



## **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.

### **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 LA and the teacher trade unions/professional associations.

### **Informal**

It is anticipated that most complaints can be dealt with informally and complainants are encouraged to 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 complaints process.

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](http://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 s/he may invoke 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. 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 complaint an investigation will be undertaken and the complainant be informed within 5 working days***

***(a) 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 s/he should refer the complainant to the appropriate person and the school procedure. It is not appropriate at this stage for an individual governor to be involved in the process.

## **Stage 2**

If the complainant is not satisfied with the outcome of Stage 1, s/he can require the Chair of Governors to review the case, which may involve a re-investigation. The Chair of Governors may delegate the information gathering process to another member of staff, but only s/he 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 will be completed within 5 working days.***

## **Stage 3**

If the complainant is still not satisfied with the outcome at the end of Stage 3, s/he may ask for the matter to be referred to the school's governing body Complaints Appeal Panel.

***Whilst the difficulty of getting panels of the Governing Body together is acknowledged 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 at this stage as it would compromise the impartiality of any panel set up for a disciplinary hearing.

The governing body can give delegated powers to this panel, which may consist of three or five members. 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 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.

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](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 County Children and Young Peoples Human Resources team.

### **At each stage the person investigating the complaint should:**

1. Clarify the nature of the complaint and what remains unresolved.
2. Establish what has happened and who has been involved.
3. Meet with the complainant or contact them.
4. Clarify what the complainant feels would put things right.

5. Interview those involved in the matter allowing them to be accompanied if they wish by a trade union/professional association representative, workplace colleague or friend.
6. Conduct the interview with an open mind and be prepared to persist with questioning.
7. Ensure agreed notes are kept of the interview.

Nov 15

Review Nov 17