



Brabourne CEP School

Complaints Policy - February 2017

Based on DfE guidance document 'Best Practice Advice for School Complaints Procedures 2016' and KCC's Model Procedure September 2016

This policy has been prepared with the Christian Value of responsibility foremost – this is a core value of the school and all members of the school community aspire to live by it daily. It is a duty of the school to listen to all complaints responsibly and act accordingly. We aim to work closely within our Christian ethos with our parents and stakeholders, believing that children's best interests are served when home, school and community work in unity.

This document sets out the school's procedure for addressing complaints. It should be used only when informal attempts to resolve problems have been unsuccessful. If you have any concerns about the school or the education provided, please discuss the matter first with your child's class teacher at the earliest opportunity. The school considers any concerns very seriously and most problems can be resolved at this stage. If the issue remains unresolved after discussions with the class teacher, approach the Headteacher to share your concerns. The Headteacher will attempt to resolve the problem and avoid it escalating to a formal complaint.

Please note that this procedure does not apply to issues concerning the curriculum, collective worship, admissions, special educational needs, exclusion appeals, staff grievances or discipline, child protection or whistleblowing. These are the subject of separate policies, copies of which can be obtained from the school. All other complaints – including those from members of the local community - are handled by the school according to the arrangements set out below.

If concerns have been shared and no resolution has been found, anybody is entitled to raise a formal complaint. This document outlines the process for formal complaints.

Aims and Objectives

This policy aims to:

- Encourage the resolution of concerns and complaints by informal means wherever possible
- Ensure that concerns are dealt with quickly, fully and fairly within defined time limits wherever possible
- Provide effective and appropriate responses to concerns and complaints
- Maintain good relationships between the school and all those involved

Our Procedure Aims to:

- be easily accessible and publicised
- be simple to use and understand
- be impartial
- be non-adversarial
- allow swift handling with established time-limits for action and keeping people informed of the progress
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality, wherever possible (some information

- sharing may be necessary to carry out a thorough investigation)
- address all points of issue, providing an effective response and appropriate redress, where necessary

The governing body will monitor the nature of complaints received over each academic year to ensure improvements can be made where needed.

Formal Complaints Procedure

Stage 1

If you feel that a concern has not been addressed through informal discussion, and you wish to have the matter formally investigated by an appropriate person from the school, please complete a complaint form (Appendix 2). If you would like help completing the form, the school will be happy to provide the assistance of someone unconnected with the complaint. The school will acknowledge in writing receipt of the complaint form within **three working days** after receiving it. The school will enclose a copy of the school's complaints procedure with the acknowledgement.

If the matter is about:

- the day-to-day running of the school
- the interpretation of school policies
- the actions or inactions of staff at the school

these are concerns/complaints under the Head Teacher's responsibility and will be investigated by the head teacher or a senior member of staff nominated by the head teacher. *See Appendix 1a for flowchart.*

If the matter is about:

- school policies as determined by the governing body
- the actions or inactions of the governing body
- the headteacher

these are concerns/complaints under the Governing Body's responsibility and will be investigated by the Chair of Governors or a governor nominated by the Chair. It may be necessary to appoint an independent investigator in certain circumstances. *See Appendix 1b for flowchart.*

If the complaint is a staff disciplinary or capability issue, then the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. You will be notified if this is the case with your complaint, but you are not entitled to know which procedure or the final outcome.

Complaints about the Head Teacher should be made in writing to the chair of governors. This may include a complaint about the actions or lack of actions of the Headteacher in investigating a complaint. The governing body should consider appointing a designated governor to investigate the complaint as a stage one complaint. Where a complaint is about the conduct of the head teacher, the chair of governors should seek advice from the school's personnel officer at the LA.

Complaints about the Chair of Governors should be made in writing to the vice- chair of governors. Procedural advice and guidance may also be sought from the LA governor support service.

