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**CROWMOOR PRIMARY SCHOOL**

**COMPLAINTS POLICY**

**Our Philosophy**

As a School we are committed to supporting and implementing the United Nations Convention on the Rights of the Child within our setting. Our aim is to be a fully compliant Right’s Respecting School, currently being level one.

**Rationale and Aims of the Policy**

All maintained schools are obliged to have a Complaints Procedure and this one is drawn up to comply with Section 29 Part 1 of the Education Act 2002 and the relevant DfE guidance, which should be read in conjunction with this document. It has also been the subject of consultation with the Local Authority and the Teacher Trade Unions/Professional Associations.

**Informal Stage**

It is anticipated and hoped that most complaints can be dealt with informally and complainants are encouraged to initially raise matters directly with the member of staff concerned, or if this is not felt appropriate then a senior manager, Deputy Head Teacher or Senior Teacher. All complainants are encouraged to resolve complaints informally. However, this does not remove the complainants’ right to use the formal complaint’s process after this informal stage.

**In implementing this Complaint’s Procedure the person dealing with the complaint should:**

1. Clarify the nature of the complaint and what remains unresolved, contacting the complainant if further clarification is required. Otherwise relying on the detail in the initial written complaint.

2. Establish what has happened and who has been involved.

3. Ensuring that the complainant makes clear in their initial written complaint what they feel would put things right.

4. Interview the staff involved in the matter allowing them to be accompanied if they wish by

 a trade union/professional association representative, workplace colleague or friend.

5. Conduct the interview with an open mind and be prepared to persist with questioning, following up on the issues raised in the complaint.

6. Ensure agreed notes are kept of the interview.

If the complaint is regarding the manager, staff or other adult in the Early Years setting, parents may approach the Office for Standards in Education, Early Years Directorate (OFSTED), to register a complaint. If there appears to be a possible breach of our registration, serious accident, injury or child protection issue Ofsted must be notified to ensure the Statutory Framework for the Early Years Foundation Stage (EYFS) Welfare Standards are adhered to.

OFSTED

The National Business Unit

The Royal Exchange Buildings

St Ann’s Square

Manchester

M2 7LA

Tel: 0300 123 1231

www.ofsted.gov.uk/parents

**Dealing with Complaints**

**Formal Procedure - Stage 1**

If the complainant is not satisfied with the outcome of the informal procedure then they may ask to use the formal process. In the first instance the complainant will put in **writing** the nature of the complaint to the School Complaints Co-ordinator who is the Deputy Head Teacher*,* setting out whatthey would like to happen to resolve theissue. If the appointed Complaints Co-ordinator is the subject of the complaint, then the Head Teacher should appoint another appropriate person. If the subject of the complaint is the Head Teacher the Complaints Co-ordinator should refer the matter to the Chair of Governors.

***Upon receipt of the written complaint an investigation will be undertaken and the complainant be informed within 5 working days***

***(a) of the outcome of the investigation or***

***(b) that further investigation is required which will take no longer than a further 5 working days.***

**If a complainant makes the first approach to a governor, the Governor should refer the complainant to the appropriate person and the School procedure; that Governor would need to declare an interest in all future matters involving that complaint. It is not appropriate for an individual governor to be involved in the process.**

**Stage 2: Review**

If the complainant is not satisfied with the outcome of Stage 1, they have 5 working days from being informed of the initial outcome to request that the Chair of Governors review the case, which may involve a re-investigation. The Chair of Governors may delegate the information gathering process if a re-investigation is required, to another member of the school, but only The Chair of Governors can make a decision on the action to be taken.

***This process and a report back to the complainant on the outcome of the complaint review will be completed within 5 working days.***

**Stage 3: Appeal**

If the complainant is still not satisfied with the outcome at the end of Stage 2, they may ask for the matter to be referred to the School’s Governing Body Complaints Appeal Panel. This must be requested by the complainant within five working days of receiving the outcome of the complaint review.

***This process including communicating the outcome to the complainant, should not normally take longer than 15 working days.***

It is not appropriate for the full Governing Body to be involved as it would compromise the impartiality of any panel set up for a disciplinary hearing.

The Governing Body should annually give delegated powers to this Appeal Panel (usually at its Autumn Term meeting). This panel may consist of at least three members (this decision to be confirmed by a meeting of the full Governing Body). If any members of the Governing Body have been previously involved in the complaint, in particular the Head Teacher or Chair of Governors, they cannot be a member of the panel. The panel can choose their own chair.

**The panel as part of the appeal process can:**

* Dismiss the complaint in whole or part
* Uphold the complaint in whole or part
* Decide on appropriate action to resolve the complaint
* Make recommendations to ensure that such, or similar problems do not occur again.

**N.B** The Governors reserve the right to declare a complainant vexatious if they are seen to be making a number of/frequent complaints that are established to be unfounded. This decision will be arrived at following advice from the Council’s Legal and/or Governor’s Support Teams. So that in the future, this procedure may not be used, in regard to that particular complainant.

**Annual Review of this policy**

The Complaint’s Committee will annually meet to review this policy and then recommend it’s adoption by the Curriculum Committee or full Governing Body. If the Complaints Panel is unable to meet the review will be taken by the Curriculum Committee or another committee as deemed relevant by the Chair of Governors.

Detailed guidance for helping schools manage complaints can be found on the DfE Schools Complaints Procedure. Please click/go to the following link

<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/346867/School_Complaints_Toolkit_2014.pdf>

Guidance on:

The remit of the Complaints Appeal Committee

The roles and responsibilities of the Clerk to the Committee and

The role of the Committee chair can be found at the above link.

Further help and advice is available from the Council’s Children and Young Person’s Human Resources Team.

March 2018

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