

**Compliments,  
Comments and  
Complaints Procedures**

## **St Mary's Cof E Primary Complaints Policy**

1. This policy statement sets out our school's approach to dealing with parental concerns and complaints. Further details of how we handle them are contained in our procedures document, (Compliments, Comments & Complaints Procedures), which you can obtain on request from the school office.
2. We value good home/school/academy and community/school/academy relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.
3. We welcome feedback on what parents and other stakeholders feel we do well, or not so well, as a school and gather these annually through the pupil and parent questionnaires. We also offer a half termly Parent Forum where feedback can be given in a more informal environment. We carefully consider all feedback, whether positive or negative, and review our policies and practices accordingly.
4. We will treat all concerns and complaints seriously and courteously, in line with the Christian values of our school and will advise parents and others of the school's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils. Confidentiality will be maintained at all times.
5. All school staff and members of the governing body will receive a copy of this policy statement and will be familiar with the school's procedures for dealing with concerns and complaints, to which they will have access as required. The policy will be available on request to any affected party.
6. The school's procedures will be reviewed regularly and updated bi-annually.
7. Staff and governors will receive training in handling concerns and complaints as appropriate. This may be on an individual basis, or as a group activity for all staff, or for specific groups, such as the office staff or members of the governing body.
8. Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, use our option to close a complaint before all the stages of the school's procedures have been exhausted, if this appears to be appropriate.
9. The government and the Local Authority (LA) advocate resolution of all concerns and complaints at school level wherever possible, in the interests of maintaining good home/community/school relations. The role of the LA in advising complainants and schools on the handling of concerns and complaints is set out in the school's procedures.

# Guidance for all parties dealing with complaints, comments and compliments

St Mary's C of E School recognises the need for an effective complaints procedure as required under Section 29 of the Education Act 2002. This procedure is necessary to deal with all complaints relating to the school and its facilities. It is also required that this procedure is publicised to stakeholders so that all have equal access to guidelines for stating their views and concerns.

## General Principles of complaints

### Initial concerns

All staff and governors need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

Concerns should be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine the efforts to resolve the concern informally. In most cases, the class teacher or individual delivering the service in the case of extended school provision, will receive the first approach. Staff should have the appropriate training and confidence to attempt to resolve issues on the spot, including apologising where necessary.

### Complaints not in scope of the procedure

A complaints procedure should cover all complaints about any provision of facilities or services that a school provides with the **exceptions** listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
<ul style="list-style-type: none"><li>• Admissions to schools</li><li>• Statutory assessments of</li></ul> <p>Special Educational Needs (SEN)</p> <ul style="list-style-type: none"><li>• School re-organisation proposals</li><li>• Matters likely to require a Child Protection Investigation</li></ul>	<p>Concerns should be raised direct with local authorities (LA).</p> <p>For school admissions, it will depend on who is the admission authority (either the school or the LA).</p> <p>Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.</p>

• Exclusion of children from school	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .
• Whistleblowing	Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a> or by writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.
• Staff grievances and disciplinary procedures	These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.
• Complaints about services provided by other providers who may use school premises or facilities.	Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.

### **Dealing with complaints – Formal procedures**

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

The Executive Headteacher may nominate another member of staff to have responsibility for the operation and management of the school complaints procedure: the complaints co-ordinator. Otherwise, the Executive Headteacher will assume this role.

### **Principles of our complaints procedure (for review in practice by school governors)**

- To encourage resolution of problems by informal means wherever possible;
- To be easily accessible and publicised;
- To be simple to understand and use;
- To be impartial;
- To all swift handling within agreed time-limits for action and keeping people informed of the progress;
- To ensure a full and fair investigation by an independent person where necessary;

- To respect people's desire for confidentiality;
- To address all points at issue and provide an effective response and appropriate redress, where necessary;
- To provide information to the school's senior management team so that services can be improved.

### **Investigating complaints**

At each stage, the complaints co-ordinator must make sure that they:

- establish what has happened so far and who has been involved;
- Clarify the nature of the complaint and what remains unresolved;
- Meet with the complainant or contact them (if unsure or further information is necessary);
- Clarify what the complainant feels would put things right;
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- Conduct the interview with an open mind and be prepared to persist in the questioning;
- Keep notes of the interview.

### **Resolving complaints**

At each stage of the procedure, the school will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge 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 that have been taken to ensure that it will not happen again;
- An undertaking to review school policies in light of the complaint. Complainants should be encouraged to state what actions they feel might resolve the problem at any stage.

An admission that the school could have handled the situation better is not the same as an admission of negligence.

Areas of agreement between parties should be identified and highlighted. It is of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

**Vexatious complaints** If properly followed, this complaints procedure will limit the number of complaints that become protracted. However, there may be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. ***Further details are outlined in our Unreasonable Complainants Policy.***

### **Time Limits**

Complaints need to be considered and resolved as quickly and efficiently as possible. Time limits for action in each stage should be realistic and communicated with all parties to the complaint. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

# **St Mary's CofE Primary School : Complaints Procedure**

## **The stages of complaints**

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience between first contact between complainant and the school can be crucial in determining whether the complaint will escalate. All staff and governors (especially parent governors) should be fully aware of the procedures so that they know how to act when they receive a complaint.

The school will respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaints co-ordinator can refer the complainant to another staff member. Where the complaint concerns the Headteacher, the complaints co-ordinator can refer the complainant to the Chair of Governors.

Complaints may be made verbally or in writing for stages one or two. By stage three of the complaint, a written complaint should be received by the Executive Headteacher or Chair of Governors. Should the complainant find this method of communication difficult due to disability, learning difficulty or where English is not the first language, then the school will ensure alternative methods of communication are offered, such as acting as a scribe, video recording or the use of translation services from the first language.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a Governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. It would be useful if Governors did not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

At stage 3, the Governors' appeal hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

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.

Where a complainant remains dissatisfied following the school's procedure, they have the right to refer their complaint to the Secretary of State. The School Complaints Unit (SCU) considers complaints relating to LA maintained schools in England on behalf of the Secretary of State but will not overturn a school's decision about a complaint except in exceptional circumstances.

## Summary of the 3 stages of the complaints procedure

### Stage One:

- Complaint heard by any staff member (though not subject of the complaint).
- Complaints co-ordinator (Executive Headteacher) informed of outcome. A response will usually be made immediately, or **within 48 hours**.
- Issue logged by the Executive Headteacher for follow up, monitored by the school governing body.

### Stage two:

- Complaint heard by Executive Headteacher
- If complainant was dissatisfied with the way the complaint was handled at stage one, this may be pursued alongside their initial complaint. The Executive Headteacher may delegate the task of collating the information to another staff member, but not the decision on the action to be taken.
- Nature of complaint logged.
- Resultant action plan and outcome discussed at Governing Body meetings
- You should receive a written response **within 14 working days**. You may be invited to a further meeting to attempt to resolve the problem.

### Stage three:

- Complainant writes to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a Governing Body complaints panel **as soon as practically possible**
- A clerk will be appointed as a contact point for the complainant
- Complaint heard by Governing Body's complaints panel
- Any unsatisfied complainant has a right to take a complaint to an appeal, whereupon a new panel will be formed to hear the case, as necessary.

## Recording of complaints

The school will record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing. A complaint form is available from the school office on request.

On hearing of a complaint, it is important that the complainant and school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls should be kept and a copy of any written response added to the record.

The complaints co-ordinator will be responsible for the records and hold them centrally.

### **Governing Body review**

The Governing Body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of this procedure and make changes where necessary. Complaints information shared with the whole Governing Body should not name individuals.

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 school may identify underlying issues which need to be addressed. The monitoring and review of complaints by the school and the GB will be used as a tool for evaluating a school's performance.

### **Publishing of this procedure**

St Mary's CofE Primary School Governing Body are legally obliged to publicise its complaints procedures. Procedures will be referred to within:

- The school prospectus
- The information given to the children themselves
- A specific complaints leaflet (incorporating comments form / compliments form)
- The school website

## **The Complaints Appeal Panel**

The Governing Body will, if necessary nominate a number of members with delegated powers to hear complaints and set out its terms of reference. These would include:

- Drawing up its procedures;
- Hearing individual appeals;
- Making policy recommendations as a result of complaints.

### **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 that similar problems do not recur.

### **Governors on a complaints panel must remember:**

- 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 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. However, it has to be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel Chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- 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.

- The Governors sitting on the panel need to be fully aware of the complaints procedure.

## **Roles and Responsibilities**

### **Clerk**

The clerk is required to:

- 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;
- 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;
- Notify all parties of the panel's decision.

### **Chair of the Governing Body or Nominated Governor**

The nominated Governor will:

- Check that the correct procedure has been followed;
- If a hearing is appropriate, notify the clerk to arrange the panel.

### **Chair of the Panel**

The holder of this key role will ensure that:

- The remit of the panel is explained to all parties and that each party has the opportunity to put their case, without undue interruption;
- The issues are addressed;
- Key findings of fact are made;
- Parents and others who may not be used to speaking at such a hearing are put at ease;
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- The panel is open-minded and acting independently;
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure

- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties. If a new issue arises, all parties should be given the opportunity to consider and comment on it.

### **Notification of the Panel's Decision**

The Chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

### **Checklist for a panel hearing**

The panel must take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint and be followed by their witnesses.
- The Headteacher may question both the complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher is then invited to sum up their complaint.
- The Headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

# COMMENTS, COMPLIMENTS AND SUGGESTIONS PROCEDURE

We hope that you and your children will be happy with your experience at St Mary's School. Any **compliments, comments and suggestions** are always valued and will be shared with staff and governors. This information will be used to improve our services to you and your children. A comments book is available in reception if you wish to share your positive comments about the school.

## Concerns and complaints

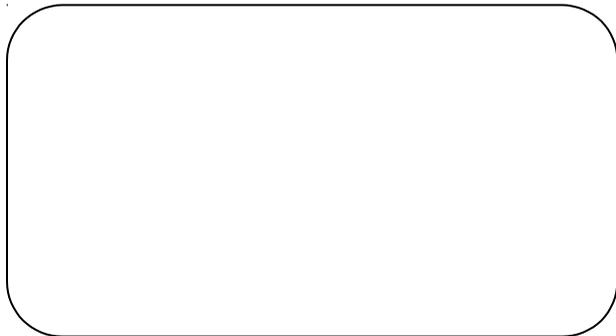
Should you or your child have any concerns about any aspect of the school, we welcome you to **get in touch as soon as possible**. Just come and talk to your child's class teacher or make an appointment to see the Executive Headteacher.

Or you can always **e-mail us**, via the school office: [office@st-maryscofe.notts.sch.uk](mailto:office@st-maryscofe.notts.sch.uk) – just mark the e-mail with the name of the person you want to write to. Staff will try to respond within 48 hours.

If you feel that your concerns have not been fully addressed, you may choose to fill out a **complaints form**. These are available from the school office and can be returned to the Executive Headteacher by hand or by post.

Here is what happens if you make a complaint:

# St Mary's School Complaints Procedure

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