- The person to whom the complaint is addressed will consider it and in doing so will:
 - Establish what has happened so far, and who has been involved;
 - Meet or contact you if they need further information;
 - Clarify what you feel would put things right if this has not been set out in your letter or included on your form;
 - Interview those involved in the matter and those complained of, allowing them to be accompanied if they wish;
 - Conduct any interviews with an open mind;
 - Keep notes of any interview for the record

The person to whom the complaint is addressed will keep in mind ways in which the complaint can be resolved. It may be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better (please note this is not an admission of negligence)
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review policies and practice in light of the complaint

It may also be the case that the complaint may not have any substance and is therefore considered to be unfounded or unsubstantiated.

The person to whom the complaint was addressed will discuss the outcome of their consideration of your complaint with you and should send a detailed response within a maximum of 20 school days. Where this proves to be unrealistic, you will be informed in writing and given an estimate of how long it will take to provide a detailed response.

Persistent Complainant

The school will follow the processes as outlined in the appendices. If:

- The school has taken every reasonable step to address the complainant's needs
- The complainant has been given a clear statement of the school's position and their options (if any); and
- They are contacting the school repeatedly but making substantially the same points each time;

the complainant will be notified about how to escalate the issue to the next step. However, the school is entitled to stop responding directly – that will be the responsibility of whoever manages the next step.

Unreasonable complaints

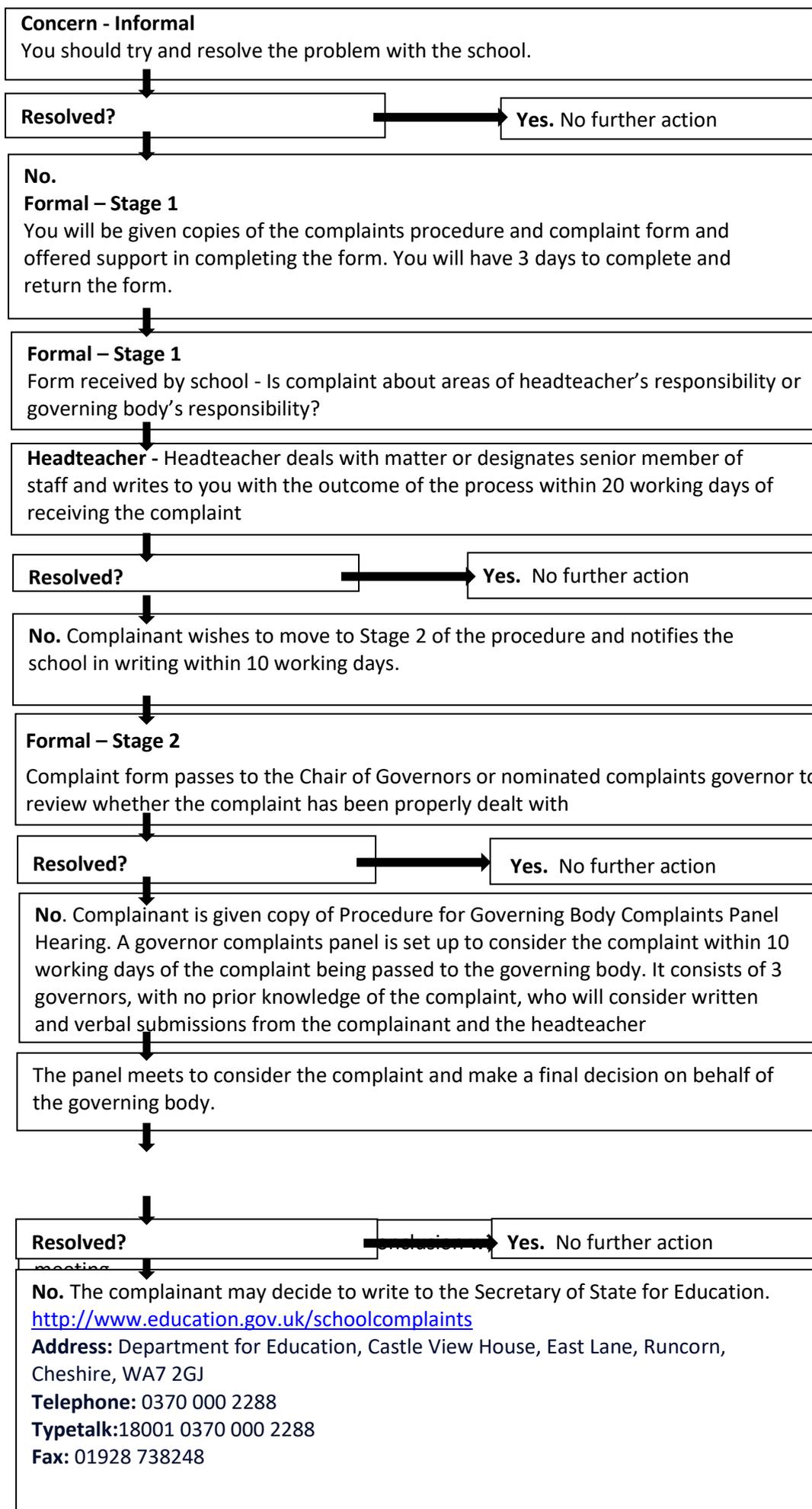
A complaint may be considered unreasonable if the person making the complaint does so either face-to-face, by telephone, in writing or electronically:

- maliciously
- aggressively
- using threats, intimidation or violence
- using abusive, offensive or discriminatory language
- knowing it to be false
- using falsified information
- publishing unacceptable information in a variety of media such as in social media, websites and newspapers;

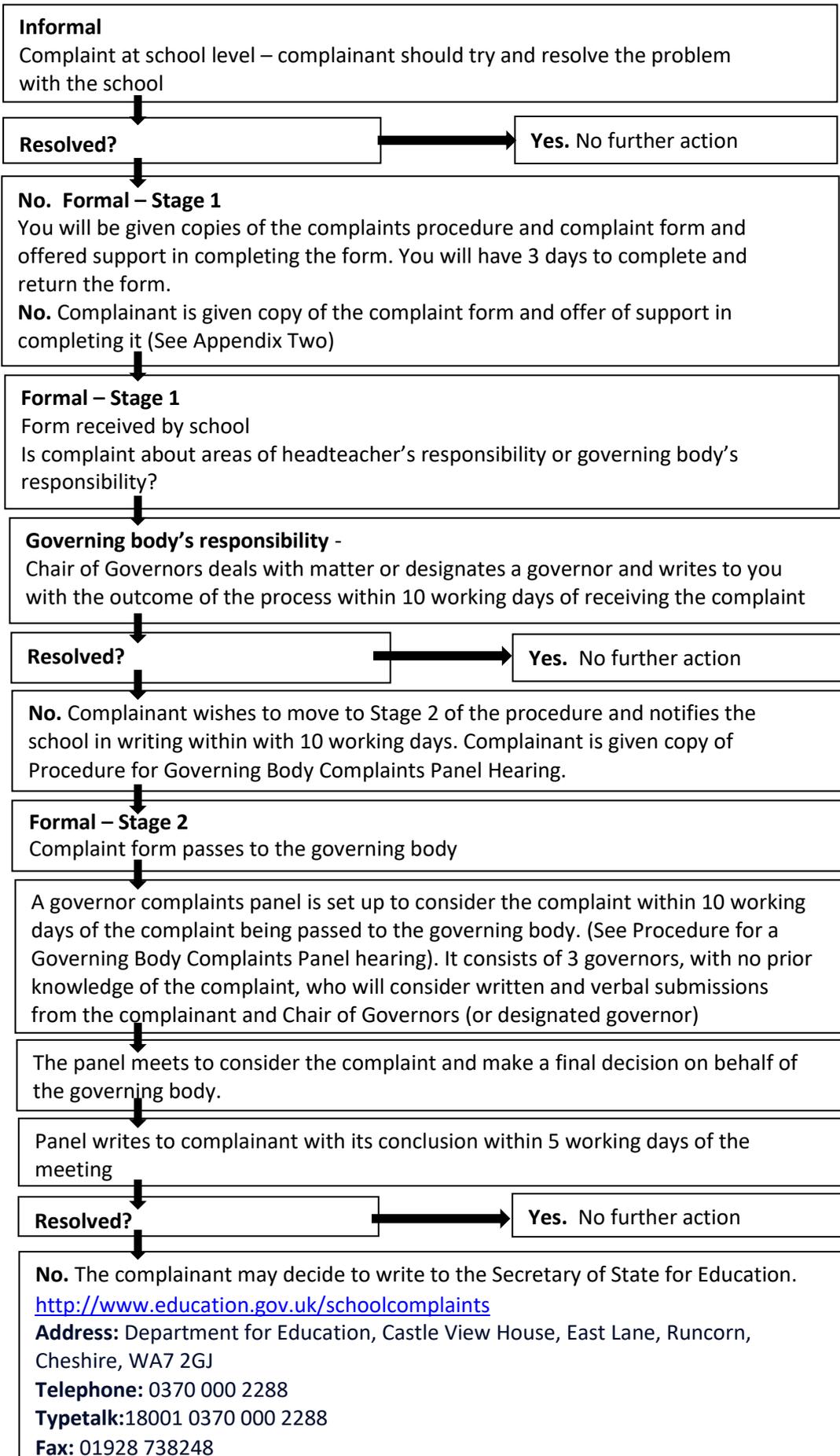
The complaint will be discussed informally with the complainant but if the behavior continues, a formal letter will be sent to explain that their behaviour is unreasonable. If it continues and is causing a significant level of disruption, Brabourne CEP School may choose to limit the number of contacts, outlined in a communication plan, as a last resort. This will be reviewed after six months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Brabourne CEP School.

