



Rushton CE Primary School

Happy Learning Together

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Complaints Procedure

Approved	June 2019
Review Date	June 2021
Cycle	Biannual

Due to the Coronavirus (COVID-19) Pandemic, this policy has had Appendix 1 added.

Introduction

The main purpose of a complaints procedure is to solve problems and to give parents a means to raise issues of concern and have them addressed. Complainants should be treated respectfully during and after the course of any complaints investigation.

All members of staff should be aware of the complaints procedure and understand:

- The importance of attempting to resolve problems before they become formal complaints.
- The importance of treating complaints respectfully.

Expressing Concerns

At this informal stage the school should consider the best way of dealing with the concerns raised according to the circumstances. It is preferable for all concerned that concerns are resolved sooner rather than later.

Formal Complaints

Stage 1 - The Headteacher

It may be that the headteacher has not been aware of the concern raised prior to this point. At this stage the headteacher should consider whether the complainant can be satisfied without recourse to the local governing body.

The response to the parent should be as described in the paragraph "outcomes" below.

Action through a complaints procedure may lead to action being initiated under other procedures. This may be disciplinary or child protection procedures and consideration should be given to this possibility at the earliest stage. In these cases the investigations under the complaints procedure will be suspended until action under the other procedures (including appeals) has been concluded. The complainant should be advised if this is the case and also informed of the likely delay in the final resolution of their complaint.

Stage 2 - Formal Complaint to the Local Governing Body

Where complaints cannot be resolved informally each school should have a procedure for accepting complaints made to the Chair of the Local Governing Body. Complaints should be accepted in writing or verbally. Where a complaint is accepted verbally it should be reported back to the complainant to ensure that details have been collected correctly. An example of a form that could be used for this purpose is shown in appendix 1.

The school should record when the complaint is received. A complaint should then be acknowledged in writing by, or on behalf of, the Chair of the Governing Body. The acknowledgement should include an

explanation of what will happen next, time scales involved and the name of the person from whom they will next hear about the progress of the investigation.

Details of a complaint should be kept confidential except when they need to be shared with people who might contribute to their resolution.

The Role of the Chair of Governors

The Chair of Governors will need to consider whether the investigation can be completed by the headteacher (who will already have been involved), the Chair him/herself, or whether to refer the complaint to the Local Governing Body. If the latter course of action is followed the chair shall present a full report to the Committee and, if necessary, external advice may be sought from the District Education Officer or the CEO or DCEO of TTLT.

The Local Governing Body (at least 3 members) should meet at a time convenient to the members of the Committee, the Chair (who will present the report), the complainant (in order that they may make representations in person) and any witnesses. If it is a lone complainant, he/she may choose to bring a supporter. If so, they should put this in writing.

Outcomes

In all cases where a complaint has been investigated the complainant will be given a written response covering:

- the complaint;
- the scope of the investigation;
- the conclusion of the investigation;
- any action which has resulted;
- the possible actions open to the complainant.

The Committee may wish to offer the complainant the opportunity to discuss the response.

If the investigation upholds the complaint, redress should be appropriate to the complaint and may include:

- An appropriate expression of regret.
- Providing the solution desired by the complaint.
- Changing the procedures to avoid future problems.

Each school will take responsibility for:

- Deciding who can take remedial action.
- Ensuring that the remedy is carried out.
- Ensuring that any remedy is within the school's powers.
- Ensuring the approach to remedies is reasonable and consistent.

Where a complaint is not upheld the complainant must be given a response and informed of any further action that might be appropriate in their situation.

Stages 3 and 4 - The role of the LA

Parents do not have a general right of appeal should they disagree with the Governors' decision. They may, however, raise the matter with the Secretary of State if they consider the complaint wasn't investigated properly and fairly. If the Governors have followed a proper procedure and considered the complaint reasonably, neither the Local Authority nor the Secretary of State can reverse their decision.

Appendix 1

Complaints and Compliments

Please complete this form and return it to the school who will then forward it to the Chair of the Governing Body. Please continue on a separate sheet if necessary.

1. Name

2. Address

3. Telephone Number

[Home](#) [Work](#)

4. Name of Child

Details of the Complaint/Compliment (please include the date or period of time to which your complaint relates and confirm whether you have already expressed your concerns informally, and to whom and when).

6. Do you have a suggestion for change?

Please attach copies of any more information you have to back up your complaint such as letters or report.

Signed: _____ Date: _____

Appendix 2

Complaints Procedure During the Coronavirus (COVID-19) Pandemic

Please note: In line with current government guidance, the school is not expected to handle new or existing concerns while it is temporarily closed due to the coronavirus pandemic; however, the school maintains open communication channels for complainants to contact the school with a concern.

Statement of intent

We understand the necessity to adapt our complaints procedure during the school's temporary closure and to ensure members of our school community can continue to voice any concerns they may have.

This appendix outlines how the school manages concerns and complaints during the coronavirus pandemic, in line with the government's guidance and this policy. The information in this section is under constant review and kept updated to reflect any changes to national or local guidance.

It is important to note, however, that the DfE **does not** expect the school to address new or existing concerns or complaints during the period of temporary closure.

1. Key definitions

1.1. For the purpose of this policy, the following definitions are used:

- **Children of key workers:** children of parents who work in the following industries:
 - Health and social care, e.g. doctors and nurses
 - Education and childcare, e.g. teachers and DSLs
 - Local and national government, e.g. administrative occupations
 - Food and essential goods retail, e.g. supermarket workers and grocers
 - Public safety and national security, e.g. police and Ministry of Defence workers
 - Transport, e.g. freight transport workers and train drivers
 - Utilities, communication and financial services, e.g. bankers, oil workers, and telecommunications (999 and 111 critical services)
- **Vulnerable children:** children who have a social worker and children with EHC plans. Those who have a social worker include children who have a child protection plan and those who are looked after by the LA. A child may also be deemed as vulnerable if they have been assessed as being in need, are a young carer, or otherwise meet the definition in Section 17 of the Children Act 1989.
- **Social distancing:** measures put in place in line with government advice to reduce social interaction between people. This aims to reduce the transmission of coronavirus by preventing gatherings occurring in public spaces, such as schools, where possible.

2. Making a complaint

2.1. Concerns are not restricted to the parents of pupils. The school considers all concerns.

2.2. Complainants may express concerns to the school via:

- Email
- The school website

- Telephone
 - Letter
- 2.3. Raising a concern in person is avoided while social distancing measures are in place, where possible.
 - 2.4. The normal complaints procedure resumes once the school reopens; until this point, formal complaints cannot be dealt with by the school. Complaints should be raised to the LA or the DfE.
 - 2.5. Any updates that influence this policy are communicated to all parties involved via email or telephone in a timely manner.
 - 2.6. Where necessary, a concern can progress to a complaint; however, these are in exceptional circumstances.
 - 2.7. Any concern made against a member of staff will be initially dealt with by the headteacher, as soon as it is deemed possible, and then by a committee of the governing board when the school reopens.
 - 2.8. Any concern made against the headteacher shall be initially dealt with by a suitably skilled member of the local governing board, as soon as is deemed possible, and then by a committee of the governing board when the school reopens.
 - 2.9. Complainants are encouraged to call the DfE for more information regarding complaints at this time.

3. Concerns with regards to school closures

- 3.1. Concerns raised about the school's closure, including school places for the children of keyworkers and vulnerable pupils during closure, and remote learning resources, are handled as soon as it is deemed possible; however, the school is not expected to address new concerns during the period of closures.
- 3.2. The school addresses concerns about the school's closure, including school places and remote learning resources, in line with governmental advice, the relevant school policies, and local arrangements.
- 3.3. If parents have concerns over the school's conduct, they inform the headteacher or suitable member of the local governing board.
- 3.4. If parents have any complaints that relate to the school's temporary closure, they direct their complaints to TTLT, LA or the DfE.
- 3.5. If a complaint relates to any safeguarding concerns, the complainant contacts TTLT, LA or, where appropriate, the police.

4. Recording a concern

- 4.1. A written record is kept of any concern made, where deemed necessary, and includes:
 - The main issues raised and any recommendations.
 - Whether the concern was resolved and how this was achieved.

- Actions taken by the school as a result of the concern raised.
- 4.2. The school keeps the local governing board up-to-date with any concerns raised and actions that are taken to resolve them, where necessary.
- 4.3. Any record of concerns made are held in line with the ICO (Information Commissioner's Office) and GDPR (General Data Protection Guidance).

5. Monitoring and review

- 5.1. The headteacher is responsible for continually monitoring government updates and updating this appendix in line with any changes and guidance on both national and local levels.
- 5.2. Any changes to this appendix are communicated to all staff, parents and relevant stakeholders.
- 5.3. This appendix is considered redundant once the school reopens fully – the school resumes its regular complaints procedures outlined in this policy.

Complaints Procedure Form

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the headteacher. (If your complaint is against the headteacher, you will need to send the form to the chair of the local governing board.)

Name:	Address:
Daytime telephone number:	
Evening telephone number:	
Email:	Postcode:
What is your complaint concerning, and what action would you like the headteacher to take?	
When did you discuss your concern/complaint with the appropriate member of staff?	
What was the result of the discussion?	
Signed:	Date:

Example Letter to Complainant for a Stage Three Complaint

Address line one
Address line two
Town
County
Postcode
Date

RE: Stage three complaint

Dear addressee's name,

Thank you for your letter dated date setting out the reasons why you are not satisfied with the headteacher's response to your complaint about details of the complaint.

I am writing to let you know that I will be arranging for a complaints appeal panel (CAP) to consider your complaint, in accordance with our school's complaints procedure.

As explained in the procedure, the chair of the CAP will advise, in writing, how the CAP intends to consider your complaint.

Yours sincerely,

Chair of the governing board

Example Letter for Complaints Against the Headteacher

Address line one
Address line two
Town
County
Postcode
Date

RE: Complaint against the headteacher

Dear addressee's name,

I have received your complaint against the headteacher of name of school.

I write to let you know that I have forwarded a copy of your complaint to the headteacher, with a request that they respond to the issues raised in the complaint within 10 school days.

A copy of the headteacher's response will be sent to you as soon as possible.

If you are not satisfied with the headteacher's response, I will arrange for a complaints appeal panel (CAP) to consider your complaint in accordance with stage two of the attached complaints procedure.

As explained in the procedure, the chair of the CAP will advise you, in writing, how the complaint will proceed.

Yours sincerely,

Chair of the governing board