



Complaints Procedure

Reviewed by: Kevin Reid, The Governing Board

Date: December 2019

Next review date: December 2022

Brampton Primary School Complaints Procedure and Stages

A. Stage 1 – Informal

The complaint is dealt with by an appropriate staff member who is not the subject of the complaint.

In the vast majority of cases, a concern can and should be resolved by contacting the appropriate member of staff. This may be the class teacher, phase leader or other designated staff member directly involved with the reported problem.

The initial communication from the complainant to the member of staff may be by letter, telephone conversation or in person by appointment. The complainant must allow the designated staff member at least 5 days to respond to the concern.

If this does not lead to a resolution of the problem then the concern/complaint must be referred to the next stage of the process, which is the commencement of the formal process.

Stage 1b – Meet a Senior Leader / Head of Year /Phase – Inform

Please contact the school office to arrange to meet with a senior member of staff who will investigate the complaint and reply within 5 working school days. If the complaint is not resolved informally, it will be escalated to a formal complaint (Stage 2).

B. Stage 2 – Formal (if unresolved at Stage 1)

The headteacher hears the complaint.

If the complainant is dissatisfied with the response from the member of staff at Stage 1, they should be advised to put their complaint in writing to the headteacher who will deal with it formally at Stage 2. Where the headteacher is the subject of the complaint, the complainant should be advised to address it to the Chair of Governors. If the complaint is being dealt with by the Chair of Governors this will bypass Stage 2 and go to Stage 3 of the formal procedure and heard by the Chair of Governors or another appropriate person.

The complainant must ensure that they include details of why they are still dissatisfied and what action they would like to resolve the complaint. They can also attach any evidence to support their concerns.

The headteacher must acknowledge the complaint within 5 days by writing to the complainant. The acknowledgement should state a further communication will follow within 20 school days that will set out the actions taken to investigate the complaint and the findings.

The headteacher can delegate another senior member of staff to carry out the investigation and report their findings to them. The headteacher will then reach a

conclusion based on the investigation. All notes relating to the investigation should be kept on file. The investigating officer may feel it necessary to meet with the complainant. If this happens, then the notes of the meeting should be produced.

The investigating officer will then compile a report detailing their findings. The headteacher will consider any recommendations or actions proposed.

Once satisfied that the investigation has been concluded and a decision has been reached, the headteacher must notify the complainant in writing of the conclusion and any actions that will be taken as a result. The decision can be communicated by the headteacher to the complainant in writing or, if they may feel it appropriate, meet with them to communicate their findings and then confirm in writing afterwards.

The complaint must be informed that, if they are still dissatisfied with the outcome they can write to the Chair of Governors.

C. Stage 3 – Formal (if not resolved at Stage 2)

The Chair of Governors or another appropriate person hears the complaint.

If the complainant is dissatisfied with the response from the headteacher at Stage 2, they should be advised to put their complaint in writing to the Chair of Governors for consideration at Stage 3 of the procedure.

The complainant must ensure that they include details of why they are still dissatisfied with the decision, the recommendations and actions of the Stage 2 complaint and what they require to resolve the matter. They must also attach any evidence to support their concerns that can be added to that submitted at Stage 1 and 2.

The Chair of Governors must write to the complainant within 5 days of receipt of the complaint to acknowledge this. The letter should state that another letter will follow within 20 school days setting out the actions taken to investigate the complaint and the findings.

The Chair of Governors will look at all the information pertaining to the complaint submitted by the complainant and the investigatory evidence by the school of Stage 1 and 2. The Chair may want to talk with the complainant or investigating staff members to establish facts and obtain further information.

Once satisfied that the investigation has been concluded and a decision has been reached on the complaint, the Chair of Governors will notify the complainant in writing of the conclusion.

The conclusion could be:

- The evidence indicates that the complaint was substantiated and therefore upheld.

- The complaint was substantiated in part and what action will be taken.
- The complaint is not substantiated by the evidence and therefore not upheld.

The complainant is informed if they are still dissatisfied, they can write to the Governing Board directly, via the school or, School Management Support (SMS) at the Education Space (NPW), outlining why they feel the complaint is unresolved. The Governor Services Team can also support and refer cases to the SMS team.

D. Stage 4 – Formal (if not resolved at Stage 3)

The Governing Body hears the complaint. This is the final stage of the process.

If the complainant is dissatisfied with the response from the Chair of Governors (or Vice-Chair) at Stage 3 they should be advised that the next stage is to put their complaint in writing to the School Governing Board at Stage 4.

The complainant must ensure they include details of why they are still dissatisfied with the decision at Stage 3, recommendations and actions of the Stage 3 complaint and what they feel would resolve the matter. They may also attach any evidence to support their concerns that can be added to that submitted at Stages 1, 2 and 3.

The complaint will be acknowledged within 10 school days.

A panel of Governors who form a complaints appeal panel considers the complaint. The panel must be independent and impartial. No Governor may sit on the panel if they have had prior involvement in the complaint or in the circumstances surrounding it. The panel must have a cross-section of categories of Governors and be sensitive to the issues of race, gender and religious affiliation. If appropriate, the panel can be made up of Governors from another school. Complaints should not be shared with the whole Governing Board, except in very general terms.

The panel must convene a meeting to discuss the complaint and all the investigation evidence to make a final decision on how to progress. A clerk should be appointed to take notes of the meeting and records must be kept.

The headteacher has a statutory duty for the internal organisation and management of the school, which they must carry out in accordance with any rules, regulations or policies laid down by the Governing Board. Therefore, the remit of Governors consideration of a complaint about a matter of internal organisation and control will be as to whether the headteacher has followed any relevant school policies; it is not to substitute its own operational judgement for that of the headteacher.

The panel can decide:

- To convene a meeting with the complainant. If a meeting is to be convened, the person chairing the meeting either the Chair or Vice-Chair

(whoever did not deal with the complaint at Stage 3), will write to the complainant to acknowledge the complaint within 10 school days. The letter would also include the date, time and venue of the concerned meeting to hear the complaint.

- Decide on the appropriate action to be taken to resolve the complaint.
- For non-complex complaints, not to meet with the complainant, but to use all the information available to them and make a decision on the complaint as there is enough information to allow a decision to be made.

Possible outcomes for the Panel:

- Dismiss the complaint in whole or in part.
- Uphold the complaint in whole or in part.
- Recommend changes to school systems or procedures to ensure that similar issues or concerns do not occur.

An outcome letter will be sent to the complainant within 20 school days of the meeting.

Further information

Anonymous complaints will not be investigated under this procedure unless there are exceptional circumstances.

If the complaint is about an event that happened over 12 months ago the school is not obliged to investigate further.

Vexatious complaints

Where a complainant attempts to re-open an issue which has already been dealt with under the complaints policy, the Chair or Vice-chair will contact them to inform them that the matter has already been dealt with and that either that stage of the policy has been exhausted or that the complaints policy has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the school will be under no obligation to respond to that correspondence.

The outcome letter from the School Complaints Panel exhausts the Stage 4 procedures. If the complainant is dissatisfied with the process, they are able to contact: Department for Education,
The School Complaints Unit (SCU)
2nd Floor, Piccadilly Gate
Manchester, M1 2WD

The SCU will examine if the school complaints policy and any other relevant processes were followed. The SCU will also examine policies to determine if they adhere to education legislation. However, the SCU will not re-investigate the substance of the complaint and will not overturn a school's decision about a complaint only in exceptional circumstances where it is clear that a school has acted unreasonably or unlawfully.

