



An Academy

# BOUGHTON PRIMARY SCHOOL: AN ACADEMY



An Academy

## Complaints' Procedure September 2020

|                                       |   |
|---------------------------------------|---|
| <b>PERSON RESPONSIBLE FOR POLICY:</b> | <b><i>MRS MARY JAMES</i></b>                  |
| <b>APPROVED:</b>                      | <b><i>FGB MTG 5<sup>TH</sup> OCT 2020</i></b> |
| <b>BY:</b>                            | <b><i>FULL GOVERNING BODY</i></b>             |
| <b>TO BE REVIEWED:</b>                | <b><i>AUTUMN TERM 2023</i></b>                |

This policy will be reviewed by the Head Teacher every 3 years, unless circumstances or legislation require greater frequency, and will be approved by the Full Governing Body.

**In the first instance, our expectation is that concerns are raised with the class teacher or relevant staff member.**

**Beyond this, we have the following named personnel with the responsibility to deal with concerns:**

| <b>NAME</b>    | <b>ROLE</b>                   |
|----------------|-------------------------------|
| Rachael Allen  | EYFS & KS1 leader             |
| Rachel de Pass | KS2 leader                    |
| Jenny Malcolm  | Family Liaison Support Worker |
| Jodie Sadler   | Deputy Head Teacher           |
| Mary James     | Head Teacher                  |

**Formal complaints should be directed as follows:**

|                                   |                                 |
|-----------------------------------|---------------------------------|
| Complaints about staff            | The Head Teacher                |
| Complaints about the Head Teacher | The Chair of Governors          |
| Complaints about governors        | The Clerk to the Governing Body |

## Legislation and guidance

As an academy, Boughton Primary is required to meet the following regulations by providing a written procedure to deal with complaints:

[The Education \(Independent School Standards\) Regulations 2014](#), (part 7)

Education and Skills Funding Agency (ESFA) guidance on: [Creating a complaints procedure that complies with the above regulations](#).

Department for Education (DfE) [good practice guidance on setting up complaints procedures](#)

This policy complies with our Funding Agreement, and Memorandum and Articles of Association.

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of EYFS requirements.

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## 1. Vision and Values

At the heart of our work at Boughton Primary is our desire to establish and maintain positive home/school relationships and remain an integral part of our local community. Our six Boughton Values are very important in helping all stakeholders to achieve this aim: responsibility, tolerance, respect, compassion, honesty and courage. It is our overarching goal to ensure that issues and concerns are addressed quickly and to the satisfaction of all involved.

## 2. Who can make a complaint?

This complaints' procedure is not limited to parents or carers of children that are registered at the school; any person, including members of the public, may make a complaint to Boughton Primary Academy Trust. We will follow this complaints' procedure unless complaints need to be dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions – see table in Appendices).

## 3. Aims

Our school aims to meet its statutory obligations when responding to complaints.

We aim to:

- Be impartial and non-adversarial
- Treat complainants with respect and courtesy
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints' process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

## 4. Definitions and scope

### 4.1 Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as “*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*”. The school will resolve **concerns** through day-to-day communication as far as possible.
- A **complaint** is defined as “*an expression of dissatisfaction however made, about actions taken or a lack of action*”.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints' procedure. Boughton Primary School Academy Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

We understand however, that there are occasions when people may need to make a complaint formally. In this case, we will attempt to resolve the issue internally, through the stages outlined within this complaints' procedure.

## 4.2 Scope

This policy does **not** cover complaints' procedures relating to:

- Admissions
- Statutory assessments of Special Educational Needs and Disabilities (SEND)
- Child Protection or Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see the table in the Appendices and our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with SEND about the school's support are within the scope of this policy. Such complaints should be made to the class teacher in the first instance, or to the Special Educational Needs Co-Ordinator (SENCO) if unresolved; they will then be referred to this complaints' policy. Our Inclusion Policy and SEND Information Report includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

## 5. How to raise a concern or make a complaint

### 5.1 Raising a concern

A **concern** can be raised in person, in writing (e.g. email) or by telephone. Usually, a concern will be raised with either the class teacher or a member of staff on duty in the morning or at the end of the day; or it might be a brief email or phone call to talk something through with the teacher, to seek clarification or establish the facts about an issue.

