



## Beech Green Primary School

### COMPLAINTS POLICY Autumn 2015

#### A: INTRODUCTION

The purpose of the following policy is to establish a structure whereby parental complaints can be heard and resolved. It is not intended that the procedures in this document should replace normal discussion on day to day problems and concerns as they arise. It is only when a complainant remains dissatisfied with the outcome of such discussions that further steps will need to be taken.

#### B: AIMS

- to ensure the rapid and efficient processing of complaints by parents against members of school staff, the Headteacher or a Governor;
- to maintain strong and positive relationships within the school community.

#### C: PRINCIPLES

The following principles underpin the Complaints Policy:

- Parents and Carers will have ready access to the complaints procedure.
- Complaints will be handled in a conciliatory, as opposed to a confrontational, manner.
- All parties involved have equal rights.
- The proceedings surrounding a complaint, both oral and written, will be handled confidentially.
- There will be close monitoring of all complaints, with results shared with the governing body.

## D: COMPLAINTS PROCEDURE

It is anticipated that the majority of parental concerns relating to the school and their child's education can be resolved at an early stage with the class teacher, Head or relevant governor. In the event of this not being the case, the following procedure is available to the complainant.

- a) In the case of unresolved concerns relating to a member of staff, including those received by a governor from a parent, the complainant should make contact with the Headteacher. In the case of the Headteacher or a Governor being the cause of concern, the Chair of Governors should be approached.
- b) The Headteacher or Chair will endeavour to resolve the concern informally, during the course of which investigation they may invite a third party in to observe any relevant meetings.
- c) Should this intervention fail to resolve the problem to the complainant's satisfaction, a formal complaint should be made in writing, addressed to:
  - i) the Headteacher if a member of staff is involved;
  - ii) the Chair of Governors if the Headteacher or a Governor is involved.
- d) Once a formal written complaint has been received, and the Headteacher has investigated the matter, it will be referred to the Complaints Appeal Panel, which will consist of not less than three members of the Governing Body, one of whom should be the Chair or Vice-Chair (but see point i) below). Receipt of the letter of complaint will be acknowledged within two working days.
- e) A meeting will be arranged within 15 working days of receipt of the written complaint, or as soon thereafter as possible, at which the complainant will be invited to present his/her case. See Appendix 1 for the conduct of the hearing.
- f) The Complaints Appeal Panel will communicate its decision to all concerned parties, in writing, within 10 working days of the hearing. This communication will include:
  - an explanation of how the decision has been reached;
  - any action to be taken;
  - an expression of regret, if appropriate.

g) Complainants who are not satisfied with the findings of the Complaints Appeal Panel will have recourse to the Local Authority, specific contact details of which can be found in Appendix 2. The Local Authority cannot overturn a decision made by the Governing Body, its role being purely advisory.

h) The Complaints Appeal Panel will report to the full Governing Body at the next available meeting. The report will be confidential, and will avoid naming individuals.

i) Should, upon investigation, the case warrant it, the school's Conduct and/or Capability Policy and procedures will be followed (see appropriate policy).

## **E: ALLEGATIONS of ABUSE**

For procedures in the case of an allegation of child abuse against a member of staff, see the Child Protection Policy.

## **F: CONCLUSION**

The Governors, Headteacher and staff of Beech Green are always ready to listen to criticism and challenge from parents and to respond positively to these in order to bring about improvement. They acknowledge that all members of the school community are entitled to have their points of view heard, and seek to ensure that complaints are resolved speedily and effectively. It is anticipated that the implementation of this policy will be a significant aid in achieving these aims.

## APPENDIX 1

### FORMAL COMPLAINT TO SCHOOL'S GOVERNING BODY CONDUCT OF HEARING

The procedure will be as set out below but will be conducted as informally as possible. The Hearing will be minuted.

#### 1. Conduct of Hearing

- i) The complaint will be heard by three members of the governing body.
- ii) Complainant and person complained against (pca) join the meeting, with a representative if so desired.
- iii) Procedure explained, including the role of clerk.
- iv) Complainant presents case.
- v) Questions to complainant by governors and pca.
- vi) Pca presents case.
- vii) Questions to pca by complainant and governors.
- viii) Any further questions or points from any of the parties.
- ix) Summing up by pca.
- x) Summing up by complainant.
- xi) Concluding remarks by chair and explanation of what happens next.
- xii) Complainant and pca are asked to leave the meeting.

#### 2. The Decision

- i) The committee can:
  - a) uphold the complainant in full
  - b) uphold it in part
  - c) dismiss it
- ii) The complainant and pca will be informed in writing as soon as possible, but no longer than ten days after the governing body's decision.

## APPENDIX 2

The Education Reform Act 1988 requires the establishment of arrangements for the consideration of parental complaints relating to the school's provision for the National Curriculum. If a parent wishes to register a complaint regarding the failure of the school to provide a curriculum in line with the Act, including religious education and worship, then the headteacher, in the first instance, should be approached. The school's governing body and the Children's Services Directorate might also be involved. On any other matter, and dissatisfaction should also, in the first instance, be expressed to the headteacher.

### Complaints for which a Specific Procedure is laid down

#### a. Child Protection

Any complaint involving an allegation of child abuse should immediately be referred to the Local Authority.

In cases where the allegation is against a member of staff, contact:

Jane Bee, L.A.D.O. - Tel 01452 426994

[jane.bee@gloucestershire.gov.uk](mailto:jane.bee@gloucestershire.gov.uk)

In cases where the allegation is not against a member of staff, contact:

Cilla Forty, Assistant Education Officer - Tel. 01452 426697

[cilla.forty@gloucestershire.gov.uk](mailto:cilla.forty@gloucestershire.gov.uk)

#### b. Complaints against failure to assess a child's Special Educational Needs

If the complaint is about the school's responsibilities at My Plan or My Plan Plus stages, the Governing Body should deal with the complaint.

If the complaint concerns statutory assessment, the parent should contact:

Sue Anderson, Education Officer (Special Educational Needs) Tel. 01452 425419 [sue.anderson@gloucestershire.gov.uk](mailto:sue.anderson@gloucestershire.gov.uk)

#### c. Complaints about non-availability of a school place

If a place at the parents' preferred school is not available and parents are not prepared to accept the place offered at another school, they have the right to appeal to a panel established by the County Council's Head of Legal and Democratic Services.

The parent should contact:

Abi May, Team Leader, School Admissions - Tel. 01452 426612  
[abi.may@gloucestershire.gov.uk](mailto:abi.may@gloucestershire.gov.uk)

**d. Exclusion of pupils from school**

Complaints about exclusion of pupils from school by the Head Teacher which have already been considered by the Governing Body should be referred to:

Pauline Robinson, Assistant Education Officer - Tel. 01452 426994  
[pauline.robinson@gloucestershire.gov.uk](mailto:pauline.robinson@gloucestershire.gov.uk)

**e. Complaints about the curriculum**

Complaints within this category include those concerning:

- provision of the National Curriculum
- provision of Religious Education and worship
- exemptions from the National Curriculum
- operation of charging policy in relation to the curriculum
- compliance with regulations about the provision of information

Any such complaint should be referred to Jane Lloyd Davis, Head of Education Performance and Intervention - Tel. 01452 425464  
[trish.franey@gloucestershire.gov.uk](mailto:trish.franey@gloucestershire.gov.uk)

**f. Complaints against staff**

If it appears that disciplinary action against a member of staff may be necessary, Conduct Procedures detailed in the LEA's "School's Personnel Handbook" should be followed. The Head Teacher should seek advice from the LA's Employee Relations Officers:

- Margaret Wilkins, Principal HR Adviser - Tel. 01452 425339  
[margaret.wilkins@gloucestershire.gov.uk](mailto:margaret.wilkins@gloucestershire.gov.uk)
- Sarah Barr, Senior HR Adviser - Tel. 01452 427121  
[Sarah.barr@gloucestershire.gov.uk](mailto:Sarah.barr@gloucestershire.gov.uk)
- Maryanne Carter, Senior Personnel Officer - Tel. 01452 425717  
[Maryanne.carter@gloucestershire.gov.uk](mailto:Maryanne.carter@gloucestershire.gov.uk)

**g. Confidential complaints by staff ("Whistle Blowing")**

The County Council's Code of Conduct and Confidential Reporting Procedure (Whistle Blowing) allows school staff who are concerned about possible malpractice or corruption at work to raise such issues in confidence. Areas covered by the Code include:

- gifts, hospitality, and sponsorship;
- use of school facilities and equipment;
- membership of a secret society.

Advice about the use of this procedure should be obtained from the LEA's Employee Relations Officers (details above).

#### **h. Complaints about racist incidents**

A racist incident is defined as "any incident which is perceived to be racist by the victim or any other person". This definition has been agreed by the Government, the LA and Police Service. Guidance on responding to racist incidents is provided in the LEA guidance "Racial Harassment in Schools".

Concerning matters of policy contact:

Tim Browne, Head of Children and Young People's Support - Tel. 01452 425468  
[tim.browne@gloucestershire.gov.uk](mailto:tim.browne@gloucestershire.gov.uk)

Giles Diggle, Head of READS - Tel. 01452 427261  
[giles.diggle@gloucestershire.gov.uk](mailto:giles.diggle@gloucestershire.gov.uk)

On matters of individual casework, contact:

Charles Campbell, Education Welfare Officer - Tel. 01452 397331  
[charles.campbell@gloucestershire.gov.uk](mailto:charles.campbell@gloucestershire.gov.uk)

The Education Department's support for parents wishing to make a complaint is currently under review. Parents of pupils with special educational needs who wish to make a complaint may contact:

Lyndsey Gill, Parent Partnership Co-ordinator - Tel. 01452 427662  
[lyndsey.gill@gloucestershire.gov.uk](mailto:lyndsey.gill@gloucestershire.gov.uk)

Parents of pupils who do not have special educational needs but wish to make a complaint may contact:

The Advisory Centre for Education (ACE) - Tel. 0808 8005793, 020 7704 9822  
(Exclusions Help Line) or 0808 800 0327 (Exclusion Advice Line)  
[www.ace-ed.org.uk](http://www.ace-ed.org.uk)