Appendix 1a Complaint/Concern Under Headteacher's Responsibility



Appendix 1b Complaint/Concern under Governing Body's Responsibility



Appendix 2. Complaints Form

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken	
Your Name	
Pupil's Name (if applicable)	
Your relationship to the Pupil (if applicable)	
Address	
Postcode	
Daytime Tel Number	
Evening Tel Number	
Please give details of your complaint here	
What actions, if any, have you taken to try and resolve your complaint?	
What actions do you feel might resolve the problem?	
Are you attaching any paperwork?	
Signature	
Date	
For Office Use only	
Date acknowledgement sent	By Whom
Complaint referred to:	Date:

Appendix 3. Procedure for a Governing Body Complaints Panel Hearing

The Governing Body Complaints Panel operates according to the following formal procedures:

1. The Chair of the Governing Body Complaints Panel will aim to arrange for the panel meeting to take place within **10 working days**.
2. The Chair of the Governing Body Complaints Panel will ask you whether you wish to provide any further written documentation in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.
3. The Head Teacher or investigating governor will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
4. The Chair of the Governing Body Complaints Panel will inform you, the Head Teacher or investigating governor, any relevant witnesses and members of the panel by letter, at least **five working days** in advance, of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place in the school; but we will do what we can to make alternative arrangements if you prefer.
5. With the letter, the Chair of the Panel will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit further written evidence to the panel.
6. The letter from the Chair of the Panel will also inform you that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
7. With the agreement of the chair of the panel, the Head Teacher or investigating governor may invite members of staff directly involved in matters raised by you to attend the meeting,
8. The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
9. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
10. The chair of the panel will ensure that the meeting is properly minuted. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.

11. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the clerk can then be asked to maintain confidentiality in the minutes.
12. During the meeting, you can expect there to be opportunities for:
 - you to explain your complaint;
 - you to hear the school's response from the Head Teacher;
 - you to question the Head Teacher/ investigating governor about the complaint;
 - you to be questioned by the Head Teacher/ investigating governor about the complaint;
 - the panel members to be able to question you and the Head Teacher/ investigating governor;
 - any party to have the right to call witnesses (subject to the chair's approval) and all parties to have the right to question all witnesses;
 - you and the head teacher to make a final statement.
13. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the head teacher and yourself **within five working days**. All participants other than the panel and the clerk will then leave.
14. The panel will then consider the complaint and all the evidence presented in order to:
 - reach a unanimous, or at least a majority, decision on the complaint;
 - decide on the appropriate action to be taken to resolve the complaint;
 - recommend, where appropriate, to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.
15. The Chair of the Panel will send you and the head teacher a written statement outlining the decision of the panel **within five working days**.
16. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.