Concerns will usually be dealt with on the day they are raised, and will normally be resolved via two-way communication with the relevant member of staff.

### 5.2 Making a complaint

A **complaint** should be made in writing, and directed to the right person, as outlined in **on the front page** of this policy.

For convenience, a template complaint form is included in the Appendices. If you require help in completing the form, please contact the school office. You can also ask a third-party or organisation (for example Citizens Advice) to help you.

Complainants should not approach individual governors to raise concerns or complaints. Governors have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure.

### **5.3 Anonymous complaints**

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

## **6. Principles for investigation**

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

### **6.1 Resolving complaints**

At each stage in the procedure, Boughton Primary School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

### **6.2 Withdrawal of a complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

### **6.3 Time scales**

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We may consider exceptions to this time frame in some circumstances, if convinced there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made outside term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant

- › Send the complainant details of the new deadline and explain the delay

## **6.4 Complaints about our fulfilment of early years' requirements**

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

## **7. Stages of complaint:**

The complaints procedure for Boughton Primary School Academy Trust has 3 stages:

Stage 1 – Informal: raising a concern

Stage 2 – Formal: making a complaint

Stage 3 – Panel hearing

The flow chart in the appendices outlines the process.

### **7.1 Stage 1: informal**

#### **Raising a concern about an incident or a member of staff**

1(a) Many concerns will be dealt with informally when they are made known to us. The first point of contact to discuss an issue or concern regarding your child is the child's class teacher.

The school takes all concerns seriously and will make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

Once the concern is made known to the relevant person, they will make contact as soon as possible. It is preferable for the complainant and relevant member of staff to attempt to resolve concerns by facilitating two-way communication.

Usually a conversation or email exchange will be sufficient to deal with a concern or rectify an issue. When this is not the case, or if further investigation is needed, key stage leaders will be involved, either to take further actions or monitor a situation. The names of the key stage leaders can be found on the front page of this policy.

At the conclusion of their investigation, the key stage leader investigating the concern will provide a response (either verbal meeting/telephone call with written notes, or an email) as soon as possible and no more than 5 school days of the date of receipt of the concern.

If, having followed part 1(a), the complainant is dissatisfied, the concern can then be referred to the Deputy Head or the Head Teacher. At this point, it is still considered to be at an informal stage, unless the complainant wishes to escalate to a formal complaint.

1(b) The Deputy Head or Head Teacher will conduct a further investigation and arrange to feedback to the complainant, either by telephone, by holding a meeting or by email.

If, having followed stage 1, the complainant is dissatisfied, the concern becomes a complaint and can be escalated to Stage 2.

## **7.2 Stage 2: formal**

*This process should be undertaken only if Stage 1 has taken place and the complainant is dissatisfied with the outcome.*

### **Making a formal complaint about an incident or a member of staff**

Formal complaints must be made to the Head Teacher (unless they are about the Head Teacher), via the school office. This should be done in writing (preferably on the Complaint Form – see Appendices). If complainants need any assistance making a formal complaint, they can contact the school office: [admin@boughtonacademy.co.uk](mailto:admin@boughtonacademy.co.uk) or 01604 842322

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

The Head Teacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

The Head Teacher will then conduct a further investigation.

*Note: The Head Teacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.*

During the investigation, the Head Teacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

The written conclusion of this investigation will be sent to the complainant within 10 school days.

If the Head Teacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Boughton Primary School Academy Trust will take to resolve the complaint.

If the complainant is not satisfied with the response and outcome at stage 2, they can proceed to stage 3 of this procedure, by informing the Clerk to the Governing Board in writing, within 5 school days of the response.

### **Making a formal complaint about the Head Teacher or one governor**

Complaints made against the Head Teacher should be directed to the *Chair of Governors*, via the school office.

Complaints about any member of the Governing Body should be directed to the *Clerk to the Governing Body*, via the school office.

If the complaint is about the Head Teacher or one member of the Governing Body (including the Chair or Vice-Chair), a suitably-skilled and impartial governor will carry out the steps at stage 2.

### **Making a formal complaint about some or all of the Governing Body**

Complaints about more than one governor, some or all of the Governing Body will go straight to Stage 2 (see below) to ensure impartiality. These should be addressed to the Clerk to the Governing Body, via the school office, in the first instance.

An independent investigator will be appointed by the Governing Body to carry out the steps in Stage 2 and will write a formal response at the end of their investigation.

With all complaints at Stage 2, if the complainant is not satisfied with the outcome or response, they can proceed to stage 3 of this procedure by informing the Clerk to the Governing Board in writing, within 5 school days of the response.

### **7.3 Stage 3: Panel Hearing**

Stage 3 involves a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the school. The panel will be appointed by or on behalf of the Board of Governors. This is the final stage of the complaints procedure.

The panel will have access to the existing record of the complaint's progress.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within 5 school days of receipt of the Stage 2 response.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties. The review panel reserves the right to convene at their convenience rather than that of the complainant

At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate: for instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Representatives from the media are not permitted to attend.

*Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*

At least 10 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 5 school days before the meeting.

The panel will not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The panel will consider the complaint and all the evidence presented. The panel can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the panel will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Panel will provide the complainant and Boughton Primary School Academy Trust with a full explanation of their decision and the reason(s) for it, in writing, within 15 school days.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Boughton Primary School Academy Trust will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the Head Teacher and Board of Governors.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing.

### **Panel Hearing for a complaint against the Head Teacher or one governor**

If the complaint is about the Head Teacher or one governor (including the Chair or Vice-Chair), a panel of suitably skilled and impartial governors from the school's Governing Body will hear the complaint.

### **Panel Hearing for a complaint against the some or all of the Governing Body**

If the complaint is jointly about the Chair and Vice-Chair, the entire Governing Body or the majority of the Governing Body, a panel of independent governors will hear the complaint. They will be sourced from local schools and will carry out the steps at stage 3.

## **8. Referring complaints on completion of the school's procedure**

After the completion of stage 3, if the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Boughton Primary School Academy Trust. They will consider whether the school adhered to education legislation and any statutory policies connected with the complaint and whether they have followed [Part 7 of the Education \(Independent School Standards\) Regulations 2014](#).

They will consider:

- Whether there was undue delay, or the school did not comply with its own complaints procedure
- Whether the school was in breach of its funding agreement with the secretary of state
- Whether the school has failed to comply with any other legal obligation

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

The complainant can refer their complaint to the ESFA online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Academy Complaints and Customer Insight Unit  
Education and Skills Funding Agency  
Cheylesmore House  
5 Quinton Road  
Coventry  
CV1 2WT

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

## **9. Persistent complaints**

### **9.1 Unreasonably persistent complaints**

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it has already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive

- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Is abusive, either verbally or in writing, to the school representative
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

### **Steps we will take**

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

### **Stopping responding**

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

## **9.2 Duplicate complaints**

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the ESFA if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again, starting at stage 1.

### **9.3 Complaint campaigns**

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

## **10. Record keeping**

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the Secretary of State (or someone acting on their behalf) or the complainant requests access to records of a complaint through a Freedom of Information (FOI) request or through a Subject Access Request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and record retention schedule. The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

## **11. Learning lessons**

The Chair of Governors will review any underlying issues raised by complaints with the Head Teacher where appropriate, respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

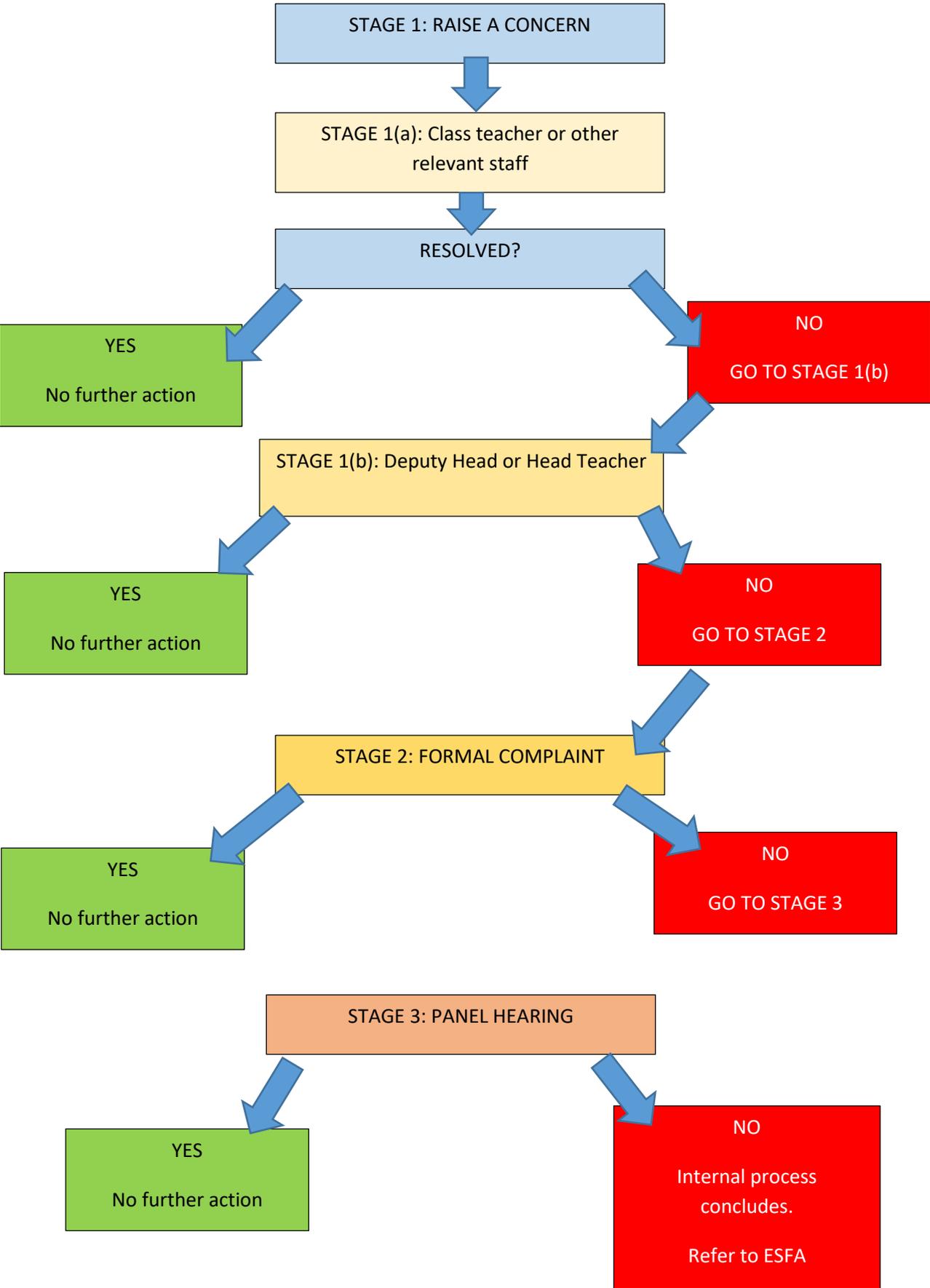
## **12. Monitoring arrangements**

The Chair of Governors will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Chair of Governors (or a panel to which he/she delegates) will track the number and nature of complaints, and review underlying issues. The complaints records are logged and managed by the Head Teacher.

## **13. Links with other policies**

See Appendix Two for links, exceptions and who to contact

**APPENDIX ONE: Flow Chart**



## APPENDIX TWO: Exceptions

| Exceptions   | Relevant Policy   | Notes   |
|--|---|---|
| Admissions to schools                                      | Admissions Policy                                       | Northamptonshire County Council manage Boughton Primary School's admissions and should be the first point of contact with concerns/complaints.  |
| Matters likely to require a Child Protection Investigation | Child protection and Safeguarding Policy and Procedures | Complaints about child protection matters are handled under our Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance.<br><br>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH)   |
| Exclusion of children from school                          | Exclusions Policy                                       | Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .  |
| Whistleblowing   | Whistleblowing Policy                                   | We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.<br><br>The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> .<br><br>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint. |
| Staff grievances   | Staff grievance   | Complaints from staff will be dealt with under the school's internal grievance procedures.  |
| Staff conduct  | Staff Code of Conduct<br>Staff Disciplinary Procedures  | Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.<br><br>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.   |
| SEND   | Inclusion Policy and Special Educational Needs Report   | SEND provision concerns can be raised with the teacher or SENCO; any other complaints e.g. regarding statutory processes should be addressed to the appropriate person/body identified in the Inclusion Policy.   |
| Data Protection  | Privacy Notices<br>Data Protection policy               | Our Privacy Notice can be found on the school website. Complaints can be made to our DPO, see website for details.  |

## **APPENDIX THREE: Complaint Form**

Please complete and return to the appropriate person, as outlined on the front cover of the Complaints' Procedure.

**Your name:**

**Pupil's name (if relevant):**

**Your relationship to the pupil (if relevant):**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Email address:**

**Please give details of your complaint, including whether you have spoken to anybody at the school about it.**

**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:**

**Action taken:**

**Date:**

## APPENDIX FOUR: Roles and Responsibilities

### The complainant

To ensure the complainant receives an effective and timely response to their complaint, they should:

- Follow these procedures
- Express their complaint in full as early as possible
- Co-operate with the school throughout the process, try to seek a solution and respond to deadlines and communication promptly
- Treat all those involved with respect
- Refrain from publishing details about the complaint on social media

### The investigator

An individual will be appointed to look into the complaint. Dependent on the nature and stage of the complaint, this will either be the Head Teacher, a senior member of staff, a governor or an independent governor.

They will establish the facts by providing a comprehensive, open, transparent and fair consideration of the complaint through:

- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- interviewing staff and children/young people and other people relevant to the complaint
- consideration of records and other relevant information
- analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Head Teacher or complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Head Teacher or complaints panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

## **Clerk to the governing board**

The clerk will:

- Be the contact point for the complainant and the complaints' panel, including circulating the relevant papers and evidence before complaints' panel meetings within the agreed timescales
- Arrange the complaints' hearing
- Ensure that all people involved in the procedure are aware of their legal rights and duties, including any under legislation relation to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act 2018 and the General Data Protection Regulations (GDPR)
- Record and circulate the minutes and outcome of the hearing to all parties

## **Panel Chair**

The Panel Chair will liaise with the clerk and ensure that:

- everyone is treated with respect and courtesy throughout the panel hearing
- the remit of the panel is clearly explained to all parties
- all parties see the relevant information, provided it does not breach confidentiality or any individual's right to privacy under the DPA 2018 or GDPR
- anyone speaking at the meeting is put at ease (particularly if the complainant is a child or young person)
- all issues are addressed and key findings of fact are made and minuted
- the panel acts independently and is open-minded
- no member of the panel has an external interest in the outcome of the proceedings or any involvement at an earlier stage of the procedure

## **Panel Member**

Panel members should ensure that:

- the welfare of the child remains paramount
- extra care is taken if the complainant is a child/young person and present during all or part of the meeting
- the meeting is independent and impartial, and should be seen to be so
- the aim of the meeting is to resolve the complaint and to achieve reconciliation between the school and the complainant, by establishing the facts and making recommendations.

Panel members should be aware that:

- complainants may feel nervous and inhibited in a formal setting.