



COMPLAINTS PROCEDURE

Policy review: September 2023

Next Review: September 2024

Complaints Procedure

Fens Primary School is committed to providing the best education for our young people and we want our pupils to be safe, healthy and happy, to do well and to reach their potential. We recognise the importance of establishing and maintaining good relationships with parents, carers and the wider community.

We are aware that there may be occasions where people have concerns or complaints and the following procedure sets out the steps that should be followed in order to resolve these as quickly and informally as possible.

School Governing Bodies are required, under Section 29 of the Education Act 2002, to have in place a procedure for dealing with complaints. It is expected that all complaints will be referred to the school in the first instance. In situations where it has not been possible to settle a complaint through this process the Local Authority may be able to advise parents/carers and the school in order to help resolve difficulties, but will not be able to become involved if the steps set out below have not been followed.

Any difficulties, concerns or complaints are dealt with by the school. Practitioners, the Headteacher and senior staff will always attempt to resolve the matter informally. If the complaint cannot be resolved in this way, a formal procedure is followed.

It is in everyone's interest that complaints are resolved at the earliest possible stage. By taking informal concerns seriously at the earliest stage, we hope to reduce the numbers that develop into formal complaints.

There are four stages to the complaints procedure at Fens Primary School.

- **Stage One:**
 - Complaint heard by staff member.

- **Stage Two:**
 - Complaint heard by Headteacher or member of the Senior Leadership Team

- **Stage Three:**
 - Complaint heard by the Chair of Governors

- **Stage Four:**
 - Complainant to seek advice from the Local Authority

At each stage, the person investigating the complaint makes sure that they:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them if further information is required;
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview;
- complete investigations and reach a determination;
- notify complainant of the decision and any remedial action to be taken within specified time;
- explain any further rights of appeal and, if so, to whom they need to be addressed.

An unsatisfied complainant can always take a complaint to the next stage.

Exclusions to the procedure

Curriculum Complaints - Local Authorities are required to have arrangements for considering complaints about the school curriculum and collective worship under the terms of Section 23 of the Education Reform Act 1988. The school will refer the complainant to this procedure where appropriate.

Safeguarding referrals - schools have a duty to safeguard and promote the welfare of their pupils under section 175 of the Education Act 2002. After investigation, this includes making referrals to the appropriate organisation, usually local authority children's social care services, if they have a concern about the welfare of a child. As such, complaints about safeguarding referrals made in accordance with a statutory duty will not be considered under this procedure.

Allegations of abuse - allegations of abuse against a member of school staff must be reported to the Headteacher immediately. Allegations of abuse against the Headteacher must be reported to the Chair of Governors immediately. In all cases, the Hartlepool Safeguarding Children Board arrangements for managing allegations must be followed.

Vexatious complaints: The majority of complaints are resolved through a properly managed complaints procedure. However, there are occasions when despite all stages of the procedure having been followed, the complainant remains dissatisfied. If a complainant tries to reopen the same issue the Chair of Governors may write informing them that all stages of the procedure have been exhausted and the matter is considered to be closed. If complainants behave in an unreasonable manner when raising and/or pursuing concerns, then, in these circumstances, the school may take action in accordance with LA protocols.

Complaints not resolved through the formal process

If the complainant believes that the school has not properly followed its complaints procedure, or has not acted fairly or reasonably in responding to the complaint, the complainant may refer the matter to the Local Authority. The Local Authority has no legal right or duty to deal with most complaints about schools but will provide advice to the parent/carer and Governing Body in the event that a complaint, which has been considered under the formal procedure remains unresolved, or if the complaint is specifically about the Headteacher. The complainant will need to write to the Local Authority giving the details of their complaint, what action they have already taken to try and resolve their complaint and attach a copy of the written response from the school.

The Local Authority will contact the complainant to confirm the details of their complaint and seek further information where necessary.

Initial consideration will be given to the circumstances of the complaint and the procedure followed by the school.

The Local Authority will come to a recommendation - either:

- that a thorough investigation has been fairly undertaken by the school and that an appropriate response has been made in accordance with the findings; or
- that the complaint merits further investigation (it will be referred back to the school in this case)
- The Local Authority will notify the complainant in writing of the recommendation and what will happen next.

On conclusion of this step, the complainant may ask for the complaint to be heard by a committee of the Governing Body. The Local Authority officer will advise the complainant how this can be arranged.

Finally, if, on conclusion of all four steps of this procedure, the complainant feels that the school's Governing Body and/or the Local Authority has acted unreasonably, the complainant may make a complaint in writing to the Secretary of State for Education. The complainant may contact the Department for Education.

Monitoring and Reviewing

The policy will be reviewed annually by the SLT Designated Safeguarding Leader in consultation with the Headteacher, the Governors and the Chair of Governors. It will be updated, modified or amended as necessary.

Signed:..... Date:.....
(Designated Safeguarding Lead)

Signed:..... Date:..... (Headteacher)

Signed:..... Date:..... (Chair of Governors)