

Pensans Primary School

Complaints Policy

Date Written	February 2016
Next Review Date	February 2019
<p>I confirm that this policy has been reviewed and adopted by the Standards and Staffing Committee of the Penlee Academy Trust.</p> <p>Chair of Governors</p> <p>Date: March 2016</p>	

Pensans CP School Complaints Policy

Complaints Officer Name: Ms Angela Clay

School Complaints Officer Contact Details:

Tel. 01736 363627 or email head@pensans.cornwall.sch.uk or write to:

The Headteacher, Pensans CP School, Madron Road, Penzance, Cornwall. TR20 8UH

Alternatively please contact:

Chairs of Governors: Rev Sian Yates

Address: c/o Pensans CP School, Madron Road, Penzance, Cornwall. TR20 8UH

Introduction

Pensans CP School provides a high standard of education for all our children and the headteacher and other staff work very hard to build positive relationships with the whole school community. The school welcomes feedback on the services it provides. Should anyone be unhappy with any aspect of the school, it is important that the school learns about this.

The aims of this policy are to:

- Encourage the resolution of problems by informal means wherever possible;
- Ensure that concerns are dealt with quickly, fully and fairly;
- Provide effective responses;
- Maintain good working relationships between all those involved.

Rationale

As schools have legal responsibilities to deal with the majority of complaints, this policy outlines how such complaints will be dealt with by Pensans School.

Children as well as parents have legitimate rights to express concerns or to make complaints, but maturity and understanding will vary from child to child. Therefore, the school will consider a complaint on its merits. Please note that a person does not have to be a parent or a pupil of the school to make a complaint but that the same procedure will be followed. Please also note that anonymous complaints cannot be examined under a complaints procedure.

Governors have an important role to play in considering complaints. However, it is important for parents to understand that individual governors must not investigate complaints outside this procedure. All complaints should be addressed to the school complaints officer in the first instance whose details are recorded above.

Please note that should a complaint, informal or formal, reveal an issue for which other procedures exist (for example, child protection) then it will be dealt with under those procedures rather than as a complaint.

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There is an expectation that all those involved in a complaints procedure, including the complainant(s), will conduct themselves in a reasonable, courteous and respectful manner.

Procedures

Stage 1 - Informal Resolution

Many enquiries and concerns can be dealt with satisfactorily by the class teacher, the headteacher or other members of staff without the need to resort to a formal procedure. The school values informal meetings and discussions.

There is no suggested time-scale for resolution at this stage given the importance of dialogue through informal discussion. However, an informal method seems unlikely to resolve matters, the complaint will move forward to the next stage of the procedure.

Stage 2 - Formal Written Complaints

Where it has not been possible to resolve a complaint by way of informal discussion, the complainant should set out the precise nature of the complaint on the form provided (see Appendix 1) and return this to the complaints officer. The school's governors will not be involved at this stage.

Should a complaint be about a general matter, the complaints officer may be able to respond immediately, e.g. if it only requires an explanation of school policy. For most other events, which are likely to relate to specific actions or events, there is likely to be a need for further investigation in order to clarify the facts. The complaints officer or their nominee will normally undertake this investigation. However, the complaints officer may feel that the complaint is best dealt with at Stage 3, depending on the circumstances. It will be passed to the Chair of Governors (or to the clerk to the governing body for the chair's attention).

Should the complaints officer, the head teacher or a governor be the subject of a complaint, these will be dealt with under Stage 3 below. The complainant should send the form directly to the Chair of Governors (or to the clerk to the governing body for the chair's attention) c/o the school marking the envelope "private and confidential".

Should the Chair of Governors be the subject of a complaint, the complainant should send the form directly to the vice-Chair of Governors (or to the clerk to the governing body for the vice-chair's attention) c/o the school marking the envelope "private and confidential".

All formal complaints will be acknowledged within five school days of receipt. Investigations at this stage should normally be completed within twenty school days of receipt of the complaint, unless there are circumstances that require a longer investigatory period. The complainant will be informed should more time be required.

The school will aim to send a formal written response within five school days of the completion of the investigation. This gives a target of five school weeks for the completion of this stage of the procedure.

Following the Stage 2 investigation, the complaints officer will decide on one of two outcomes:

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1. Recommend that appropriate remedial action necessary to resolve the complaint be undertaken, or
2. Confirm that all internal investigative measures have been exhausted and uphold the original informal response if this had occurred.

The decision is confidential to the complainant and to the governing body.

In the letter conveying the outcome of the investigation, the complainant should be informed of the process for referral to the Chair of Governors if they wish to take the complaint further. Should the Staff Disciplinary procedures or Child Protection procedures have been started, then the complainant will be notified that other processes are being followed. Any notification shall be confidential to protect the member of staff.

Should the complainant wish to proceed to consideration of the complaint by the governing body if they are unhappy with the Stage 2 outcome, notice of their intention needs to be given within ten school days of their receipt of the formal outcome. This notice should be made in writing to the Chair of Governors (or to the clerk to the governing body for the chair's attention) c/o the school marking the envelope "private and confidential".

Stage 3 - The Governing Body.

Where the complaints officer is unable to resolve a complaint to the satisfaction of the complainant or where there is a complaint against the complaints officer, the head teacher or a governor, the complainant should write to the Chair of Governors (or to the clerk to the governing body for the chair's attention) c/o the school marking the envelope "private and confidential" including copies of all relevant documents.

Should the Chair of Governors be the subject of a complaint, the complainant should send the form directly to the vice-Chair of Governors (or to the clerk to the governing body for the vice-chair's attention) c/o the school marking the envelope "private and confidential".

A panel of people that are not directly involved in the matters detailed in the complaint must be convened by the Chair (or vice-chair) of Governors to investigate the complaint. The school must ensure that at least one member of the panel is independent of the management and running of the school (i.e. is not a governor or member of staff). It is a matter for the school to identify suitably independent individuals who can fulfil the role and responsibility of being the independent member. It is recommended that the panel consists of three people.

The panel will normally review the investigations carried out under Stage 2 and will decide whether or not any further investigations should be undertaken. However, in most cases where an investigation has been previously carried out, the panel may decide only to consider the evidence already presented. Where complaints have been referred directly to Stage 3, the panel will undertake the initial investigations. Complainants will be advised of the panel date and may attend this meeting, and be accompanied, if they wish.

Investigations at this stage should normally be completed within twenty school days of receipt of the complaint, unless there are circumstances that require a longer investigatory period. The complainant will be informed should more time be required. The school will aim to send a formal

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written response within five school days of the completion of the investigation. This gives a target of five school weeks for the completion of this stage of the procedure.

Following the Stage 3 investigation, the panel will decide on one of two outcomes:

1. Recommend that appropriate remedial action necessary to resolve the complaint be undertaken, or
2. Confirm that all internal investigative measures have been exhausted and uphold the original response.

The decision is confidential to the complainant and to the governing body.

Stage 4 - Appeals to the Secretary of State or the Education Funding Agency.

Finally, all complainants have a right to appeal to the Secretary of State for Education. Members of staff also have the same right of appeal.

If a complainant considers that the school has not investigated the complaint in a fair and reasonable matter, this can be referred to the Education Funding Agency.

The EFA will check whether the complaint has been dealt with properly by the academy. They will not overturn an academy's decision about a complaint but may request that a complaint is looked at again if they consider that the academy has not dealt with it properly, ensuring procedures meet the requirements set out in the Regulations.

The relevant addresses are:

The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
Westminster
London
SW1P 3BT

Tel: 0171 925 5000

EFA Schools Complaints Form:

https://form.education.gov.uk/fillform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1

Monitoring and Evaluation

At all formal stages of the complaints procedure, the following information should be recorded:

- Name of the complainant
- Date and time at which the complaint was made
- Details of the complaint
- Desired outcome of the complainant

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- How the complaint was investigated (including written records of interviews held)
- Results and conclusions of investigations
- Any action taken
- The complainant's response

The school has a designated complaints officer who has responsibility for monitoring complaints. It is the responsibility of the headteacher and governing body to ensure that the procedures outlined above are followed and that all staff involved in handling complaints are suitable equipped to do so. Records should be retained for three years.

Confidentiality

Confidentiality is vital. All conversations and correspondence will be treated with discretion.

Appendix 1

**Pensans CP School
Complaints Form**

Please complete and return to *Angela Clay* (complaints co-ordinator) 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.
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:

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Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date: