



Complaints Policy and Procedure

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Richmond Methodist School Complaints Policy and Procedure

The Education Act 2002 requires Governing Boards of schools to have a procedure to deal with complaints about the school and any facilities or services that the school provides. The procedure must also be publicised.

The school has accordingly adopted a complaints procedure in accordance with the following principles:

Publicising the Procedure

There is a legal requirement for the Complaints Procedure to be publicised. Details of the Complaints Procedure are included in:

- the information given to new parents when their children join the school;
- posters displayed in areas of the school ;
- the school website

Definition of a Complaint

A complaint is any expression of dissatisfaction about the school and any community facilities or services that the school provides.

Framework of Principles

We will aim to have an effective Complaints Procedure that will:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- 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;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide information to the school's senior management team so that services can be improved.

Investigating Complaints

At each stage, the person investigating the complaint (the designated governor or Headteacher), will:

- a) acknowledge the complaint letter in writing within 5 working days;
- b) establish what has happened so far, and who has been involved;
- c) clarify the nature of the complaint and what remains unresolved;
- d) meet with the complainant or contact them (if unsure or further information is necessary);
- e) clarify what the complainant feels would put things right;

- f) interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- g) conduct the interview with an open mind and be prepared to persist in the questioning;
- h) keep notes of the interview.

Resolving Complaints

At each stage in the procedure we will aim to resolve the complaint through one or more of the following:

- a) an apology;
- b) an explanation;
- c) an admission that the situation could have been handled differently or better;
- d) an assurance that the event complained of will not recur;
- e) an explanation of the steps that have been taken to ensure that it will not happen again;
- f) an undertaking to review school policies in light of the complaint.

Vexatious Complaints

There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governing Board is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. New complaints will be investigated in the usual manner.

Time-Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. The Complaints Procedure includes realistic time limits for each stage. Where further investigations are necessary, new time limits may be set and the complainant sent details of the new deadline and an explanation for the delay.

Monitoring

The Headteacher will keep records of all complaints and will report to the Governing Board on a regular basis for monitoring purposes only. No details will be given in respect of names or other identifying features.

Recording Complaints

The school should record the progress of the complaint and the final outcome.

Review

This Policy shall be reviewed by the Governing Board every three years or sooner pending the introduction of new legislation.

RICHMOND METHODIST PRIMARY SCHOOL COMPLAINTS PROCEDURE

Exceptions to the Procedure

This procedure does not cover those areas of school life for which other procedures exist including:

	For further information contact:-
➤ staff grievance and capability procedures	Human Resources
➤ staff disciplinary procedures	
➤ child protection investigations	
➤ staff disciplinary procedures	Strategic Services
➤ exclusion appeals	Behaviour Support Service
➤ Statutory assessments of Special Educational Needs (SEN) and appeals against the decisions of the LA about a child's special educational needs and provisions	SEN Officer
➤ School reorganisaton proposals	Strategic Services
➤ Complaints about services provided by other providers who may use school premises or facilities.	Providers should have their own procedure and be contacted directly.

Complaints involving the following areas:

	Schools are recommended to seek advice from Legal Services at County Hall.
(f) Human Rights	
(g) Race Relations	
(h) Sex Discrimination	
(i) Disability Discrimination	
(j) Age Discrimination	

PROCEDURE

a) Informal Stage

Please note there is a supporting document available for complainants called 'Complainants Leaflet', which is available on our website and at the school office. Anyone with a concern about any aspect of the school is encouraged to raise their concern, either personally or through someone else, with their child's class teacher, a senior member of staff or with the Headteacher. Everything possible should be done at this stage to resolve the matter.

Guidance from the DFE Toolkit 2014:

Informal Stage: Complaint Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they know what to do when they receive a complaint.

It would assist the procedure if the school respected the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaint can be referred to another staff member including the Headteacher.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the school may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. It would be useful if governors did not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

- If the concern cannot be resolved by informal means then the person expressing the concern will be told of the option of pursuing a formal complaint and be provided with a copy of the school's procedure and complainant leaflet.

b) Formal Complaint – Stage One Investigation by a designated member of staff/Headteacher

- Formal complaints must be detailed in writing (a complaints form is attached for this purpose). To ensure that the complaint is properly investigated it must be as clear as possible. If necessary clarification will be sought from the complainant about any aspect of the complaint which is unclear.

- The Headteacher or designated staff member should make every effort to resolve the issue as quickly as possible. See above “Resolving Complaints”.
 - If a complainant requires help to put their complaint in writing then they will be offered the opportunity to meet with the designated member of staff/Headteacher who will make a written note of the complaint and agree it with the complainant;
 - The designated member of staff/Headteacher will send an acknowledgement letter **within 5 working days** of receiving the written complaint and will confirm:
 - details of the complaint to be investigated;
 - who will be investigating the complaint;
 - **that a substantive response to the complaint will be given within 20 working days of receipt.** If this timescale cannot be met an explanation will be given with a revised timescale;
1. The complaint will be recorded including date;
 2. The designated member of staff/Headteacher will investigate the complaint in accordance with the principles of the Complaints Policy;
 3. **The designated member of staff/Headteacher will write to the complainant within 20 days of receipt of the complaint (or by date given in the acknowledgement letter) and advise him/her of the outcome of the investigations in writing.**
 4. If the complaint is upheld the complainant will be informed accordingly and given an indication of the steps that will be taken to put matters right. The school will seek guidance from Legal Services at County Hall before making any admissions which may lead to a legal claim. If, on the basis of the information available, it is not possible to arrive at a definitive decision on the complaint the complainant will be informed accordingly with the reasons why.
 5. The complainant will also be informed that if they are dissatisfied with the outcome of the investigation then they have the right to appeal against the outcome to the Chair of the Governing Board and how to do it.

c) Formal Complaint – Stage Two - The Chair of the Governing Board or other designated governor.

1. Requests for a stage two investigation must be in writing and addressed to the Chair of the Governing Board or other designated governor (DG);
2. **The Chair or DG will send an acknowledgement letter within 5 working days of receiving the request and tell the complainant that a substantive response to the complaint will be given within 20 working days of receipt. If this timescale cannot be met an explanation will be given with a revised timescale;**
3. The request will be recorded including date;

4. The Chair or DG will investigate the complaint in accordance with the principles of the Complaints Policy and make every effort to resolve the complaint at this stage (see above “Resolving Complaints”)
5. **The Chair or DG will write to the complainant within 20 days of receipt of the complaint (or by date given in the acknowledgement letter) and advise him/her of the outcome of the investigations in writing.**
6. The Chair or DG should make every effort to resolve the issue by meeting with the Headteacher, complainant and any other interested persons.
7. If the complaint is upheld the complainant will be informed accordingly and given an indication of the steps that will be taken to put matters right. The Chair will seek guidance from Legal Services at County Hall before making any admissions which may lead to a legal claim. If, on the basis of the information available, it is not possible to arrive at a definitive decision on the complaint the complainant will be informed accordingly with the reasons why.
8. The complainant will also be informed that if they are dissatisfied with the outcome of the investigation then they have the right to appeal against the outcome to the Complaints Appeals Panel and how to do it.

d) Formal Complaint – Stage Three - Complaints Appeals Panel - Hearing

1. Requests for a stage three hearing must be in writing and addressed to the Clerk to the Governing Board at the School;
 - a) **the Clerk will acknowledge the request in writing within 5 working days of receiving the request**
 - b) **the Clerk will set a date for the Panel within 20 working days of receiving the request.***
2. The Clerk will ask the investigator at Stage 2 to attend the hearing to present the school’s case.
3. If written submissions are to be made by the Headteacher or complainant they should be submitted to the Clerk **at least 10 working days** before the hearing to enable copies to be provided to the committee, the complainant, the Headteacher and any other relevant parties.
4. **At least 7 working days** prior to the meeting the clerk will:
 - a) notify all parties of the date, time and place of the hearing;
 - b) provide all parties with a copy of any written representations submitted;
 - c) provide all parties with details of the format of the hearing;
 - d) ask the parties whether they have any particular needs for the meeting e.g. induction loop, translator etc;
 - e) confirm who will be in attendance at the hearing or whether they wish to rely upon written submissions.

5. Within 5 working days following the hearing the clerk shall:

- a) inform all the parties concerned in writing of the decision(s) of the Panel;
- b) the complainant will also be informed that if he/she remains dissatisfied then they may write to the Department for Education, 2nd Floor, Piccadilly Gate. Manchester. M1 2WD. or go to <https://www.gov.uk/complain-about-school> for more details.

This ends the process for the school

The school (Headteacher) must keep all paper work and details concerning the complaint and be prepared to submit them to the DFE if requested. It is important that the school submits the full policy document for scrutiny as well as the Complainants Leaflet.

What will the DFE do?

If a complaint has exhausted the local procedures, SCU (School Complaint Unit) will examine if the complaints policy and any other relevant policies were followed in accordance with the provisions set out. SCU also examines policies to determine if they adhere to education legislation. However, the department will not re-investigate the substance of the complaint. This remains the responsibility of the school. If legislative or policy breaches are found, SCU will report them to the school and the complainant and, where necessary require remedial action to be taken. Failure to carry out remedial actions could ultimately result in a formal Direction being issued by the Secretary of State.*

(*taken from the DFE Toolkit August 2014)

Complainant Form

**RICHMOND METHODIST PRIMARY SCHOOL, Darlington Road,
Richmond, North Yorkshire, DL10 7BH**

It will help us if you use this form to make your complaint but please write a letter if you prefer, covering all the points on the form. Please continue your answers on a separate sheet if there is not enough space on this form. Do remember that you will need to tell us what needs to happen to resolve your complaint. When you have filled in the form, send it to The Headteacher or Chair of the Governing Board if the complaint is about the Headteacher (Richmond Methodist Primary School, Darlington Road, Richmond, North Yorkshire, DL10 7BH) if you need any help completing this form please contact the school. If this is a complaint about a governor please send it to the Clerk to the Governing Board.

We will only process your personal data in order to respond to your complaints. In general it will be used for administrative and statistical purposes.

Your name

Mr Ms Mrs Miss Other

First name (BLOCK CAPITALS)

Surname (BLOCK CAPITALS)

Your address

Postcode

Daytime tel. no.

	Mobile tel. no.	
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Email address

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Do you have any special requirements, for example if English is not your first language, disabilities?

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Have you contacted the school about this matter before?

Yes No

If yes, who did you contact, when and how?

Have you received a reply?

Yes No

If so, when was this?

Please explain your complaint.

What action, if any, have you already taken to try to resolve your complaint? (Who did you speak to and what was the response?)

What actions do you feel might resolve the problem at this stage?

Please use additional sheets if required.

If you have any documents to support your complaint, please send them with this form.

Please tick the box if you would like them returned to you.

We will send an acknowledgement within 5 working days of receiving your communication and will tell you what is happening. If a further response is required, this should reach you within 20 working days.

FOR OFFICE USE ONLY

Complaint reference

Date Received

Acknowledgement sent

Substantive reply sent

