



CHEETWOOD COMMUNITY PRIMARY SCHOOL

COMPLAINTS POLICY AND PROCEDURE

Approved by the Governing Body

Signed 
Chair of Governors
07/10/2020

To be reviewed Autumn Term 2021

Judged to be GOOD by Ofsted in March 2018.

*"This is a highly inclusive school, where everyone feels safe, respected and valued.
Pupils enjoy school and are very keen to learn".*

Introduction

We believe that Cheetwood Community Primary School provides a good education for all its learners and that the head teacher and other staff work very hard to build positive relationships with all parents/carers. However, the school is obliged to have procedures in place in case complaints are made. The following policy sets out the procedure that the school follows in such cases.

All complaints are dealt with in accordance with the Guidance for School Complaints Procedures, Department for Education (DfE) January 2019.

Any complainant has the right, as a last resort, to appeal to the DfE, if they feel that their complaint has not been properly addressed and the details of how to do this are included at the very end of the policy.

Aims and Objectives

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

Who can make a complaint?

This complaints procedure is mainly aimed at parents/carers of pupils who are registered at Cheetwood Primary School, but it is not limited to them.

Any member of the public may make a complaint to the school about any provision of facilities or services that the school provides.

The aim is that during the academic year 2020/2021, pupils who attend Cheetwood Primary School will develop their own complaints procedure drawn up using the Common Principles for a Child Friendly Complaints Process outlined by the Children's Commissioner.

Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), the school will use this complaints procedure. Information on complaints that are dealt with under separate statutory procedures is outlined in appendix i.

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 complaints procedure. The school takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

How to raise a concern

If a parent/carer is concerned about anything related to the education that we provide at our school, they should, in the first instance, discuss the matter with their child's teacher. Most matters of concern can be dealt with in this way. All teachers work very hard to ensure that each child is happy at school and is making good progress. Teachers always want to know if there is an issue or concern so that action can be taken before it begins to seriously affect the child's progress. Complaints about SEN provision in our school should also be directed in the first instance to the child's teacher, who may call upon the support of the school's SENCo to help resolve the concern. If the issue remains unresolved, the next step is to make a formal complaint.

If you have difficulty discussing a concern with a particular member of staff, Mrs Gregory, the school's complaints co-ordinator, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Mrs Gregory 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, the school will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to make a formal complaint

A complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

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 head teacher) should be made in the first instance, to Mrs Oxtan (the head teacher) via the school office. Please mark them as 'private and confidential'.

Complaints that involve, or are about, the head teacher should be addressed to Mr Woolley (the chair of governors), via the school office. 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 Mrs O'Connor (the clerk to the governing body) via the school office. Please mark them as 'private and confidential'.

For ease of use, a template complaint form is included at the end of this procedure (appendix ii). If you require help in completing the form, please contact the school office. You can also ask third party organisations such as 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.

Stage 1

Formal complaints must be made to the head teacher (unless they are about the head teacher), via the school office. If you have initially made the complaint in person or by telephone, you will then be asked to put your complaint in writing on the complaint form (appendix ii). The head teacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. The head teacher will then launch an investigation. The head teacher may seek to clarify further details about the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The head teacher can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The head teacher may delegate the investigation to another member of the school's senior leadership team (Eg the SENCo if the complaint is about SEN provision in the school) but not the decision to be taken.

During the investigation, the head teacher (or investigator) will:

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

At the conclusion of their investigation, the head teacher will provide a formal written response within 15 school days of the date of receipt of the 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 the school 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.

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.

Stage 2

If the complainant is dissatisfied with the outcome at stage 1 and wishes to take the matter further, they can escalate the complaint to stage 2 – a meeting with 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 complaints procedure.

A request to escalate to stage 2 must be made to the clerk, via the school office, within 10 school days of receipt of the stage 1 response.

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.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the stage 2 request. If this is not possible, the clerk will provide an anticipated date and keep the complainant informed.

If the complainant 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 Cheetwood 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 2.

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 10 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 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 requires 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 10 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 the 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 the school will take to resolve the complaint.

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

Anonymous complaints

The school will not normally investigate anonymous complaints. However, the head teacher or chair of governors, if appropriate, will determine whether the complaint warrants an investigation.

Duplicate complaints

If, after closing a complaint at the end of the complaints procedure, the school receives a duplicate complaint from a spouse, a partner, a grandparent or a child not attending this school, we will remind them that we have already considered the complaint and the local process is complete. Complainants will be advised to contact the DfE if they are dissatisfied with our handling of the complaint.

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.

Timescales

Complainants 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 of term time

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

Serial and persistent complainants

There will be occasions when, despite all stages of the complaint procedure having been followed and the school having done everything possible in response to a complaint, the complainant remains dissatisfied. It is a poor use of the school's time and resources to reply to repeated letters, emails or telephone calls making substantially the same points.

If a complainant tries to re-open the same issue, the school will inform them that the procedure has been completed and that the matter is now closed. If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond.

The decision to stop responding will never be taken lightly. We will only make the decision to stop responding if "yes" can be answered to all of the following:

- The school has taken every reasonable step to address the complainant's needs;
- The complainant has been given a clear statement of the school's position and their options (if any);
- They are contacting the school repeatedly but making substantially the same points each time.

Where an individual's behaviour is causing a significant level of disruption the school will implement a tailored communications strategy such as restricting the complainant to a single point of contact via an email address or by limiting the number of times they make contact with a fixed number of contacts per term.

If school staff find it difficult to deal direct with a complainant because of their unreasonable behaviour and other strategies are not working, the Headteacher will approach the governor services team in Manchester LA to ask for assistance. If this is agreed, complainants will be advised not to contact the school, but to communicate instead with the LA who will co-ordinate any response.

Scope of this complaints procedure

This procedure covers all complaints about any provision of community facilities or services by Cheetwood Primary School.

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 Cheetwood 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.

Resolving complaints

At each stage in the procedure, the school is keen 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.

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 2.

The DfE will not normally reinvestigate the substance of complaints or overturn any decisions made by Cheetwood Primary School. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

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

Monitoring and Review

The Governing Body monitors the complaints procedure in order to ensure that all complaints are handled properly. The Headteacher logs all complaints received by the school and records how they were resolved. The Governing Body examines this log on an annual basis.

The Governing Body takes into account any local or national decisions that affect the complaints process and makes any modifications to this policy accordingly. This policy is published on the school's website and made available to all parents/carers so that they can be fully informed of the complaints process.

APPENDIX i

Complaints that are dealt with under other statutory procedures, rather than the school:

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 reorganisation proposals should be raised with Manchester 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 designated officer for the local authority who has local responsibility for safeguarding tel 0161 234 1302/1214 or the Multi-Agency Safeguarding Hub (MASH) tel 0161 219 2895.</p>
<ul style="list-style-type: none"> • Exclusion of pupils 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>
<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 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.</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 local authority or the DfE, 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 will 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 DfE at www.education.gov.uk/contactus</p>

**CHEETWOOD COMMUNITY PRIMARY SCHOOL
COMPLAINT FORM**

Please complete and return to Mrs Gregory (Complaints Co-ordinator) 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:
Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint.
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 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 whom:

Complaint referred to:

Date: