



GWINEAR SCHOOL COMPLAINTS POLICY

Written: June 2014

Head Teacher – Helen Scholes

Agreed with Headteacher: Lee Gardiner and governors: Cathy Woolcock, Jayne Thorley, Nancy Barrows

Review Date: July 2016

GWINEAR COMMUNITY PRIMARY SCHOOL

COMPLAINTS POLICY

School Complaints Officer Name: The Headteacher

School Complaints Officer Contact Details :

Tel. 01209 831303 or email head@gwinear.cornwall.sch.uk or write to;

Address: The Headteacher, Gwinear Community Primary School, 40, Gwinear Lane, Gwinear Hayle, TR27 5LA

Alternatively please contact;

Chair of Governors

Address: The Headteacher, Gwinear Community Primary School, 40, Gwinear Lane, Gwinear Hayle, TR27 5LA

Introduction

1.1. The school welcomes feedback on the services it provides. Should anyone be unhappy with any aspect of the school, it is important that the school learns about this.

1.2. As schools have legal responsibilities to deal with many general complaints, this policy outlines how such complaints will be dealt with by the school. Some issues should not be dealt with by the school and these are listed in Appendix 2. The Local Authority (LA) can only get involved with general complaints after all the school stages have been tried (see Stage 4 below).

1.3. Children as well as parents have legitimate rights to express concerns or to make complaints, but maturity and understanding will vary from child to child. Therefore, the school will consider a complaint on its merits. Please note that a person does not have to be a parent or a pupil of the school to make a complaint. Please also note that anonymous complaints cannot be examined under a complaints procedure.

1.4. Governors have an important role to play in considering complaints. However, it is important for parents to understand that individual governors must not investigate complaints outside this procedure. All complaints should be addressed to the school complaints officer in the first instance whose details are recorded above.

1.5. Please note that should a complaint, informal or formal, reveal an issue for which other procedures exist (for example, child protection) then it will be dealt with under those procedures rather than as a complaint.

Stage 1. - Informal Concerns.

2.1. Many enquiries and concerns can be dealt with satisfactorily by the class teacher, the Headteacher or other members of staff without the need to resort to a formal procedure. The school values informal meetings and discussions.

2.2 Concerns should be handled, if at all possible, without the need for formal procedures.

2.2. Should the face to face discussions appear unlikely to resolve matters, either party may initiate a move to the next stage (Stage 2 below) of the procedure. A copy of the school's complaints policy will be forwarded to the complainant at this stage if it has not been provided as part of Stage 1.

Stage 2 - Formal Written Complaints.

3.1. The complainant should set out the precise nature of the complaint on the form provided and return this to the complaints officer. The complainant should keep a copy of this form and all other relevant correspondence.

3.2. Should a complaint be about a general matter, the complaints officer may be able to respond immediately, e.g. if it only requires an explanation of school policy. For complaints that relate to specific actions or events, there is likely to be a need for further investigation in order to clarify the facts. The complaints officer or their nominee will normally undertake this investigation.

3.3. However, if in the early stages of the investigation, the complaints officer considers that the complaint is best dealt with at Stage 3, it will be passed to the chair of governors (or to the clerk to the governing body for the chair's attention) for consideration by a panel and the complainant informed of this action without delay.

3.4. Should the complaints officer, the Headteacher or a governor be the subject of a complaint, these will be dealt with under Stage 3 below. The complainant should send the form directly to the chair of governors (or to the clerk to the governing body for the chair's attention) c/o the school marking the envelope "private and confidential".

3.5. Should the chair of governors be the subject of a complaint, the complainant should send the form directly to the vice-chair of governors (or to the clerk to the governing body for the vice-chair's attention) c/o the school marking the envelope "private and confidential".

3.6. All formal complaints will be acknowledged within 5 school days of receipt.

3.7. Investigations at this stage should normally be completed within 20 school days of receipt of the complaint, unless there are circumstances that require a longer investigatory period. The complainant will be informed in writing should more time be required.

3.8. The school will aim to send a formal written response within 5 school days of the completion of the investigation. This gives a target of 5 school weeks for the completion of this stage of the procedure.

