

Davenham Church of England Primary School

Working Together, Playing Together, Serving God and Serving Others

"...encourage one another and build each other up..."

1 Thessalonians 5:11.

POLICY FOR COMPLAINTS

We aim to provide a safe and inclusive learning environment where everyone is valued and encouraged to reach their full potential.

TABLE OF CONTACTS

Head teacher Mrs Joanne Hyslop	Telephone 01606 42551 head@davenhamce.cheshire.sch.uk
Chair of Governors Mrs Debbie Mercer	chair@davenhamce.cheshire.sch.uk
Clerk to the Governors Mrs Eve Smith	eve.smith@Edsential.co.uk

COVID 19 NOTE JANUARY 2021

"We acknowledge that the pressures caused by coronavirus (COVID-19) might affect schools' usual processes and timescales for complaints. However, schools should still consider complaints, particularly those relating to the provision of remote education"

If we are able to deal with a complaint in accordance with our policy and timescales, then we will endeavour to do so. However, circumstances **may** exist, due to Covid-19 that frustrate our efforts to be fully compliant at times.

We will take the following steps during the Covid 19 pandemic, should we not be able to deal with the complaint within the normal timescales.

- We will send an acknowledgment to the complainant, explaining why there will be a delay in providing a response
- We will advise that the complaint will be handled in accordance with our usual complaints procedure as soon as we are able to do so.

- The first day that we are physically able to process will be when we start the clock on the response window.
- We will keep the complainant informed of the above so that they can be sure when to expect to hear from us and, so they can timetable when they may be able to access redress via the DfE or OFSTED should they remain dissatisfied or hold concern over the way the matter is being handled.

Where our policy states we may invite you into the school to meet and discuss the complaint you have raised, please be aware that this meeting will have to take account of the relevant restrictions and social distancing guidance that is in place at that time. It may therefore be that the matter is discussed by exchange of correspondence, over the telephone or via video call as an alternative. This would be done in full consultation with you.

Under Section 29 of the Education Act 2002, Governing Bodies of all maintained schools in England have been required to have in place a procedure to deal with complaints relating to the school. The law also requires the procedure to be publicised. There is a difference between a concern and a complaint; taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints. The formal procedures will need to be invoked only when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

AIMS

We will be fair, open and honest when dealing with any complaint and will always put the interests of our children above all else. We will consider all complaints and we aim to resolve any complaint through dialogue and mutual understanding.

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions)

Our complaints procedure will:

- encourage resolution of problems by informal means wherever possible; be easily accessible and publicised; be simple to understand and use; be impartial and non-adversarial;
- allow swift handling with established time-limits for action and keeping people informed of the progress; ensure a full and fair investigation by an independent person where necessary;
- respect confidentiality;
- address all the points at issue and provide an effective response and appropriate remedy

- provide information to the school's senior management team and governors so that services can be improved.

GUIDELINES

All complaints, however made, shall be considered

For a general complaint:

Step 1

If a parent is concerned about anything to do with the education or support that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher; most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school and is making good progress; they naturally want to know if there is a problem, so that they can act before it seriously affects the child's progress.

Step 2

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 teacher. The head teacher will consider all matters of concern very seriously and investigate each case thoroughly. Most complaints would normally be resolved at this stage.

Step 3

Only when an informal complaint fails to be resolved by the teacher or head teacher should a formal complaint be made to the governing body. Complaints should be made using the Complaints Procedure Form stating the nature of the complaint, who has been spoken to already and the preferred outcome. The parent should send the Complaints Procedure Form to the Chair of Governors via the school office.

For a complaint about the head teacher:

Step 1

If a parent is concerned about anything to do with the behaviour, leadership or management of the head teacher, they should, in the first instance, discuss the matter with the head teacher; most matters of concern can be resolved positively in this way.

Step 2

Where a parent feels that a situation has not been resolved through contact with the head teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Chair of the governing body. The Chair will consider all matters of concern very seriously and investigate each case thoroughly. Most complaints would normally be resolved at this stage. The details of our Chair of Governors can be found on the school Website.

Step 3

Only when an informal complaint fails to be resolved by the Chair should a formal complaint be made to the governing body. Complaints should be made using the appropriate Complaints Procedure Form stating the nature of the complaint, who has

been spoken to already and the preferred outcome. The parent should send the Complaints Procedure Form to the governing body via the Clerk to the Governors.

For a complaint about a school governor:

Any complaint made against the Chair of Governors or another member of the Governing Body should be made in writing to the Clerk to the Governing Body.

Governing body complaints committee

1. The governing body must consider all written complaints within 21 school working days of receipt.
2. The Chair of Governors will nominate a governor to co-ordinate the procedure and will appoint a complaints panel consisting of 3 Governors who are not employees of the school. The nominated co-ordinator will Chair the complaints panel.
3. The co-ordinator will arrange a meeting of the complaints panel to discuss the complaint and will invite the person making it to attend the meeting so that they can explain the complaint in more detail. The school will give the complainant at least five days' notice of the meeting. If the complainant cannot attend the suggested date, a further date will be set. If the complainant does not attend the second date, a third and final date will be set, at which time the meeting will proceed without the complainant present.
4. The head teacher will write a report addressing the complaint and ensure that the complaints panel members and the complainant receive a copy 4 days before the meeting. (If it is a complaint about the head teacher, the Chair of Governors will write the report).
5. The complainant is invited to write a report addressing the issue and must ensure that the complaints panel members and the head teacher (or Chair of Governors) receives a copy 2 days before the meeting. Other written evidence will not be accepted at the meeting, except in exceptional circumstances.

Check list for a panel hearing

The panel must take the following points into account:

1. the hearing is as informal as possible;
2. after introductions, the complainant is invited to explain their complaint (with the support of parent partnership or other advocate if required); the panel members and head teacher (or Chair of Governors) may ask questions;
3. the head teacher (or Chair of Governors) is then invited to explain the school's actions (with support of DI-IT, SENDCo or other supporter if required); the panel members or complainant may ask questions; the complainant is then invited to sum up their complaint;
4. the head teacher (or Chair of Governors) is then invited to sum up the school's actions and response to the complaint;
5. the Chair of the panel explains that both parties will hear from the panel within 3 working days; both parties leave the meeting while the panel decides on the issues.

When the panel has fully investigated the complaint, the Chair of the panel, on behalf of the governing body, will write to the complainant confirming the outcome of the complaint and any agreed action to be taken. The panel can:

- dismiss the complaint in whole or in part
- uphold the complaint in whole or in part

- decide on appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

Investigating Complaints

At each stage, the person investigating the complaint should 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; 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.

Matters outside the scope of the Complaints Procedure

The exceptions listed below, for which there are separate (statutory) procedures, will not be dealt with via the school complaints procedure:

Exception	Who to Contact
Admissions Statutory assessments of Special Educational Needs (SEN) School reorganisation proposals Matters likely to require a Child Protection Investigation	Concerns should be raised directly with the local authority.
Exclusion of children from school	Concerns should be raised directly with the local authority.
Whistleblowing	Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised directly with Ofsted by telephone on 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to: WBC-IL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.

Exception	Who to Contact
Staff grievances and disciplinary procedures.	<p>These matters will invoke the school's internal grievance procedures.</p> <p>Complainants will not be informed of the outcome of an investigation.</p>
Complaints about services provided by other providers by other providers who may use school premises or facilities.	Providers should have their own complaints procedure to deal with complaints about

Resolving Complaints

At each stage in the procedure we will look for a way 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.

It should be noted that an admission that the school could have handled the situation better is not the same as an admission of negligence.

If you believe that the Governing Body has acted unreasonably, you can complain in writing to the Secretary of State for Education.

Unresolved complaints

From 1 August 2012 complaints about maintained schools not resolved by the school that would have been considered by the Local Government Ombudsman or the Local Authority should be addressed to the Secretary of State for Education.

Further information can be obtained by calling the National Helpline on 0370 000 2288 or going online at: www.education.gov.uk/help/contactus or by writing to:

**Department for Education School Complaints Unit, 2nd Floor, Piccadilly Gate
Store Street, Manchester, M1 2WD**

Complaint Form

Please complete and return following the guidelines and contact details contact in the table on page 1. Your complaint will be acknowledged along with an explanation of what action will be taken.

Your name:
Pupil's name:
Your relationship to the pupil:
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint (Who did you speak to and what was the response)?

Part Two

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

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

Signature:

Date:

Official use

Date acknowledgement sent:

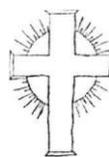
By who:

Complaint referred to:

Date:

EQUALITY STATEMENT

Davenham Primary School is committed to ensuring equality of opportunity for all children, staff, parents, carers and visitors irrespective of their race, gender, gender identity, disability, religion or belief, sexual orientation, marital status, age or pregnancy and maternity. We tackle discrimination through the positive promotion of equality, by valuing diversity, challenging bullying and stereotypes and by creating an inclusive environment which champions fairness and respect for all.



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POLICY FOR COMPLAINTS

Effective Date		January 2019	
Review Date		Annually	
Person Responsible		Joanne Hyslop	
Signed Headteacher	Signed Chair of Governors	Date Ratified	
J Hyslop	D Mercer	January 2019	
9 March 2020	Joanne Hyslop	Debbie Mercer	
Dec 2020 (Covid 19 Addition)	Joanne Hyslop	Debbie Mercer	
25 Jan 2021 (Covid 19)	Joanne Hyslop	Debbie Mercer	
24 January 2022	Joanne Hyslop	Debbie Mercer	