



# **St Martin's CE Primary & Nursery School**

## **COMPLAINTS POLICY**

Practical advice for parents and carers who want to raise  
a concern about the school

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## **POLICY REVIEW**

<b>Policy Review Term:</b>	Two years
<b>Lead member of staff responsible for review:</b>	Headteacher (with input from School Business Manager ref support staff matters)
<b>Lead Governor responsible for review:</b>	Lead for Parent & Christian Community Links
<b>Date policy adopted:</b>	10 <sup>th</sup> June 2019 (new model adopted, replaced previous version)
<b>Dates policy reviewed:</b>	1 <sup>st</sup> March 2021 – no amendments 27 <sup>th</sup> February 2023 - amendment to include Deputy Headteacher alongside Assistant Headteachers. Removal of header 'complaints against governors' from the contents table
<b>Dates policy amended between reviews:</b>	

## **Practical advice for parents and carers who want to raise a concern about the school**

### **Purpose**

At St Martin's CE Primary & Nursery School it is understood that a good relationship between children, staff, parents/carers and community is of the utmost importance to the success of the children in its care.

Whilst we are very proud of our school, we know that no one gets things right all the time. We are committed to providing the absolute best for all of our children and this includes responding quickly and proportionately to concerns that are raised.

We believe that learning is a lifelong endeavour, and we have systems in place to monitor any concerns and complaints received so that we can evaluate how quickly we resolved matters and how effective the resolution was and use this to improve our practices.

The following sets out how we will work with you to resolve any concerns that you raise as quickly and informally as possible. Mediation can be considered at any point in the process.

**This procedure is appropriate for use not only by parents and carers but by any person who engages with the school, including members of the local community.**

# School Resolution (Informal Stage)

If you are concerned or unhappy with the way the school or a member of its staff has treated you, or you are concerned or unhappy with the way the school is operating its policies and procedures, then you can raise your concerns or make a complaint.

Usually, the best way to deal with a concern or complaint is for the member of staff, headteacher or school governor to talk with you so that they can understand what your concern or complaint is about, and take any appropriate action to put things right. The school will determine who is most appropriate to carry this out depending on the nature of the concern.

The person dealing with your concern may also want to take the opportunity to explain what has happened from the perspective of the school or staff member involved. Low level concerns or complaints can be dealt with quickly and effectively by the headteacher or a governor using this approach, which is known as a 'School Resolution'.

This way of dealing with your concern or complaint means solving, explaining, clearing up or settling your concern or complaint directly with you. It will not result in conduct or capability action being taken against an individual member of staff, and the complaint will be closed after the process is completed.

Resolving your complaint in this manner can help to improve the service your community receives from the school. It is accepted that it is in everyone's best interests for the complaint to be resolved informally at the earliest possible stage. To this end there is a leaflet titled 'I Have A Concern – What Should I Do?'. This can be found in the school foyer and on the website.

## How does the School Resolution process work?

If appropriate, please start by speaking with the class teacher to allow the best chance of a quick resolution. It is recommended that you make an appointment to speak to the class teacher as soon as possible. This will give both parties the opportunity to talk about the concern or complaint without being interrupted.

If your concerns relate to a member of the administration team, the premises team or the kitchen team, or about a mealtime assistant or the IT technician, it should be directed in the first instance to the School Business Manager.

**Once you have raised your concern or complaint, the person who is looking into it will contact you within 5 working days (in term time). They can arrange to talk to you face-to-face, on the telephone, or they can contact you by letter or email if you prefer.**

For your part, you will need to:

- tell the school what happened and how you felt about it
- say what action you would like to see taken as a result
- agree the process for resolving your concern or complaint

This School Resolution process is not about apportioning blame or about staff being dealt with through formal conduct or capability procedures – schools are centres of learning for everyone, and it is about learning from what has happened and working with you to make sure it doesn't happen again.

For its part, the school will:

- listen to your concerns
- explain what can happen to resolve your concern or complaint
- confirm with you the process that will be followed and who will deal with it
- if necessary, carry out a more detailed investigation into your concern or complaint. This is called a 'School Investigation' (see section on 'School Investigation' at the end of this document)
- provide information for parents and carers of children with SEND (Special Educational Needs and Disability) about how they can access support from The Devon Information Advice and Support service (this is a requirement in the SEND Code of Practice)

[www.devonias.org.uk](http://www.devonias.org.uk) 01392 383080,  
[devonias@devon.gov.uk](mailto:devonias@devon.gov.uk)

## What can I expect from the School Resolution?

Most concerns or complaints are not likely to involve extensive or lengthy enquiries, and therefore you should expect an approach that is proportionate to the issue you have raised.

As the School Resolution process is aimed at quickly resolving your concern or complaint and learning from it, it won't lead to conduct or capability proceedings against a member of staff. However, where appropriate, the member of staff might receive further support or training as a result.

If your concern or complaint is an expression of dissatisfaction with something the school has either done or not done, and not about somebody - for example, about the way the school operates its policies or is directed to fulfil its statutory obligations - then it will still be resolved using this 'School Resolution' approach.

## Mediation

**Sometimes during the handling of a complaint, communication between parents and the school can become difficult. Mediation can be a very useful way of helping people to resolve their differences and find an agreed way forward. Both parties need to agree to mediation. The school (or the parent) may suggest mediation, if communication becomes a problem.**

**Mediation can be sought at any point during the processes of resolution and investigation. The mediation process is informal, impartial and voluntary, and aims to resolve conflicts to the benefit of all. It does not apportion blame and concentrates on developing a better understanding of each other's point of view and works to secure future relationships. For more information, please contact: [Educate.educationmediation-mailbox@devon.gov.uk](mailto:Educate.educationmediation-mailbox@devon.gov.uk)**

**For issues raised relating to SEND (Special Educational Needs and Disability) resources, specialist mediation is a requirement in the SEND Code of Practice. For more information please contact The Devon Information Advice and Support service: [devonias@devon.gov.uk](mailto:devonias@devon.gov.uk).**

## What happens next?

There are different ways of dealing with the concern or complaint using the School Resolution Process. These include:

- immediate resolution by providing information face-to-face or by telephone, as you choose
- a letter from the school concluding the matter after proportionate consideration, explaining what has been done
- individual communication between you and the person your concern or complaint was about and/or a face-to-face meeting with the person your concern or complaint was about. The person your concern or complaint was about will need to agree to a face-to-face meeting taking place

**When the named person has looked into your concerns you will receive further communication from the school within 10 working days of the original concern being raised. However, if the concern is complex, the person working on the School Resolution may contact you to let you know that more time is needed to look more fully into the matter.**

## What might happen as a result?

The school could take the following actions to resolve your concern or complaint:

- give you information or an explanation to clear up a misunderstanding
- apologise on behalf of the school
- learn from the issue, accepting that something could have been handled better and explaining what has been done to stop the same thing happening again
- arrange action by the headteacher to address an issue with a member of staff through support and development
- apologise on behalf of the person your concern or complaint was about but only if they agree to this
- arrange action by the Governing Board to address matters of policy or procedure

## Raising a concern if your child has special educational needs (SEN) or a disability

Should a parent/carer have any concern regarding the provision or organisation of SEND, this should be raised with the Class Teacher in the first instance. If the parent/carer remains unhappy, then they should discuss their concerns with the SENDCo – details of how to contact the SENDCo can be found on the website. If the parent/carer wishes to proceed to making a formal complaint (Stage 1 and 2) then should be dealt with through the procedures outlined in the next section of this policy.

If there continues to be disagreement with regard to SEND provision the Local Authority should make arrangements that include the appointment of independent persons with a view to avoiding or resolving disagreements between the parents/carers and the school. This includes access to mediation before tribunal. Parents/carers have a right to appeal to a SEND tribunal at any stage.

# School Investigation – The Formal Complaints Procedure (Stage 1 and 2)

If you feel the issue raised has not been resolved through the School Resolution process and you wish to pursue it further you may raise it through the formal procedure. To do this you must write a formal letter of complaint. Please see below as to whom your complaint should be addressed. You may use the form in Appendix 1 at the end of this policy to submit your formal complaint. A copy of this form is also available on the school website. Your letter should set out clearly the complaint which has previously been discussed and why you feel that the issue is unresolved. It is also helpful if you can set out in your letter what resolution you are seeking. You will be notified within five days following receipt of your letter acknowledging that it has been received and who will be looking into the matter.

Moving to the formal complaints procedure is a serious step. In consideration of future relationships, it is imperative that everyone concerned works towards finding a resolution to the complaint.

- If the complaint is about a Class Teacher then it should be taken directly to an Assistant or Deputy Headteacher.
- If the complaint is about an Assistant or Deputy Headteacher or the SENDCo it should be directed to the Headteacher.
- If the complaint is about the Headteacher then the complaint should be directed to the Chair of Governors. The name of the current Chair of the Governors can be found on the School website. Complaints about an Assistant Headteacher/Deputy Headteacher/Headteacher would automatically move your concerns to Stage 2 - Formal Meeting, please see below for further details.
- If the complaint is about a member of the administration team, the premises team or the kitchen team, or about a mealtime assistant or the IT technician, it should be directed in the first instance to the School Business Manager.

Stage 1 will be carried out by the Headteacher, a delegated member of staff or a Governor in the school.

Although this is a formal investigation into your complaint, it will still be in the spirit of quickly reaching an effective outcome and maintaining positive and productive relationships. All parties need to work together to maintain productive relationships and establish a way forward in partnership. This investigation may call for more information to be gathered before the person investigating can explain what has happened from the perspective of the school or the staff member involved. This way of dealing with your concern or complaint means solving, explaining, clearing up or settling your complaint directly with you, but doing so with a more detailed investigation than at a School Resolution level.

## Time Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible with the expectation being that complaints will be made as soon as possible after the incident arises but no later than 3 months following the incident (although the school may consider exceptions). The complainant will be informed about the expected timescales associated with dealing with the complaint within each stage. Where further investigations are necessary, the complainant will be sent details of the new deadline and an explanation for the delay, ensuring that any further investigations are within 3 months of the complaint being lodged.

## How does the School Investigation process work?

Once you have raised your concern or made your complaint, the Headteacher, member of staff or Governor who is looking into it will contact you within 5 working days (term time). They can arrange to talk to you face-to-face, on the telephone or they can contact you by letter or email if you prefer.

For your part, you will need to:

- tell the school what happened and how you felt about it
- say what action you would like to see taken as a result
- agree the process for resolving your concern or complaint
- agree timescales and pathways for communication

For its part, the school will:

- listen to your concerns
- explain what can happen to resolve your concern or complaint
- confirm with you the process that will be followed and who will deal with it
- carry out a more detailed investigation into your concern or complaint
- produce and supply all parties with a written report of the findings
- ensure that any relevant findings are taken forward to influence school practice and policy

## What can I expect from a School Investigation?

Some concerns or complaints may demand more detailed and perhaps time-consuming enquiries, and therefore you should expect an approach that is proportionate to the complaint you have made. The person investigating your concern should keep in regular contact to keep you informed of progress on the matter.

Nevertheless, the School Investigation process aims to quickly resolve your concern or complaint and identify any learning from it.

## What happens next?

Your concern or complaint will be the subject of a proportionate investigation. This means that the amount of time dedicated to the matter will be in accordance with the seriousness of the matter.

At the conclusion, one of a number of things **may** follow. These include:

- resolution by providing information face-to-face or by telephone – as you choose
- a letter from the school concluding the matter after a proportionate investigation and explaining what has been done
- if your complaint was about an individual, individual communication between you and that person. This is organised through the Headteacher or the person dealing with your complaint
- a face-to-face meeting with the person working on your concern or complaint and/or the person your complaint was about. The person your concern or complaint was about will need to agree to a face-to-face meeting taking place

The School Investigation should be completed within 20 working days when you will receive a letter explaining the findings and any actions that may need to happen as a result. However, in complex matters it may take longer. The person investigating will keep in regular contact with you to keep you

informed of progress.

