

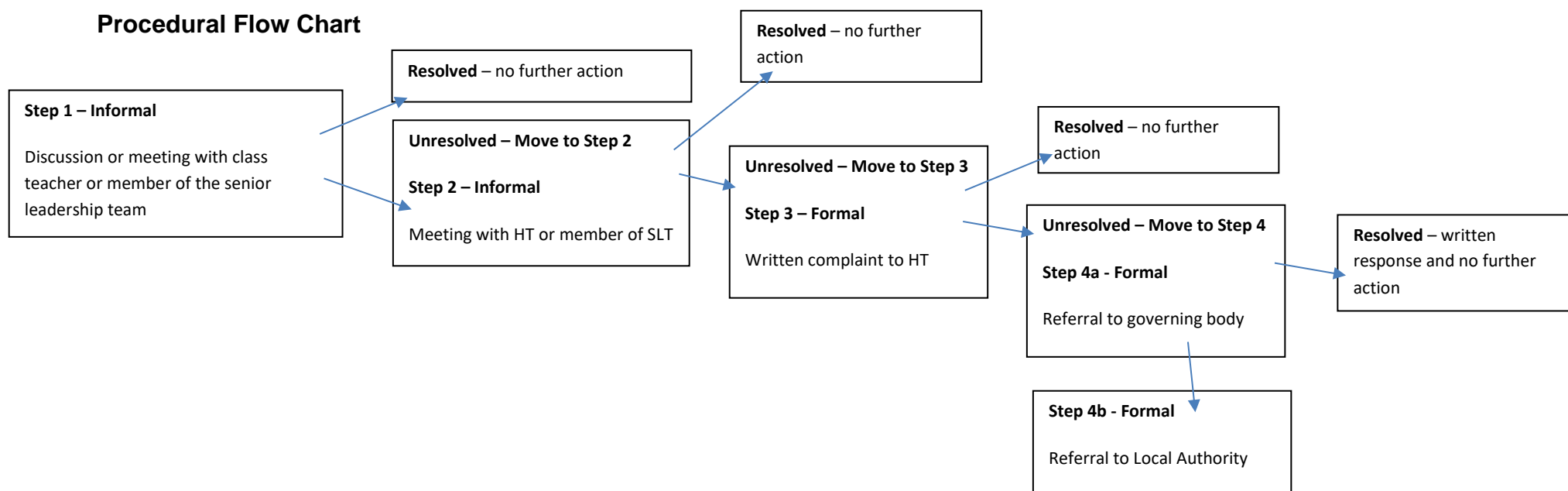
NAYLAND CP SCHOOL COMPLAINTS PROCEDURE 2023-24

All schools in Suffolk are committed to providing the best education for our young people and want our pupils to be healthy, happy and safe and to do well. We recognise the importance of establishing and maintaining good relationships with parents, carers and the wider community. We are aware that there may be occasions where people have concerns or complaints and the following procedure sets out the steps that should be followed in order to resolve these as quickly and informally as possible.

School governing bodies are required under Section 29 of the Education Act 2002 to have in place a procedure for dealing with complaints. It is expected that all complaints will be referred to the school in the first instance. In situations where it has not been possible to settle a complaint through this process the Local Authority may be able to advise parents/carers/others and the school in order to help resolve difficulties, but will not be able to become involved if the steps set out below have not been followed.

Complainants are encouraged to follow through each stage of the procedure, as appropriate, in order to resolve their concerns. If governors are approached regarding a complaint, they should be mindful not to act in an individual complaint outside the formal procedure or become involved or have discussions with other governors at the early stages in case they are needed to sit on a Complaints Appeal Panel at a later stage of the procedure. Individual complaints would not be heard by the whole governing body at any stage, as this could compromise the impartiality of any panel set up to consider further action in the event that a serious complaint is substantiated.

Procedural Flow Chart



STEP 1: Informal

Please start by telling the class teacher or the head key stage about your concern. This is usually the best and quickest way of resolving issues.

- It is recommended that you make an appointment to speak to the class teacher or the head of year as soon as possible as this will give both parties the opportunity to talk about the issue in an appropriate manner and without being interrupted.
- It is important to recognise that schools are busy organisations and it may not be possible to offer an appointment straight away.
- The purpose of this meeting should be to establish the nature of the concern and to seek a realistic resolution to the problem.
- It is good practice for the class teacher or the head of key stage to make a brief written record of the concern raised and any actions agreed.

STEP 2: Informal: escalation

If you feel dissatisfied with the outcome of discussions with the class teacher or head of key stage, please ask for an appointment to meet with the nominated member of staff with responsibility for the operation and management of the school complaints

procedure. This may be the Headteacher or, in a larger school, a member of the leadership team such as a Deputy Headteacher or Assistant Headteacher. Individual schools will identify within their procedure which post this will be.

Miss R. Delaney...Co-Head teacher
Mrs. K Coburn...Co-Head teacher

- The purpose of this meeting should be to establish the nature of the ongoing concern, what has been discussed with the class teacher so far and any actions arising from the initial meeting.
- It is in everyone's interest, particularly the child or children, for concerns to be sorted out quickly and smoothly. However, it may be that the nominated staff member will need to look into what has happened since the initial meeting before they can suggest how your concern might be resolved
- . If this is the case, it should be agreed how and within what timescale they will contact you to let you know the outcome of their enquiries and what actions they have taken/propose to take.
- It is good practice for the nominated staff member to make a brief written record of the concern discussed and what has been agreed and to write to parents summarising this.

It is hoped that most problems will have been resolved at this stage through the informal process.

STEP 3: Formal - complaint letter to the Headteacher

If you feel that the issue you have raised has not been resolved through the informal 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 to the Headteacher (you may use the form attached as Appendix 2, page 12). Your letter should set out clearly the concern 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.

Moving to the formal complaints procedure is a serious step. In consideration of future home/school relationships everyone concerned will need to concentrate on finding a resolution to the issue and negotiate an agreement as to how this can best be achieved.

The Headteacher will consider the complaint and in doing so should:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;

- meet or contact you if they need further information;
- clarify what you feel would put things right if this has not been set out in your letter;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct any interview with an open mind and be prepared to persist in the questioning;
- keep notes of any interview for the record.

The Headteacher will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better (please note this is not an admission of negligence);
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review policies in light of the complaint.

It may also be the case that the complaint may not have any substance and is therefore considered to be unfounded or unsubstantiated. The Headteacher will discuss the outcome of their consideration of your complaint with you and should send a detailed written response within 20 school days. Where this proves unrealistic you will be informed in writing and given an estimate of how long it will take to provide a detailed response.

Concerns or complaints specifically about the Headteacher or any individual governor

Where you are unhappy about the decision the Headteacher has made about your complaint, this does not become a complaint about the Headteacher. However, if the complaint is about the conduct of the Headteacher, and you feel that it has not been resolved at the informal stage then you should move directly to Step 4 of the procedure and write to the Chair of Governors. A complaint that is specifically about the conduct of an individual governor, and which has not been resolved at the informal stage, should also proceed directly to Step 4 and be made by writing to the Chair of Governors.

Concerns or complaints specifically about the Chair of Governor

A complaint about the conduct of the Chair of Governors of the school, and which has not been resolved at the informal stage, will need to be dealt with outside this policy. For schools maintained by Suffolk County Council the complaint should be made in writing to the Assistant Director of Education and Learning (Endeavour House, 8 Russell Road, Ipswich, IP1 2BX), or in the case of Academy schools should be made in writing to the Academy Trust (contact details can be obtained from the school). The recipient's

response will include options if the complaint is unresolved which might involve moving to Step 5, the Governing Body's Complaints Appeal Panel.

STEP 4: Formal – complaint letter to Chair of Governors

If you are not satisfied with the response of the Headteacher or you have a concern or complaint that is specifically about the Headteacher and which has not been resolved at the informal stage, then you must write a formal letter of complaint to the Chair of Governors. The school will provide you with the Chair of Governors name and you should write to him or her at the school address, marking the correspondence 'urgent, private and confidential'.

- The Chair of Governors should acknowledge receipt of the letter within 5 school days and, in the case of maintained schools, contact the Strategic Officer at the Local Authority for advice.
- For complaints specifically about the Headteacher the Chair of Governors will arrange for the complaint to be investigated, either by him/herself or by an appropriate independent investigator, and for the process set out in Step 3 to be followed.

Complaints not resolved through the formal procedure

OPTIONAL - Independent Review (Please note only for schools maintained by SCC)

If you believe that the school has not properly followed its complaints procedure or has not acted fairly or reasonably in responding to your complaint you may refer the matter to the Local Authority for independent review. The Local Authority has no legal power or duty to deal with most complaints about schools but will provide advice to the parent/carer and governing body in the event that a complaint which has been considered under the formal procedure remains unresolved or if the complaint is specifically about the Headteacher.

Should you wish for an independent review of your complaint you will need to write to the Local Authority giving the details of your complaint, what action you have already taken to try and resolve your complaint and attaching a copy of the written response from the school.

(Address for correspondence: Strategic Support, Education and Learning, Endeavour House, 8 Russell Road, Ipswich, IP1 2BX; e-mail: StrategicSupport-EducationandLearning@suffolk.gcsx.gov.uk)

- The Local Authority may contact you to confirm the details of your complaint and seek further information where necessary.
- Initial consideration will be given to the circumstances of the complaint and the procedure followed by the school

The Local Authority will come to a recommendation – either:

that a thorough investigation has been fairly undertaken by the school and that an appropriate response has been made in accordance with the findings;

or

that the complaint merits further investigation (it will be referred back to the school in this case)

•The Local Authority will notify you in writing of the recommendation and what will happen next.

STEP 5 – Governing Body Hearing

You may ask for your complaint to be heard by the Complaints Appeal Panel of the School's Governing Body. This is a specific committee of the governing body set up for this purpose, and in many Suffolk schools this has been previously known as "the Hearings Committee". You can do this by putting your request in writing to the Chair of Governors. The Chair of Governors, or if the Chair has been involved at any previous stage in the process, a nominated governor, will then make arrangements to convene a hearing by the Complaints Appeal Panel in accordance with the protocol set out in Appendix 1.

On conclusion of the governing body hearing, the Panel's decision is regarded as final and all steps within the School's complaints procedure are exhausted.

Finally, if on conclusion of this procedure you feel that the School's Governing Body has acted unreasonably you may make a complaint in writing to the Secretary of State for Education. You may contact the Department for Education by writing to:
The School Complaints Unit (SCU), Department for Education, 2nd Floor, Piccadilly Gate, Manchester, M1 2WD or by telephoning: 0370 000 2288 Typetalk: 18001 0370 000 2288 Fax: 0161 600 1332 www.education.gov.uk/schoolcomplaints
This procedure is based upon DfE guidance School Complaints toolkit 2014, Ref: DFE-00526-20

Time limits

Complaints need to be considered and resolved as quickly and efficiently as possible. As such, unless there are exceptional circumstances, complaints made under this procedure will ordinarily be rejected if they are not brought within 12 months of the incident or action which is the reason for the complaint. Exceptional circumstances will be determined by the Headteacher/Chair of Governors on a case by case basis, and advice may be sought from the Local Authority in this regard.

Safeguarding referrals

Schools have a duty to safeguard and promote the welfare of their pupils under section 175 of the Education Act 2002. This includes making referrals to the appropriate organisation, usually the Local Authority's children's social care services, if they have a concern about the welfare of a child. It is not for the school to investigate or make a judgment about possible abuse or neglect but they must refer any concerns they may have. As such, any response to or investigation in relation to a complaint about a

safeguarding referral made by school staff will be limited to considering whether the appropriate action was taken at the time the referral was made on the basis of the information available to the referrer at that time and in accordance with the safeguarding policy.

Allegations of abuse

Allegations of abuse against a member of school staff must be reported to the Headteacher immediately. Allegations of abuse against the Headteacher must be reported to the Chair of Governors immediately. In all cases the Suffolk Safeguarding Children Board Arrangements For Managing Allegations Of Abuse Against People Who Work With Children Or Those Who Are In Positions Of Trust must be followed.

Vexatious complaints

The majority of complaints are resolved through a properly managed complaints procedure. However, there are occasions when:

- despite all stages of the procedure having been followed, the complainant remains dissatisfied. If a complainant tries to reopen the same issue the Chair of Governors may write informing them that all stages of the procedure have been exhausted and the matter is considered to be closed.
- complainants behave in an unreasonable manner when raising and/or pursuing concerns. In these circumstances the school may take action in accordance with Appendix 3 of this procedure (page 13).

Further information and all appendices can be found at <https://www.suffolk.gov.uk/assets/Children-families-and-learning/schools/SCCModelSchoolComplaintsProcedureSept2015.pdf>

Written records taken and used throughout the complaints process, including correspondence, notes of meetings, telephone calls etc., will be kept securely and in accordance with the principles of the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

Reviewed September 2023