3.9. Following the stage 2 investigation, the complaints officer will decide on one of two outcomes:-

1. Recommend that appropriate remedial action necessary to resolve the complaint be undertaken, or
2. Confirm that all internal investigative measures have been exhausted and uphold the original informal response if this had occurred.

3.10. The decision is confidential to the complainant and to the governing body.

3.11. The complainant may take the complaint further if they are unhappy with the Stage 2 outcome by giving notice of their intention within 10 school days of their receipt of the formal outcome. This notice should be made in writing to the chair of governors (or to the clerk to the governing body for the chair's attention) c/o the school marking the envelope "private and confidential".

Stage 3 - The Governing Body.

4.1. Where the complaints officer is unable to resolve a complaint to the satisfaction of the complainant or where there is a complaint against the complaints officer, the Headteacher or a governor, the complainant should write to the chair of governors (or to the clerk to the governing body for the chair's attention) c/o the school marking the envelope "private and confidential" including copies of all relevant documents.

4.2. Should the chair of governors be the subject of a complaint, the complainant should send the form directly to the vice-chair of governors (or to the clerk to the governing body for the vice-chair's attention) c/o the school marking the envelope "private and confidential".

4.3. A panel of three governors must be convened by the chair (or vice-chair) of governors to investigate the complaint.

4.4. All formal complaints will be acknowledged within 5 school days of receipt.

4.5. Investigations at this stage should normally be completed within 20 school days of receipt of the complaint, unless there are circumstances that require a longer investigatory period. The complainant will be informed in writing should more time be required.

4.6. The school will aim to send a formal written response within 5 school days of the completion of the investigation.

4.7. This gives a target of 5 school weeks for the completion of this stage of the procedure.

4.8. Following the stage 3 investigation, the panel will decide on one of two outcomes:-

1. Recommend that appropriate remedial action necessary to resolve the complaint be undertaken, or

2. Confirm that all internal investigative measures have been exhausted and uphold the original response.

4.9. The decision is confidential to the complainant and to the governing body.

4.10. Complainants who have exhausted all school-based stages and consider that the school has not investigated the complaint in a fair and reasonable manner, may request, in writing, that the LA reviews how the school handled the complaint. Please note that this review will not investigate the original complaint.

Stage 4 - Appeals to the Secretary of State or the Ombudsman.

6.1. Finally, complainants have a right of appeal to the Secretary of State for Education. In such cases, the Department of Education (DfE) will examine the complaint and adjudicate. The DfE has the power to require the LA to take certain actions, including the issuing of instructions to the school governing body. It should be pointed out that the members of staff also have the same right of appeal.

6.2. Should a complainant feel that there has been maladministration in the manner in which a complaint has been dealt with, this can be referred to the Local Government Ombudsman.

6.3. Please note that the Ombudsman can look into complaints about how something has been done, but she/he cannot question what has been done simply because the complainant does not agree with it. The relevant addresses are:

The Secretary of State for Education

Sanctuary Buildings

Great Smith Street,

Westminster,

London

SW1P 3BT

Tel: 0171 925 5000 Local Government Ombudsman

The Oaks,

Westwood Way, Coventr CV4 8JB

June 2014

To be reviewed by July 2016

IMPACT ASSESSMENT

On 10.07.14 governors considered the possible impact of this policy on equality for all current and potential pupils and parents.

By having an effective complaints policy, that focuses on resolving issues at an early stage, we seek to address the situation for anyone who feels that they or their child are not being treated fairly. This includes people with protected characteristics. The complaints policy is available to all, in school or on our website. It can be made available in different formats on request.

Summary of Dealing with Complaints

Informal complaint heard by staff member or Headteacher

Issue resolved

Issue not resolved

Formal complaint heard by Headteacher

- Acknowledge receipt of complaint
- Write to complainant with outcome of investigation

Issue resolved

Issue not resolved

Governors' complaints panel meeting arranged

- Issue letter inviting complainant to meeting
- Issue letter confirming panel decision
- Ensure complaints co-ordinator informed of outcome

Appendix 1. Complaints Form

Please complete and return to Gwinear School who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name (if applicable):

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?)

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:

