

St. Mary's C.E. (A) Primary School



St. Mary's C.E. (A) Primary School Greenfield

School Complaints Procedure 2019-21

'We enjoy learning and achieving in a Christian environment'

GREENFIELD

SCHOOL COMPLAINTS PROCEDURE

Mission Statement

'We enjoy learning and achieving in a Christian environment'

Introduction

- The procedure set out in this document is based on the principles set out within the Department for Education guidance to schools in respect of responding to complaints - *Best Practice Advice for School Complaints Procedures 2019*. The guidance may be accessed via the following link:
<https://www.gov.uk/government/publications/school-complaints-procedures/best-practice-advice-for-school-complaints-procedures-2019>
- The procedure set out in this document should be read and will be implemented in conjunction with the support and guidance of DfE documentation, as outlined above.
- This procedure also takes account of the document *Oldham Council: Responding to Complaints and Representations - Guidance for Schools and Governing Bodies, January 2016*.
- Manchester Diocese is recognised and will be resourced as a key asset in supporting and offering guidance where complaints may be deemed contentious.
- The Headteacher and all staff in school strive to build positive relationships with all parents and partners in the community. We encourage people to raise concerns with us as soon as possible, in order that we may act swiftly and effectively to resolve matters to the satisfaction of all involved.
- Any safeguarding, disciplinary or grievance matters fall outside of the scope of this complaint process and will need to be addressed via the appropriate procedure.
- Complaints from persons attending an event by a third party hirer must be directed to the organiser of the event and not to the school.

Who can make 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 Saddleworth 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.

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 possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Greenfield St Mary's 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, we will respect your views. In these cases, the school office will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, they will refer you to another staff member. The member of

staff may be more senior, but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Greenfield St Mary's will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

[How to raise a concern or make a complaint](#)

A concern or complaint can be made in person, in writing or by telephone (which must then be followed up in writing). They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

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.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the Headteacher and Executive Headteacher) should be made in the first instance, to the Headteacher, via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher or Executive Headteacher should be addressed to the Chair of Governors. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Complaints Officer, Oldham Local Authority. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

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.

[Anonymous complaints](#)

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

[Time scales](#)

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.

[Complaints received outside term time](#)

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

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Saddleworth School, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Oldham Local Authority.</p>
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). Colette Morris 0161 770 8870</p>
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p> <p>https://www.saddleworth.oldham.sch.uk/policies-procedures</p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>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 LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>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.</p>

<ul style="list-style-type: none"> Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>

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 Greenfield St Mary's 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.

Resolving complaints

At each stage in the procedure, Greenfield St Mary's wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we 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.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Procedure

Informal Concerns

1. Discussion with the Class Teacher

Most concerns can be resolved quickly and informally by speaking with your child's Class Teacher. However if matters cannot be informally resolved and parents do wish to take the matter further then they should make an appointment to see the Key Stage Leader or proceed to Stage 2, as outlined in this procedure.

Teacher acknowledges and meets with the complainant or discusses over the telephone within 7 working days

Resolved: No further action taken

Not Resolved: Refer to Key Stage Leader or proceed to Stage 2 (see below)

In relation to the above, staff should also refer to the School Communication Agreement. Please ensure, for reasons of safeguarding, that a Key Stage Leader is aware of any appointments taking place and that these are recorded in the school Diary. Refer also to the Visitor Policy for guidance about admitting visitors to school.

2. Discussion with the Key Stage Leader

If having spoken with the Class Teacher (or if the concern raised is about the Class Teacher, parents are still not satisfied that the concern has been resolved then they will need to make an appointment to meet the Key Stage to discuss their concerns.

Timescale: Key Stage Leader acknowledges and meets with the complainant or discusses over the phone within 7 working days

The Key Stage Leader will then discuss the matter with the appropriate individuals and undertake the actions necessary to address concerns.

Discussion between Key Stage Leader and parents should take place within 14 days of the concern being expressed.

Resolved: No further action taken

Not resolved: Refer to Head Teacher

Please ensure, for reasons of safeguarding, that a Key Stage Leader is aware of any appointments taking place and that these are recorded in the school Diary. Refer also to the Visitor Policy for guidance about admitting visitors to school.

3. Formal complaint to the Head Teacher

If having spoken with the Key Stage Leader parents are not satisfied that concerns have been resolved or if the concern is about the Key Stage Leader or is from a member of the community, then they will need to make an appointment to meet with the Head Teacher to discuss their concerns. If concerns cannot be resolved right away the Head Teacher will request a complaint in writing, and will then investigate matters as quickly as possible.

The Head Teacher will acknowledge receipt of the complaint in writing (either by letter or email) within three **working** days. The investigation will then commence. This may involve talking to any staff or pupils involved and reviewing any written information available.

The complainant will then receive a written response to their complaint confirming the outcome and any action to be taken within 14 working days of receiving the written complaint.

If the Head Teacher is unable to meet this deadline, they will provide the complainant with an update and 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 Greenfield St Mary's will take to resolve the complaint. The Head Teacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Head Teacher, or a member of the Governing Body (including the Chair or Vice Chair, a suitably skilled governor will be appointed to complete all the actions at Stage 1.

Head Teacher provides a written response within 14 working days of receipt of the written complaint.

Resolved: No further action taken

Not resolved: Refer to Chair of Governors

Stage 2

4. Formal complaint to the Chair of Governors

If having spoken with the Head Teacher the complainant is dissatisfied with outcome of Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a formal complaint to the Chair of Governors. This should be completed in writing and addressed to the Chair of Governors. The letter should contain the contact details of the parents or members of the community and an outline of the issues wishing to be raised. This should then be put in an envelope marked 'FAO - the Chair of Governors. Private and Confidential'. This should be left with staff at the main office who will forward the complaint to the Chair of Governors. The Chair of Governors will then contact the parents and see if a satisfactory conclusion can be reached.

Timescale: Chair of Governor acknowledges and meets with complainant within 7 working days

Resolved: No further action taken

If no satisfactory conclusion can be reached, the Chair of Governors will then investigate the complaint and provide a written response to the complainant within 14 working days.

Timescale: Chair of Governors provides a written response within 14 working days

Resolved: No further action taken

Not resolved: Refer to Governor Complaint Committee

Stage 3

5. Formal complaint to the Governor Complaint Panel

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

A request to escalate to Stage 3 must be made to the chair of the governing body, via the school office, within ten school days of the date of receipt of the Stage 2 response.

The Chair of Governors will record the date the complaint is received by the school office and acknowledge receipt of the complaint in writing (either by letter or email) within three school working days. Requests received outside this time frame will only be considered if exceptional circumstances apply.

The Chair will then acknowledge the request and arrange for a panel of three school governors who have not had prior involvement in the complaint to meet to review the complaint and the school response made so far.

The chair of governors will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within fifteen school days of receipt of the Stage 3 request. If this is not possible, the chair of governors will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the chair of governors 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.

Prior to the meeting, the members of the panel will each receive an information pack in advance of the panel meeting. The information pack will contain all information that will be presented to the governors at the meetings. This includes the complaint, the reason for complaint, evidence to support the complaint and details of steps taken by the school to resolve the complaint.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they 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. Generally, we do not encourage either party to bring legal representatives to the committee meeting.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

As soon as possible, but at least seven school days before the meeting, the chair of governors 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 four school days before the meeting.

Any written material will be circulated to all parties at least two school days before the date of the meeting. The committee will not normally 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 the school with a full explanation of their decision and the reason(s) for it, in writing, within five school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Greenfield St Mary's.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 3 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 Greenfield St Mary's will take to resolve the complaint.

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

End of the School's Complaints Procedure - at this point the Governors of the School will consider the matter closed.

Next Steps

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.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Greenfield St Mary's. They will consider whether Saddleworth School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education 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.

St Mary's C.E. (A) Primary School Formal Complaint Form

Your name:

Pupil's name (if relevant):

Your relationship to the pupil (if relevant):

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint, including whether you have spoken to anybody at the school about it.

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

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

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official Use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

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

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, Local Authority Complaints Officer 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.

Chair of governors

The chair of governors 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 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.

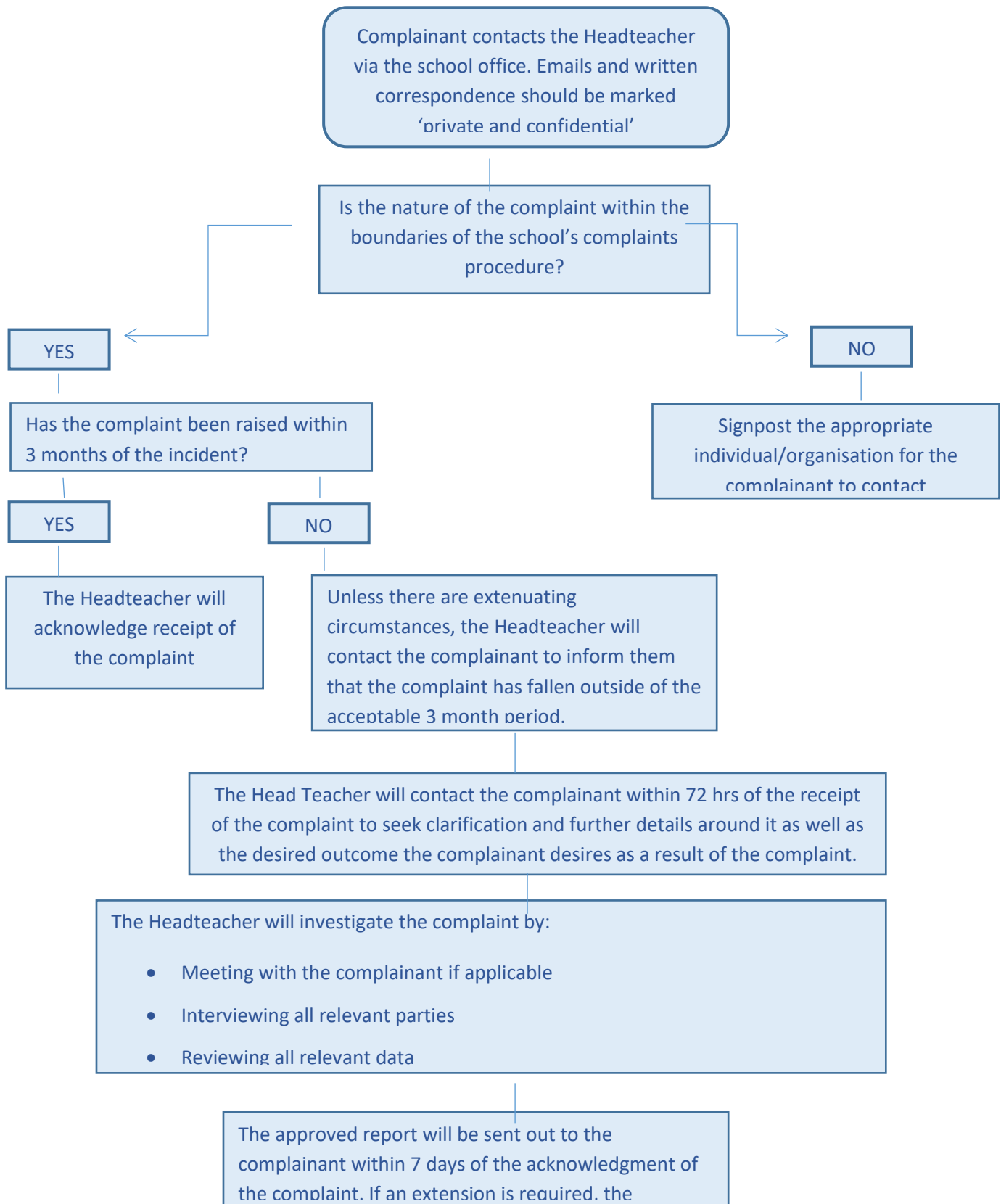
The committee should respect the views of the child/young person and give them equal consideration to those of adults.

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.

Stage 1 Formal Complaint



Stage 2

If the complainant is dissatisfied with the outcome at Stage 1, they can escalate the complaint to Stage 2 by submitting a written complaint by letter or email to the chair of the governing body, Mr M Rahn within 10 school days of receipt of the stage 1 response

The chair of governors will acknowledge receipt of the complaint within 3 school days

In the case of abs/holidays of the Chair, the Vice Chair will take this role

The chair of governors will organise a complaints committee made up of three available, impartial governors to investigate the complaint

The chair of governors will contact the complainant offering three possible dates to meet within 15 school days of the receipt of the request

The chair of governors will confirm the details of the meeting 7 days before it commences. The complainant may bring a friend or family

Written materials will be circulated to all parties 2 days prior to the agreed meeting

Witnesses or related parties may be asked to attend the meeting in person or by written representation.

If the complainant rejects the three proposed dates without an acceptable reason, the Chair will decide the date of the meeting

Minutes will be taken during the meeting by the clerk to the Governing Body

The complaints committee will consider the complaint and come to a definitive conclusion

The complaint is upheld in part or in whole and an appropriate course of action decided upon by the committee

The complaint is dismissed

The Chair of the Committee will provide the complainant and Greenfield St Mary's School with a full explanation of their decision and the reason(s) for it, in writing, within five school days. Details of how to contact the DFE if the complainant is unhappy with the outcome will be included in this communication