

# **Complaints Policy and Procedures**



**Fairholme Primary School**



## Fairholme Primary School Complaints Policy and Procedures



### RATIONALE

At Fairholme Primary School, we recognise the importance of working with parents, carers and all members of our school community in order to nurture our children and support their learning. Our core values are based on **respect, honesty, responsibility, kindness, self-belief** and **aspiration**. Staff at the school take this responsibility very seriously, and will always endeavour to listen to any concerns that are raised in an appropriate way. Concerns should always be raised first with the member of staff who has the closest contact with the child - this is usually the class teacher. If concerns or complaints remain unresolved, this policy and procedures explain how to take the matter further. We expect all conversations to be conducted in a civil manner and all members of our school community to behave respectfully in line with our school Code of Conduct. The school also has a Vexatious Complaints (including unreasonable behaviour) Policy which can be found on the school web site.

The flow-chart at the end of this document gives a simple overview of the complaint's procedure, where to start and what to do if a complaint remains unresolved.

### STAGE 1: COMPLAINT HANDLED INFORMALLY

1. A parent with a complaint should be asked to discuss the matter with the child's class teacher when this is appropriate.
2. Should this not be appropriate, or the parent is dissatisfied with the class teacher's response, then they should be referred to the Year Group Leader.
3. If the matter is not resolved satisfactorily the parent should be advised to see a member of the Senior Leadership Team:  
Miss Bridger (Deputy Headteacher)  
Miss Spencer (Assistant Headteacher)  
Mrs Mwangi (Assistant Headteacher)  
Mr Doyle (SENCo)
4. When a complaint is unresolved by the above, the Headteacher/Deputy will investigate the complaint. The complainant will either be contacted in writing within ten school days providing a full result of the investigation and details of any action the school proposes to take, or contacted and invited to a meeting, which will normally be held within a further five school days, to discuss the investigation and its outcome, or, in exceptional circumstances, its progress.
5. If the complaint is about a member of the Senior Leadership Team, then the Headteacher will endeavour to resolve the complaint.
6. If the complaint is about the Headteacher, the parent/carer should meet with the Headteacher to resolve the complaint. Where the parent/carer believes that such a meeting would be inappropriate, or if the complaint remains unresolved, the complaint may be escalated directly to the Chair of Governors in writing – Mr Ryan Ward Chair of Governors, c/o the School Office.

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7. Records will be kept of each complaint received, with any letter received or notes of the first conversation with the complainant, a note of the investigation and its outcome and a copy of the letter to the complainant or a note of the meeting with the complainant. These records should enable trends to be identified including possible issues on gender, disability and ethnicity.

All complaints will be handled confidentially and in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. Information relating to complaints will be shared only with those who need to know in order to investigate and resolve the matter. Records of complaints will be stored securely and retained in line with the school's data retention schedule.

8. Timescales - all timescales set out in this policy refer to school days during term time. Where a complaint is complex and it is not possible to meet the stated timescales, the complainant will be informed in writing of the reason for the delay and provided with a revised timescale.
9. The Headteacher will review the complaints records regularly to consider whether any change to school procedure is desirable.

## **STAGE 2: COMPLAINT REFERRED TO CHAIR OF GOVERNORS**

10. If, having followed the process in Stage 1, the complaint remains unresolved, the complainant may then direct the complaint to the Chair of Governors in writing, addressed to Mr Ryan Ward, Chair of Governors, c/o the School Office, to be pursued further. The Chair of Governors will investigate the complaint. The results of any investigation by the Chair of Governors will be reported to the complainant, usually within 10 school days.
11. It is very important that the complaint is not discussed (even in outline) by the Governing Board as a whole as this would prejudice all governors present and it would then not be possible for Stage 3 of these procedures to take place.
12. Sometimes, a complainant will simultaneously direct the complaint to the Chair of Governors and to the Education Department. In these circumstances, the complainant will be advised that, as they have also written to the Chair, the Department may investigate at the request of the Chair but that the response will be made by the Chair.

## **STAGE 3: FORMAL GOVERNING BODY COMPLAINTS PANEL**

13. If still not satisfied, the complainant may ask the Chair of the Governing Body to set up a complaints panel of three governors to consider the complaint at a meeting of the panel. At this stage, the complaint may well be different from the original complaint lodged as it may include dissatisfaction with the action taken by the school's leadership team to resolve the original complaint.
14. Because it will be necessary to guard against any possibility of conflict of interest, governors who have previously been involved in the complaint or who know the complainant personally or who have any other interest in the complaint should not serve on the complaints panel. Also, insofar as complaints concern the management of the school or issues of classroom management, it would not normally be appropriate for staff

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or teacher governors to be panel members, unless it is impossible otherwise to convene a panel to meet in good time. This panel will make a final decision on the complaint on behalf of the whole Governing Body. A member of the school administrative staff or the clerk to the governors will normally act as clerk to the panel, arranging a date for the hearing agreed by all parties (normally within 15 school days of the complainant's request for a panel to hear the complaint), circulating any documents in advance of the hearing, and recording minutes of the hearing.

15. The members of the panel will appoint one of their number, not a member of staff of the school, as Chair.
16. The panel will receive any written evidence from the complainant and from the Headteacher on the complaint and the action taken to attempt to resolve it. Any written evidence will be circulated to all parties before the hearing. The panel will hear statements from the complainant and the Headteacher (both of whom may be accompanied by a colleague who can speak on their behalf if necessary), and evidence from witnesses from both sides relating specifically to the complaint and the action taken. The panel will be able to question the complainant, the Headteacher and the witnesses, and the Headteacher and complainant can also question each other and the witnesses. A possible procedure is set out below.
  - Introductions by Chair of Panel
  - Complainant makes statement of complaint and background
  - Questions to complainant by panel and Headteacher
  - All parties hear and question witnesses called by complainant
  - Headteacher makes statement
  - Questions to Headteacher by panel and complainant
  - All parties hear and question witnesses called by Headteacher
  - Headteacher makes final statement
  - Complainant makes final statement
  - The complainant and the Headteacher leave the hearing
  - Panel considers case and reaches decision on whether the complaint is upheld, upheld in part, or rejected. The panel may ask for a particular action to be taken by the school, or for a change in school procedure.
17. Once the panel has reached a decision, it is final. The Chair of the panel will communicate the decision to the complainant in writing, or arrange for the clerk to do so, within 3 school days of the hearing. Once the complaints procedure has been exhausted, the complainant may refer the matter to the Local Government Ombudsman or the Secretary of State for Education.
18. The only further course of action available for the complainant is generally to contact the Secretary of State for Education, or the Local Government Ombudsman, on the grounds that the Governing Body has not considered the complaint properly.

## **Complaints Procedure: An Overview**

