Swanton Morley VC Primary School

"Love your neighbour as yourself."

Complaints Policy

Author:	Matt Richards - Headteacher Ruth Robinson – Chair of Governors *Based on the NAHT model and DfE Model Policy.*
Original Date completed:	January 2023
Original Date approved by Governors:	February 2023
Last Review:	**Date:** February 2025 **Signed:** *Ruth Robinson* (Chair of Governors)

Introduction
All schools want their pupils to be healthy, happy and safe, and to achieve. At Swanton Morley V.C. Primary School we recognise that parents, guardians or carers play an important part in making this happen. Cooperation between parents, staff and governors leads to a shared sense of purpose and a good atmosphere in the school.

The governing body believes that an effective complaints policy, which works both for parents and carers and the school, is one of the cornerstones of good governance.

While it is hoped that a cause to complain will not arise, it is acknowledged that on occasion it may.

This policy has therefore been written to ensure that it is easy to understand by all. Should you have any questions or feedback regarding its content or the way it is written please do not hesitate to contact the school.

Compliments
Compliments are always welcome and very encouraging to all staff. We encourage feedback or opinions from pupils and parents. Verbal compliments are always gratefully received however, if you wish to formally compliment a member of staff or the school, we would also be pleased to receive a written record.

Complaints
What is the difference between a concern and a complaint?
A concern may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'.

A complaint may be 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 opportunity. Many issues can be resolved informally, without the need to use the formal stages of the complaint's procedure. Swanton Morley V.C. Primary School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, the headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the headteacher will refer you to another staff member. This member of staff may be more senior but does not have to be but will be able to consider the concern objectively and impartially.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Swanton Morley V.C. Primary School will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

Who can raise a concern or 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 Swanton Morley V.C. Primary School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

How to raise a concern or complaint

1. Informal Stage
Parents, carers or guardians should, in the first instance, make an appointment to speak directly to the appropriate member of staff about the concern. This may be by letter, by telephone or in person by appointment which can be requested through the school office.

Many concerns can be resolved by simple clarification, or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

2. Formal Complaints
If your concern has not be resolved through the informal stage, you are entitled to submit a formal complaint.

How to raise a formal complaint
A formal complaint should preferably be made in writing. Formal complaints may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Who to address the complaint to
Who to address your complaint to depends on who the complaint is about.

Complaints against school staff (except the headteacher) should be made in the first instance, to the headteacher via the school office.
Complaints that involve or are about the headteacher should be addressed to the chair of governors, via the school office.
Complaints about the chair of governors, any individual governor or the whole governing body should be addressed to the clerk to the governing body via the school office.

Please mark all complaint letters as 'private and confidential'. Complainants should not approach individual governors to raise concerns or complaint.

What form should the complaint take?
The complaint can be raised in person, in writing or by telephone, however for clarity the school's preference is that formal complaints are raised in writing.

For ease of use, a template complaint form (see Appendix 2) is included at the end of this procedure. If you require help in completing the form, please contact the school office. You do not have to use this complaint form.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

What happens when we receive anonymous complaints?
The school will not normally investigate anonymous complaints. However, the headteacher or chair of governors, if appropriate, will determine whether a complaint warrants an investigation.

What happens if the school receives duplicate complaints?
If, after closing a complaint at the end of the complaints procedure, we receive a duplicate complaint from a spouse, partner, grandparent other person related to the child or incident, we will remind them that we have already considered the complaint and the local process is complete.

Complaint campaigns
If we receive what we consider to be a large volume of complaints, all based on the same subject and possibly from complainants not connected to the school, then we will treat these complaints as being part of a campaign and respond in one of the following two ways, depending upon the nature and scale of the complaint:

- send the same response to all complainants; or
- publish a single response on the school's website.

How long do I have to complain?
You must raise the complaint within three months of the incident, or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Swanton Morley V.C. Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

What types of complaints are covered under this procedure?
This procedure covers all complaints about any provision of community facilities or services by Swanton Morley V.C. Primary School other than complaints that are dealt with under other statutory procedures. These areas are listed in appendix 1 of this policy.

How could my complaint be resolved?
At each stage in the procedure, Swanton Morley V.C. Primary School will aim to resolve the complaint. If appropriate, they will acknowledge that the complaint is upheld in whole or in part. In addition, the school 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.

How can I withdraw a complaint?
If a complainant wants to withdraw their formal complaint, we will ask them to confirm this in writing.

How to make a formal complaint- Stage 1
Formal complaints must be made directly to the headteacher (unless they are about the headteacher) – see Appendix 2. If the complaint is about the headteacher then the complaint must be raised with the chair of governors- please see the 'who to address the complaint to' section above.

The date the complaint is received will be recorded and the complaint will be acknowledged in writing (either by letter or email) within 5 school days. This response may seek to clarify the nature of the complaint, establish whether the complaint remains unresolved and what outcome the complainant would like to see. It may be decided that a face-to-face meeting is the most appropriate way of doing this.
The headteacher 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 headteacher (or investigator) will:

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

At the conclusion of the investigation, a formal written response will be provided within 10 school days of the date of receipt of the complaint. If this deadline is unable to be met, this will be communicated to the person making the complaint along with a 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 Swanton Morley V.C. Primary School will take to resolve the complaint.

The person making the complaint will be advised of how to escalate their complaint should they remain dissatisfied with the outcome of this stage.

If the complaint is jointly about the chair and vice chair, or the entire governing body, or the majority of the governing body, stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of its investigation, the independent investigator will provide a formal written response.

How to progress a complaint to Stage 2

If the person making the complaint is dissatisfied with the outcome at stage 1 and wishes to take the matter further, they can escalate the complaint to stage 2 by contacting the Chair of Governors.

A request to escalate to stage 2 must be made to the chair within 10 school days of receipt of the stage 1 response. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The chair 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.

This response may seek to further clarify the nature of the complaint, establish whether the complaint remains unresolved and what outcome the complainant would like to see.

At the conclusion of the investigation, a formal written response will be provided within 10 school days of the date of receipt of the stage 2 complaint. If this deadline is unable to be met, this will be communicated to the person making the complaint along with a revised response date.

The response will detail any further actions taken, additional to stage 1, to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include further details of actions Swanton Morley V.C. Primary School will take to resolve the complaint.

The person making the complaint will be advised of how to escalate their complaint should they remain dissatisfied with the outcome of this stage.

If the complaint is jointly about the chair and vice chair, or the entire governing body, or the majority of the governing body, stage 2 will be considered by an independent investigator appointed by the governing body. At the conclusion of its investigation, the independent investigator will provide a formal written response.

How to progress a complaint to Stage 3

If the person making the complaint is dissatisfied with the outcome at stages 1&2 and wishes to take the matter further, they can escalate the complaint to stage 3 – a meeting of members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaint's procedure.

A request to escalate to stage 3 must be made to the clerk to the governors (via the chair) within 10 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 15 school days of receipt of the stage 3 request. If this is not possible, the clerk will provide an anticipated date and keep the complainant informed.

If the complainant is invited and 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 complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide among themselves who will act as the chair of the complaints committee. If there are fewer than three governors from Swanton Morley V.C. Primary School available, the clerk will source any additional, independent governors through another local school or through their local authority's governor services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at stage 3.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making its decision it will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend.

Representatives from the media are not permitted to attend.

At least 7 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.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not accept as evidence recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee 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 committee will consider the complaint and all the evidence presented.
The committee 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 committee 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 committee will provide the complainant and Swanton Morley V.C. Primary School with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

The letter to the complainant will include details of how to contact the DfE if they are dissatisfied with the way their complaint has been handled by Swanton Morley V.C. Primary School.

If the complaint is jointly about the chair and vice chair or the entire governing body or the majority of the governing body, stage 2 will be heard by a committee of independent governors.

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 Swanton Morley V.C. Primary School will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

What to do if you are still not happy?

All complaints that have reached to end of stage 3 are considered to be resolved by the school.

However, 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 Department for Education after they have completed stage 3.

Please note, that complaints cannot be raised with the DfE on the basis that the person making the complaint is unhappy with the resolution. This is because the DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by Swanton Morley V.C. Primary School. They will only consider whether Swanton Morley V.C. Primary School has adhered to education legislation and any statutory policies connected with the complaint, including this complaints policy.

The complainant can refer their complaint to the DfE online at www.education.gov.uk/contactus, by telephone on 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint 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 headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

  The headteacher or complaints committee will then determine whether to uphold or

dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (this could be the headteacher / designated complaints governor or other staff member providing administrative support)
The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Governing Body
The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person

- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

  If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

  No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

  We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting

  Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

  Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

  The committee should respect the views of the child/young person and give them equal consideration to those of adults.

  If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.

Appendix 1- The scope of this policy.

The policy will not apply for the types of complaints listed below.

Exceptions	Who to contact
Admissions to schools Statutory assessments of special educational needs School re-organisation proposals	Concerns about admissions, statutory assessments of special educational needs or school reorganisation proposals should be raised with Norfolk County Council.
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the Children's Advice and Duty Service (CADS) at Norfolk County Council, Children's Services: - **Professionals**: 0344 800 8021 **Public**: 0344 800 8020 For further information, please visit: *hhttps://www.norfolkscb.org*
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at www.gov.uk/school-discipline-exclusions/exclusions **complaints about the application of the behaviour policy can be made through the school's complaints procedure.*
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. 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 www.education.gov.uk/contactus. 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 local authority or the DfE (see link above), depending on the substance of your complaint.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. 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.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.
National curriculum - content	Please contact the DfE at www.education.gov.uk/contactus

Appendix 2- Optional Complaint form – Stage 1

Swanton Morley V.C. Primary School

Please complete and return to the Mr Matthew Richards (Headteacher) who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Daytime telephone number: Evening telephone number

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:
Date:

Appendix 3: Optional School Complaint Review Request Form – Stage 2

Swanton Morley V.C. Primary School

Please complete this form and return it to Mrs Ruth Robinson (Chair of the Governing Body) who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:		
Your Address:		
Telephone numbers:	Daytime	Evening:
E-mail address:		

Dear Chair of Governors

I submitted a formal complaint (stage 1) to the school on …….. and am not satisfied that the procedure has been followed appropriately.

My complaint was submitted to ……. and I received a response from ……. on …….. .

I have attached copies of my formal complaint (stage 1) and of the response(s) from the school.

I am dissatisfied with the way in which the procedure was carried out, because:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What actions do you feel might resolve the problem at this stage (stage 3)?

Signature: Date:

School use Date Form received: Received by: Date acknowledgement sent: Acknowledgement sent by:

Request referred to:			
Date:			