## **What might happen as a result?**

The school could take the following actions to resolve your concern or complaint and will provide feedback to you on such actions:

- give you information or an explanation to clear up a misunderstanding
- apologise on behalf of the school
- learn from the issue, accepting that something could have been handled better and explaining what has been done to stop the same thing happening again
- arrange action by the governing body to address matters of school policy or procedure
- arrange feedback and support by the headteacher to address any issues arising about a member of staff and their actions or behaviour
- apologise on behalf of the person your complaint was about, but only if they agree to this

# Appeal against the decision made following The School Investigation (Stage 2)

The School Investigation stage of this complaints procedure includes an appeal process should you not be satisfied with the outcome of the investigation. Following our initial investigation, we will write to you to let you know of your right to appeal and you will have 20 working days to let us know if you would like to do so. (This does not include school holidays where there may be no one in school to respond to your request).

If you decide you would like to appeal, you should write to the Clerk of the Governing Board c/o the School Office. We will invite you to attend an appeal meeting and if the date is inconvenient, we will provide an alternative date. You will also receive any paperwork that relates to the initial school investigation 7 days in advance of the appeal meeting.

The Chair of Governors with support from the Clerk shall convene a Complaints Panel Hearing consisting of three Governors who have had no prior involvement in the matter, the person who investigated the complaint and any other witness involved in the process.

It is important that the panel members are well prepared for the meeting, and that the time allocated is used efficiently. Therefore, if either you or the school wish for witnesses to attend a panel meeting, then they must ensure that their witness(es) provides a written statement to the Clerk at least ten days prior to the meeting so that this can be included in the paperwork sent out to the panel.

The Role of the Clerk:

- Be the contact point for the Complainant;
- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible (it is important that the hearing date is not unreasonably delayed due to the non-availability of parties);
- Collate any written material and send it to parties in advance of the hearing;
- Take notes (these will not be verbatim but will provide an accurate record of the hearing); and
- Notify all parties of the panel's decision.

The Role of the Chair of the Complaints Panel is to ensure that:

- Both parties have the opportunity of both putting their case across without undue interruption and ask questions;
- The issues are addressed;
- Key findings of fact are made;
- Parents/Carers and others who may not be used to speaking at such a hearing are put at ease;
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy; and
- The panel is open minded and acting independently

Whilst this is part of the formal complaints procedure, we aim to make the meeting as informal as possible so that all parties can put forward their views in a positive and respectful manner.

When the appeal panel has considered all the information made available to them, they will make a decision and inform you in writing of the outcome within 5 working days.

**Sometimes when a complaint is very complex, and has taken a lot of time, it may be that the governing body may have difficulty assembling an appeal panel that fits the criteria of having had no prior knowledge of your complaint. In this case you may request that the school source an independent appeal panel to hear the final stage of your complaint.**

Following the appeal panel meeting the complaints procedure is complete. If you are still unhappy with the way the school has managed your complaint, you can submit a complaint to the Department for Education online at [www.gov.uk/complain-about-school](http://www.gov.uk/complain-about-school)

Or write to:

School Complaints Unit  
Department of Education  
2<sup>nd</sup> Floor, Piccadilly Gate,  
Store Street,  
Manchester M1 2WD

National helpline: 0370 000 2288

Please remember that the school is committed to resolving your concerns wherever possible and that where this is proving complex, mediation is a powerful method of resolving matters. (see page 5)

## **Concerns about/complaints against Governors**

Our school has a separate policy for managing complaints about governors. A copy of this can be viewed on the school website or obtained from the Clerk to Governors by emailing [clerk@stmartinscranbrook.devon.sch.uk](mailto:clerk@stmartinscranbrook.devon.sch.uk).

## Appendix 1

### St. Martin's CE Primary & Nursery School Complaint Form

Please complete and return to the appropriate person for your complaint (please see page 7) who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint (Feel free to attach a separate sheet with details):

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 Yes, please give details.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

#### **For the use of St Martin's Staff**

Date acknowledgement sent:

By whom:

Complainant referred to:

Date: