

Steam Mills and Woodside Primary Schools Federation (SMWF)



Steam Mills and Woodside Federation Complaints Policy

Articles 12 and 13- Children have the right to voice their opinion and be listened to.

This policy should be read in conjunction with other relevant policies including: Child Protection and Safeguarding, including the Offer of Early Help and the Vexatious Complaints Policy.

School Ethos

The Head Teacher and Governors expect an ethos where every child has a right to learn without disruption. Good manners and politeness are key features of our school and all stakeholders are committed to expecting the best.

1. Introduction

Steam Mills and Woodside Federation Governors and staff believe that the school provides a good education for all of the children, and that the Head Teacher and other staff work very hard to build positive relationships with all parents. However, the school is obliged to have procedures in place in case

there are complaints by parents/carers. The following policy sets out the procedure that the school follows in such cases. A copy of this policy is available on the school's website.

2. Aims and objectives

The school aims to be fair, open and honest when dealing with any complaint giving careful consideration to all complaints and dealing with them as swiftly as possible. The aim is to resolve any complaint through dialogue and mutual understanding and in all cases putting the interests of the child above all other issues. There will be sufficient opportunity for any complaint to be fully discussed, and then resolved.

3. Child Protection

Please note that all complaints against any member of staff with regards to child protection, will refer to the Child Protection Policy.

Special Circumstances

- If the complaint suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual interference or neglect, it may be referred without further notice to Children's Social Care. If Social Care decides to investigate a situation, this may postpone or supersede investigation by the Head Teacher or Governing Body.

- Where a matter can be resolved through a legal appeal, it will not be considered as a formal complaint. The key areas are: admissions decisions; certain decisions relating to formal assessment of special educational needs; and decisions to permanently exclude a child.

4. The Complaints Procedure General Principles:

- This procedure is intended to allow parents, carers and other stakeholders to raise a concern or complaint relating to the school, or the services that it provides.

- An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.
- To allow for a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. Any concerns/complaints must be made within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Only in exceptional circumstances will complaints outside of this timeframe be considered.

Concern

A concern can be defined as a query or an expression of a worry about possible danger or apparent failure in respect of the school. A matter should be viewed as a concern if it is capable of being resolved locally and does not require a formal response.

Complaint

A complaint can be defined as an expression of dissatisfaction with the school. It requires a formal response. The school will deal with any matter as a complaint as described more fully below, when:

- the person raising the matter requests the matter to be dealt with as a formal complaint or
- when informal attempts to deal with the concern have been exhausted and the person who raised the concern remains dissatisfied.

We will not normally investigate anonymous concerns/complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Any concerns/complaints received outside of term time will be considered to have been received on the first school day after the holiday period.

If other bodies are investigating aspects of the concern/complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Steam Mills or Woodside Primary Schools in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

· If the concern or complaint is against the Head Teacher, in the first instance the complainant will need to write in confidence to the Chair of Governors **only** at the school. The Chair of Governors may seek to resolve the issue informally before, if necessary, moving to Stage 2 points two and three of the Complaints Procedure.

In any event, the following procedure should be followed when a concern or a complaint is raised:

Complaints Procedure

Stage One

- Stage 1a - Talk to the Class Teacher.
- Stage 1b - If not resolved, meet with the Senior Leader.
- Stage 1c - If not resolved, meet with the Deputy Head.
- Stage 1d - If not resolved, meet with Executive Headteacher, who will investigate your concern/complaint and give oral or written feedback.

If your concern/complaint is not resolved.



Stage Two

- Fill in the school's complaint form (copy in the Complaints Policy Appendix 1) and either hand in at the school office, one copy addressed to the Chair of Governors, or email the completed form to chair@smwf.org.uk. and another copy to the Executive Headteacher or email the completed form to head@steammills.gloucs.sch.uk/head@woodside.gloucs.sch.uk
- The Chair will acknowledge receipt of the form, ask the class teacher/deputy head/senior leader who dealt initially with your complaint, the Executive Headteacher and any other witnesses relevant to the complaint to provide the Chair with written reports.

- The Chair will consider your written complaint form, and the school's response, and inform you of their decision in writing within 10 school days of acknowledging receipt of the complaint form. (This is a desired timeframe, but as the Chair is a voluntary position, the decision may not always be within ten days due to the Chair's work and travel commitments.)

If your concern/complaint is not resolved.



