

THE STOKE POGES SCHOOL

Complaints and Resolutions Policy and Procedure

Date Approved	September 2023
Recommended Review Period	Annual
Date for Review	September 2024
Person Responsible for the Policy	Headteacher

1. Introduction

The Governing Board of The Stoke Poges School has adopted this procedure to deal with concerns or complaints.

The school will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

2. Legislation and guidance

This document meets the requirements of section 29 of the [Education Act 2002](#), which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on [guidance for schools on complaints procedures](#) from the Department for Education (DfE), including the model procedure, and model procedure for dealing with serial and unreasonable complaints.

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

3. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, or other.

We aim to be fair, open and honest when dealing with any concern or complaint and to resolve it through open dialogue and mutual understanding.

Careful consideration will be given to all concerns and complaints. It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The school takes concerns and complaints seriously and will make every effort to deal with them as swiftly as possible. We will provide sufficient opportunity for any concern or complaint to be fully discussed.

In all cases we will put the interests of the child above all other issues.

Our procedure is underpinned by the following **framework of principles**:

- encourage resolution of problems by informal means wherever possible
- be easily accessible and publicised
- be simple to use and understand
- be impartial
- be 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 people's desire for confidentiality, wherever possible (some information sharing may be necessary to carry out a thorough investigation)
- address all points of issue, providing an effective response and appropriate redress, where necessary
- provide information to the school's senior management team so that services can be improved.

Mediation may be useful in resolving a concern or complaint and may be offered at any point during the complaints procedure. Mediation will only be entered into with the agreement of all parties.

4. Definitions

The Dfe guidance explains the difference between a concern and a complaint:

- A **concern** is defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.
- A **complaint** is defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

5. Areas not covered by this procedure

This procedure does not apply to issues concerning admissions, school re-organisation proposals, exclusion appeals, statutory assessments of special educational needs, matters raised by whistle-blowers, staff conduct complaints, grievances by school staff, complaints about collective worship, withdrawal from the curriculum or complaints about the curriculum. These are the subject of separate complaints procedures (details in Appendix 4); more information can be obtained from the school.

All other concerns and complaints will be handled by the school according to the arrangements set out below.

6. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

6.1 Timescales

A concern or complaint must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents.

The school will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

Concerns or complaints raised outside of term time will be considered to have been raised on the first school day after the holiday period.

At any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

6.2 Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4666, or by emailing enquires@ofsted.gov.uk . An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts> .

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

7. Raising Concerns

If you have any concerns about the school, or the education we are providing at any time, please discuss the matter with your child's class teacher / phase leader / headteacher at the earliest opportunity either in person or by letter, telephone or office email.

It is not appropriate to publicise any concerns you may have on social networking sites. Please speak, or write, to someone at the school at your earliest convenience, rather than using any other means.

Concerns or complaints should not be raised with individual governors. They have no power to act on an individual basis and it may prevent them from considering a formal complaint in the future.

The school considers any concerns very seriously and most problems can be resolved following discussion and a shared understanding of the issues.

8. Stage of complaint

8.1 Stage 1 – Formal Procedure

Most concerns are resolved informally, however if you remain dissatisfied and wish to take the matter further by making a formal complaint you can let us know in person, by telephone, in writing or by a third party acting on your behalf.

The complaint form (Appendix 2) attached to this procedure can be helpful to complete. The aim of the form is to give us as clear an understanding as possible of your complaint and includes a section on what actions you feel would resolve the problem. If you would like support in completing the form from someone unconnected with the complaint, please let us know and we would be happy to organise this for you.

If you are making your complaint in writing, it should be returned to the Headteacher (marked Private and Confidential) via the school office *unless*:

- The complaint is about the Headteacher. In this case it should be returned to the Chair of the Governing Board at the school address (marked Private and Confidential)
- The complaint is about the Chair of the Board, an individual governor or the whole Governing Board. In this case it should be addressed to the Clerk to the Governing Board at the school address (marked Private and Confidential)

You will receive an acknowledgement of the receipt of your complaint within 5 working days.

An investigation will be carried out into the complaint and the way it has been handled by the school. This will include a review of any relevant documentation and information and seeking the views of relevant people, where necessary.

If the investigation is to be carried out by the Headteacher, they may delegate this to another member of the school's senior leadership team but not the decision to be taken.

If the complaint is about the Headteacher or a member of the Governing Board (including the Chair of Vice-Chair) a suitably skilled governor will be appointed to complete the investigation.

If the complaint is about the Chair / Vice-Chair of Governors jointly, the whole Governing Board or the majority of the Governing Board, the investigation will be considered by an independent investigator appointed by the Governing Board.

The person undertaking the investigation will normally write to you with the outcome of this process within 15 school days of receiving the complaint. If they are unable to meet this deadline, they will provide you with an update and revised response date.

If, at any time, it becomes apparent that the complaint is a disciplinary or capability issue, the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. You will be notified if this is the case with your complaint, however, you are not entitled to know which procedure, or the final outcome, because of the right to confidentiality of the member of staff involved.

8.2 Stage 2 – Formal Procedure

Following the outcome of the investigation at Stage 1, if you feel your concern has not been resolved, you may choose to move to Stage 2 of the formal procedure. You must let the school know if you wish to do this within 15 school days of the completion of Stage 1. Requests received out of this time frame will only be considered in exceptional circumstances.

At this stage the complaint will be considered by the Governing Board's Complaints Committee. This will be made up of a panel of three governors, who will meet to consider the complaint and make a final decision about it on behalf of the Governing Board. Panel members will have no detailed prior knowledge of the complaint, or connection with you. The meeting will normally take place within 15 school days of your request.

If the complaint is:

- Jointly about the Chair and Vice Chair or
- The entire Governing Board or
- The majority of the Governing Board

The complaint will be heard by a panel of independent governors co-opted for this purpose.

The committee will decide whether to deal with the complaint by inviting all parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If you are invited to attend the meeting, you will be contacted by the school to inform you of the date, time and venue of the meeting. Any further written material to be submitted to the committee will also be requested. If you reject the offer of three proposed meeting dates, without good reason, the school will decide when to hold the meeting. It will then proceed in your absence on the basis of written submissions from all parties.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept as evidence recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

If you attend the meeting, you may bring someone along to provide support. This can be a relative or friend. Generally we do not encourage any party to bring legal representative to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and / or legal representation.

The meeting will be clerked by an independent clerk to the panel in the interests of all parties. Appendix 2 outlines the process that will be followed at a panel meeting.

The committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint.

Outcome of the Panel Hearing

The committee will write to you with its conclusion within 5 school days of the meeting, and its decision is final.

The committee can:

- Uphold your complaint in whole or in part
- Dismiss your complaint in whole or in part

If the complaint is upheld in whole or in part, the committee will:

- Decide on the appropriate action to be taken to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

An explanation of the committee's decision and any actions or recommendations will be detailed in the letter to you communicating the outcome of the complaints panel.

8.3 Next Steps

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the DfE.

The DfE will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The DfE also looks at whether the school's statutory policies adhere to education legislation.

The DfE will intervene where a school has:

- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions

If the complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage: <https://www.gov.uk/complain-about-school>

We will include this information in the outcome letter to complainants.

9. Serial or Persistent Complaints

9.1 Unreasonably persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- Pursues a valid complaint, but in an unreasonable manner, e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out
- Make a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

Steps we will take

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

When we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

9.2 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

9.3 Complaint campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

10. Record Keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters, emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be securely, only for as long as necessary and in line with data protection law, our privacy notices and record retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

11. Learning lessons

The Chair of Governors will review any underlying issues raised by complaints with the Headteacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

12. Monitoring and Review

The Chair of Governors will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The Chair of Governors will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by the Headteacher.

The policy will be reviewed by the Headteacher annually.

At every review, the policy will be approved by the Chair of Governors.

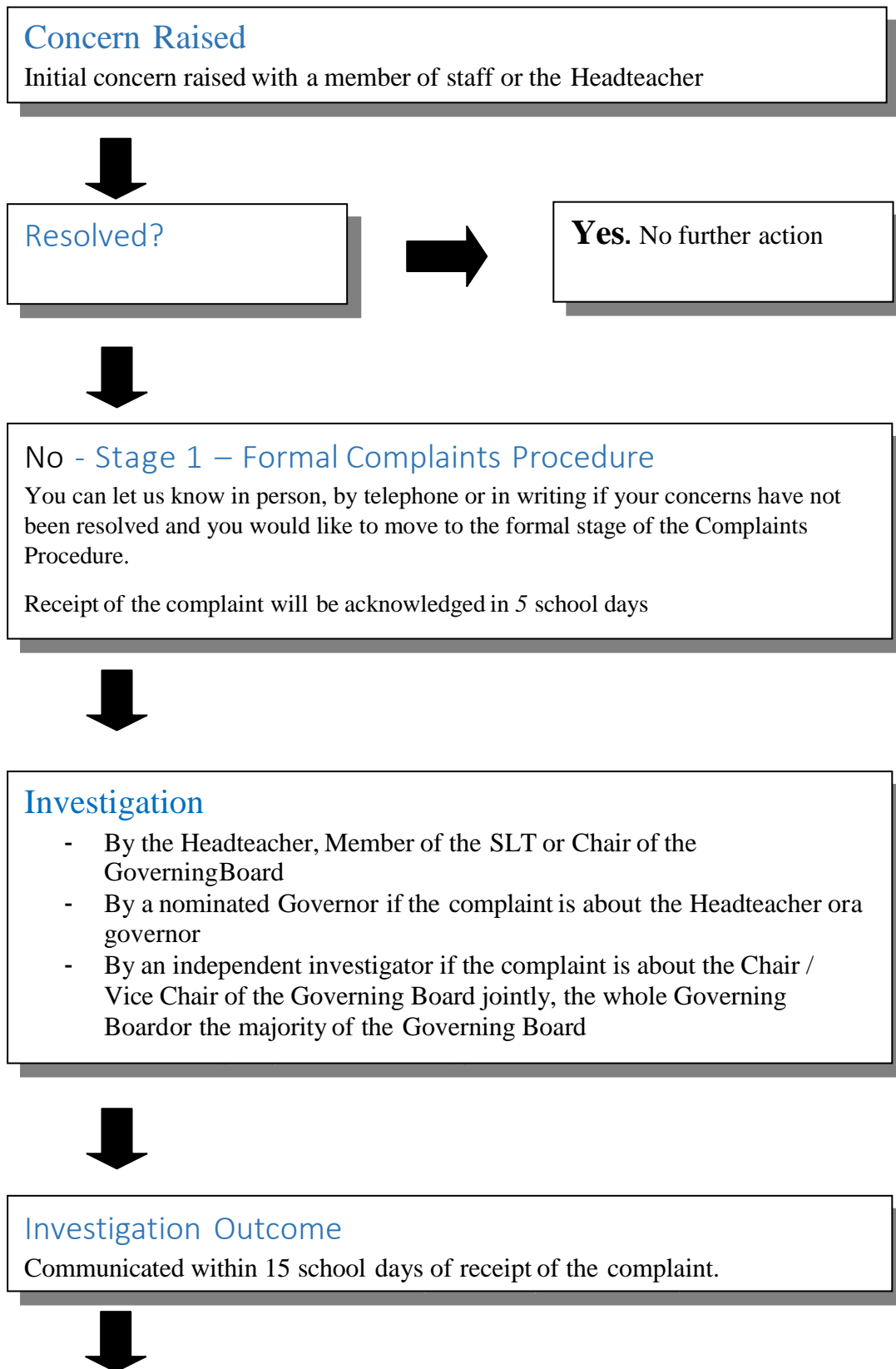
13. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Exclusion policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices

Headteacher		Date	
Chair of Governing Board		Date	

Appendix 1: Complaints Procedure - Flowchart Summary



Resolved?



Yes. No further action



No - Stage 2 – Formal Complaints Procedure

If you wish to take your complaint to Stage 2 of the procedure you will be asked to confirm this within 15 school days of the completion of Stage 1.



Governing Board Complaints Committee Meeting

A panel of three governors will meet to consider your complaint within 15 school days. The committee meeting will be independently clerked.

If you wish to submit evidence to the panel you will be invited to do so in advance of the meeting.



Complaints Committee Decision

The panel will make a final decision on behalf of the Governing Board and will write to you within 5 school days.

You will be told whether the complaint has been upheld or dismissed and whether the panel have agreed any actions or made any recommendations.



Resolved?



Yes. No further action



No - You can contact the Department for Education if you feel the school has acted unreasonably or not followed the correct procedures.

Appendix 2: Complaint Form

Please complete and return to (Headteacher/Clerk/complaints co-ordinator/designated governor) who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name (if relevant):

Your relationship to the pupil (if relevant):

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give concise details of your complaint, including any relevant 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.
(Who did you speak to/write to and what was the response)?**

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 whom:

Complaint referred

to:Date:

Appendix 3: At the Panel Meeting

- After introductions, the complainant will be invited to explain their complaint, and be followed by their witnesses (if any).
- The Headteacher/Chair of Governors / Investigating Officer may question both the complainant and the witnesses after each has spoken.
- The Headteacher/Chair of Governors will then be invited to explain the school's actions and be followed by the school's witnesses (if any).
- The complainant may question both the Headteacher/Chair of Governors 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/Chair of Governors is then invited to sum up the school's actions and respond to the complaint.
- The Chair of the panel explains that both parties will hear from the panel within 5 school days.
- Both parties leave together while the panel decides on the issues.
- The Clerk remains to support the panel.

Appendix 4: Areas Not Covered by These Procedures

	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the Local Authority</p>
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under the child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</p>
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. <link to school behaviour policy></i></p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistle-blowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p>

	<p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint.</p> <p>However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>
<ul style="list-style-type: none"> Collective Worship 	<p>Complaints about the content of the daily act of collective worship should be signposted to:</p> <ul style="list-style-type: none"> - The Local Authority - The local Standing Advisory Council on Religious Education