



## COMPLAINTS POLICY

At Melbury we deal with all complaints in accordance with procedures laid down by the local authority. The following policy sets out the procedures in place in case there are complaints by parents or carers.

### AIMS

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints, and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. In all cases we put the interests of the child above all else. We provide opportunities for any complaint to be fully discussed, and then resolved.

### PROCEDURE FOR DEALING WITH COMPLAINTS ABOUT THE SCHOOL

#### Stage 1 – Teacher

We welcome the opportunity to talk about concerns that help us to identify areas where we could improve. Very often, school staff can resolve the concerns of parents and carers with a single informal discussion. Some of the more complex issues may take many more conversations to sort out. Sometimes however, despite everyone's best efforts, discussions do not resolve the problem.

#### Stage 2 – Head Teacher

If the issue cannot be resolved by the class teacher or it is not appropriate to discuss with the class teacher then an appointment should be made to discuss this with the head teacher.

#### Stage 3 – Investigation by Headteacher

If parents or carers still feel that the matter is not resolved they can make an official complaint. The complainant will be asked to confirm their complaint in writing to the Headteacher (or the Chair of Governors if it is about the Headteacher) and the school will acknowledge it in writing. Some complainants may indicate that they have particular difficulties in writing their complaint. In these circumstances, they will be able to provide details of the complaint using another means, e.g. over the phone or face to face interview.

The Headteacher (or Chair of Governors) will copy relevant papers to any member(s) of staff named in the complaint. The Headteacher (or Chair of Governors) will endeavour to reply to the complainant within three school weeks. In some instances, it may not be possible to do this. In these cases, the Headteacher will provide an interim or holding response that lets the complainant know when he or she can expect a full reply.

The Headteacher will make sure that the school retains on file copies and/or a written record of all complaints (and related correspondence) in line with GDPR. This complaints file/log may be used to provide evidence (e.g. to OFSTED inspectors) of the school's good practice in this area.

#### Stage 4 – Complaint to the Governing Body

The complainant should only make a complaint to the governing body once they have:

- Tried to resolve the complaint by approaches to the school described in Stages 1-3
- Allowed the school reasonable time to investigate the matter (normally 3 school weeks)
- Accepted any reasonable offer by the school to discuss the result of the investigation
- Taken part in any process of mediation offered by the school
- Put the complaint in writing (within two months of the event)



## Melbury Primary School Complaints Policy

The Chair of Governors will try to resolve the issue with a meeting with the complainants. If the matter can still not be resolved then:

The Governing Body will set up a panel to consider complaints that have not been resolved at an earlier stage. The complaints panel will consist of governors who have not been involved in the complaint and they will elect their own chair. The Headteacher will not be a member of the panel. The Governing Body will also name reserve panel members to make sure that the panel can be constituted when necessary. Details of the panel's membership will be sent to the Director of Children's Services when such a panel is convened.

The complainant will be asked to write to the Governing Body at the school asking them to consider his/her complaint. He/she should enclose a copy of the written complaint they made at an earlier stage, as well as details of issues he/she believes remain unresolved. He/she cannot add further complaints at this stage. Some complainants may identify particular difficulties they have with writing down their complaint. In these circumstances, they should be able to provide details of the complaint using another means, perhaps over the phone or by face to face interview.

The chair of the panel will acknowledge the complaint in writing and send a copy of the complaint and the acknowledgement to the Director of Children's Services. They will copy the complaint to the Headteacher and any other member of staff named in the complaint and will ask for written comments on the complaint from the Headteacher (and where appropriate, any other member of staff named in the complaint). The Headteacher (and where appropriate, any other member of staff named in the complaint) will have up to five school days to provide a response to the issues raised in the complaint.

The panel will consider the complaint and make a decision on the basis of the papers that they receive. However, if they feel that they need more details to make their decision, they may contact any of the parties concerned for more information. The chair of the panel will reply in writing to the complaint within three school weeks of receiving it. In some instances, this may not be possible. In these cases, an interim or holding response will be provided to let the complainant know when he/she can expect a full response.

In the full reply to the complaint the panel will state whether or not they uphold the complaint, in full or in part. They will make recommendations to the governing body for action and give reasons for their decision. They may also refer issues of principle or general practice to another forum, such as the Governing Body and/or the Headteacher.

In relation to a grievance arising from a member of staff, this will be heard separately under the existing staff grievance procedures.

The panel will pass a copy of all the papers relating to the complaint to the Headteacher. A further set will be sent to the Director of Children's Services (who has a right to see all the paperwork). The Director of Children's Services has the right to have a representative present at any complaints panel meeting. This right may be exercised by making appropriate arrangements with the chair of the complaints panel.

### **Stage 5 - Complaint to Local Authority**

If the complainant wishes to pursue the matter, the local authority will only consider the case if it is believed to be relevant under section 409 of the Education Act 1996 (Complaints and enforcement). The local authority has a statutory duty to consider a relevant complaint about the curriculum that has not been resolved by the governing body. The complainant must make his/her request in writing to the Director of Children's Services. The request must be received within 15 days of the date of the letter from the complaints panel giving their decision on the complaint.



## Melbury Primary School Complaints Policy

It may be difficult to agree whether a complex complaint is subject to the statutory arrangements for curriculum complaints. Therefore, the Director of Children's Services will take the advice of the City Council's Legal Division on whether or not to consider the complaint.

### **Stage 6 - Complaint to Secretary of State or Local Government Ombudsman**

If the complainant wishes to pursue the complaint he/she can contact the Local Government Ombudsman or the Secretary of State for Education and Employment to find out if it is one they will pursue. The City Council's Education Department will provide complainants with advice on the procedure to follow in these cases.

### **MONITORING AND REVIEW**

The Governing Body monitor the complaints procedure, in order to ensure that all complaints are handled properly. The Headteacher ensures that the Chair of Governors is well informed about any complaints received by the school.

Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.

This policy will be reviewed every three years or earlier if considered necessary.