Stage 3

- Within 5 school days of receiving the Chair's decision, write to the Clerk to the Governors via the school office, or email clerk@smwf.org.uk using the complaints review request form in the complaints policy (Appendix 2) requesting for your complaint to be considered by a Complaint Appeals Panel, requesting copies of written reports and correspondence to be considered by the panel at least 5 days prior to the panel meeting if you wish.
- The clerk will acknowledge your letter/email and ask the Governing Body to arrange a Complaint Appeals Panel Meeting within 20 school days of acknowledging receipt of your request. (This is a desired timeframe, but as a school governor is a voluntary position, the decision may not always be within 20 days due to the governors' work and travel commitments.) and inform the Chair of Governors of the receipt of your letter/email.
- The Chair of Governors will ask one of the other governors to arrange and chair the Complaint Appeals Panel Meeting. The Chair of Governors will be excused from taking part in the panel meeting as they were actively involved in Stage 2 of the process.
- The Chair of the Panel will contact other governors to take part in the panel. The Chair of the Panel will endeavour to include governors who have no possible conflicts of interest regarding the complaint. The Chair of the Panel may invite a governor from another school to act as an independent member of the panel.

- The Chair of the Panel will gather all written reports and correspondence relevant to the complaint and ask the clerk to distribute to other panel members at least 5 school days prior to the Complaints Panel Meeting. Panel members may submit any questions on the school's response to the complaint in writing to the Executive Headteacher and Chair of Governors prior to the meeting.
- The Clerk to the Governors will be present to minute the Complaints Panel meeting.
- The Complainant and Executive Headteacher will be invited to make an oral statement to the Panel at the beginning of the meeting if they wish to do so. The chair will explain the purpose of the meeting, the procedure for the meeting, how the Panel's decision will be communicated and the next step for the complainant if they do not agree with the decision reached. The panel members may ask any further questions to the Complainant and Executive Headteacher. The Complaints Appeals Panel will then meet in private to consider the complaint and reach a decision.

The Remit of the Complaints Appeal Panel

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 problems of a similar nature do not recur.

There are several points which any Governor sitting on a complaints panel needs to 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 had 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. Governors from other schools can be asked.

- 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 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.
- 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.
- All Governors sitting on the panel need to be aware of and adhere to the complaints procedure.

The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- The remit of the panel is explained
- The issues are addressed.
- Key findings of fact are made.
- 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;
- Written material is seen by all parties.

The Role of the Clerk

- Set the date, time and venue of the hearing, and that the venue and proceedings are accessible.
 - Collate any written material and send it to the parties in advance of the hearing.
 - Record the proceedings.
 - Notify all parties of the panel's decision.
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- The Clerk will email the Complainant, Chair of Governors and Executive Headteacher within 5 school days of the Panel meeting, informing them of the Panel's decision and reasons for making that decision.

This is the end of the school's complaints procedure.

If your concern/complaint is not resolved.



Stage Four

If you believe the school did not handle your concern/complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, you can contact the Department for Education after you have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the federated schools. They will consider whether the schools have adhered to education legislation and any statutory policies connected with the complaint.

For the Secretary of State to intervene following a complaint, he needs to be sure that either:

- The school has acted or is proposing to act unreasonably in the exercise or performance of its functions imposed by or under the Education Act 1996;
- The school has failed to discharge any duty imposed by or for the purposes of the Education Act 1996.

You can refer your complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education,
Piccadilly Gate,
Store Street,
Manchester
M1 2WD

5. Monitoring and review

The Governors monitor the Complaints Procedure, in order to ensure that all complaints are handled properly. The Executive Head Teacher logs all formal complaints received by the school and records how they were resolved.

Governors examine this log on an annual basis. Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the Complaints Procedure.

Appendix 1

Complaint Form

Please complete this form and return it to the Chair of the Governing Body and the Executive Head teacher (or Chair to the Governing Body only if about the Head Teacher or a Governor), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name

Your address

Daytime telephone number

Evening telephone number

Email address

Relationship to school (e.g. parent of a child on the school's roll)

Child's (or children's) name (if relevant to your complaint)

Please give concise, clear details of your complaint (including dates, names of witnesses etc) to allow the matter to be fully investigated. You may continue on separate paper or attached additional documents if you wish.

Number of additional pages attached:

What action, if any, have you already taken to try to resolve your complaint (i.e. who have you spoken to or written to and what was the outcome?)

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

Signature:

Date this form was submitted:

SCHOOL USE ONLY:

Received by: Date:

Acknowledgement sent by: Date:

Complaint referred to:

Name Date:

Name Date:

Name Date:

Appendix 2

Complaints Review Request Form

Please complete this form and return it to the Clerk to the Governing Body, email clerk@smwf.org who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name

Your address

Daytime telephone number

Evening telephone number

Email address

Dear sir/madam, I submitted a formal complaint to the school on Date:

____/____/____ My complaint was submitted to Name:

_____ and I received a response from Name:

_____ on Date: ____/____/____ I have

attached copies of my formal complaint and of the responses from the school.

I am dissatisfied with the way in which the procedure was carried out because:

You may continue on separate paper, or attach additional documents, if you wish.

Number of additional pages attached

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

Signature

Date

SCHOOL USE ONLY:

Received by: Date:

Acknowledgement sent by: Date:

Complaint referred to:

Name Date:

Name Date:

Name Date:



