### School use

**Date Received:**

**Date of acknowledgement:**

<b>Review</b>
<b>Review panel:</b>
<b>Date complainant notified of review findings:</b>

**Contact Details for complaints for which the Local Authority People and Communities Service has responsibility**

**Please note the addresses provided below are for postal purposes only. The Services themselves are located in the Civic Centre, Market Walk, Keynsham Bristol, BS31 1FS**

**Admission to the school**

Officer in charge, Admissions & Transport  
Admissions & Transport Unit  
People and Communities Department  
Bath & North East Somerset Council,  
Lewis House, Manvers Street  
BATH, BA1 1JG  
Tel. 01225 394312  
E Mail [Admissions\\_Transport@bathnes.gov.uk](mailto:Admissions_Transport@bathnes.gov.uk)

**Statutory Assessment of special educational needs**

Statutory Special Educational Needs Manager  
Statutory Special Educational Needs Service  
People and Communities Department  
Bath & North East Somerset Council,  
Lewis House, Manvers Street  
BATH, BA1 1JG  
Tel. 01225 394306

**Exclusion of pupils from the school**

Officer in Charge, Children Missing Education  
Children Missing Education Team Exclusion  
People and Communities Department  
Bath & North East Somerset Council,  
Lewis House, Manvers Street  
BATH, BA1 1JG  
Tel. 01225 394241  
[exclusions@bathnes.gov.uk](mailto:exclusions@bathnes.gov.uk)

**Child protection related issues or allegations of child abuse**

Head of Safeguarding Assurance and Quality  
Strategy and Commissioning  
People and Communities Department  
Bath & North East Somerset Council,  
Lewis House, Manvers Street  
BATH, BA1 1JG  
Tel 01225 396974

**Any complaint about the action of the Governing Body**

Head of Governor Services  
Governor Services  
People and Communities Department  
Bath & North East Somerset Council,  
Lewis House, Manvers Street  
BATH, BA1 1JG  
Tel 01225 395103