



## **Policy and Procedure for Complaints Columbia Primary School**

### **Introduction**

At Columbia, we strive to provide a good education for all our children. The Headteacher and staff work hard to build positive relationships with all parents and carers.

Since 1<sup>st</sup> September 2003, Governing Bodies (GBs) of all maintained schools and maintained nursery schools in England were required, under Section 29 of the Education Act 2002, to have in place a procedure to deal with complaints relating to the school and to any community facilities that or services that the school provides. The law also requires the procedure to be published.

### **Policy Statement**

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all concerns and complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. In all cases, we put the interests of the child above all else.

We welcome feedback on what parents and carers feel we do well or not so well, as a school. We carefully consider all feedback, whether positive or otherwise, and will review our policies and procedures accordingly.

We treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. A person does not have to be a parent or carer to make a complaint. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils.

The policy is available on request to parents from the school reception or via the school website: [www.columbiaprimarieschool.org](http://www.columbiaprimarieschool.org)

The school's procedures will be reviewed regularly and updated as necessary.

Staff and governors will receive training in handling parental concerns and complaints as appropriate. This may be on an individual basis, or as a group activity for all staff, or for specific groups, such as the office staff or members of the governing body.

### **Scope of the Policy**

This policy does not cover complaints relating to the following areas, which are covered by separate procedures:

- Admissions
- National Curriculum matters

- Religious Worship
- Special Educational Needs
- Allegations of abuse by staff
- Safeguarding and child protection issues
- Staff grievances and staff conduct complaints
- Pupil exclusions
- School re-organisation proposals
- Whistleblowing
- Complaints about services provided by other providers who use the school premises or facilities

### **Definition of complaint**

A complaint is an expression of significant dissatisfaction, however made, by a person or persons with a legitimate interest in the school about the practices or policies of the school, the conduct, action or omissions of members of staff employed at the school or the quality of education received by a child.

It is important to bear in mind that every expression of concern is not a complaint. Discretion needs to be applied in determining whether action over and above the normal day-to-day discussions on parental concerns is needed. All senior managers are expected to exercise such discretion before referring matters to the Headteacher.

Problems and expressions of concern should be dealt with as far as is possible, at the point of first contact. This is usually the class teacher. If it cannot be resolved at this stage then the teacher should refer the matter to a senior member of staff (usually the Phase Leader/Assistant Headteacher /Deputy Headteacher.)

### **Resolving Complaints**

At each stage in the procedure, Columbia School aims to resolve the complaint in a positive manner. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

### **The complaints procedure**

#### **Overview:**

The procedure is divided into three stages:

The **Informal stage** aims to resolve the concern through informal contact at the appropriate level in school.

**Stage 1** is the first formal stage, during which written complaints are considered by the Headteacher.

**Stage 2** is the second formal stage, during which the complaint is considered by a panel of governors.

### **Informal Stage:**

If a parent is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher. In our experience, most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress.

Any person wishing to make a complaint or raise a concern not relating to their child's education (including any members of the public wishing to raise a concern or complaint) should make this known to the school office, either verbally or in writing. School office staff will then identify an appropriate member of staff to discuss the concern/complaint with the complainant and reach a positive resolution.

Where the complainant feels that a situation has not been resolved through contact with the class teacher or another member of staff, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Headteacher.

The Headteacher will consider any such complaint and investigate each case thoroughly. Most complaints are resolved by this stage.

If this fails to resolve the matter then a formal complaint should be made. This complaint must be made in writing, stating the nature of the complaint, how the school has handled it so far, and what the complainant thinks might resolve the issue.

We recognise that some complainants may, for a variety of reasons, find it difficult to submit a written complaint. If this is the case, the complainant should let the school know so we can provide assistance with recording the formal complaint.

### **Stage 1**

This stage in our procedures deals with written complaints, where the complainant is not satisfied with the informal resolution of their complaint.

If possible, the complainant should complete the school's Complaints Form (Appendix A of this policy) to outline the scope of their complaint and any desired outcomes.

Most complaints should be addressed to the Headteacher and submitted via the school office. If the complaint concerns the Headteacher or a member of the Governing Body (including the Chair or the Vice-Chair), it should be sent to the school marked 'For the attention of the Clerk to the Governing Body'.

The Headteacher will record the date that the complaint is received and will contact the complainant in writing within three school days to acknowledge receipt and explain the next steps of the complaints procedure. This acknowledgement will include a copy of this policy.

The Headteacher will then commence an investigation of the complaint. The Headteacher may choose to delegate this investigation of the complaint to another member of senior staff, but the final decision as to the outcome of the complaint must be taken by the Headteacher.

During the investigation, the Headteacher (or investigator) may decide to meet with the complainant, and/or anyone else involved, to discuss the complaint. The complainant may choose to be accompanied to the meeting by a friend or appropriate person for support.

If the complaint involves a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that they would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.

The Headteacher (or investigator) will keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of the Stage 1 investigation, the Headteacher will provide the complainant with a formal written response, which will inform them of the outcome and any next steps. The Headteacher may, if appropriate, invite the complainant to a meeting to discuss the outcome of the complaint.

The formal written response should be provided within 15 school days of the complaint being received. If the Headteacher is unable to meet this deadline, they will write to the complainant with an update and a revised response date.

If the complainant is not satisfied with the response to their complaint, they may wish to escalate the complaint to Stage 2 as detailed below.

If the complaint is about the Headteacher or a member of the governing body (including the Chair or the Vice-Chair), a suitably skilled governor will be appointed to complete all actions at Stage 1.

If the complaint is:

- jointly about the Chair and the Vice Chair,
- about the entire governing body, or

- about the majority of the governing body,

all Stage 1 actions will be completed by an independent investigator appointed by the Clerk to the Governing Body.

## **Stage 2**

If a complainant is not satisfied with the resolution of their complaint at Stage 1, they can request for the matter to be escalated to Stage 2. To do this, the complainant must make a written request addressed to the Clerk to the Governing Body (via the school office) within 15 school days of the written response to Stage 1 investigation. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will record the date that the request to proceed to Stage 2 is received and will contact the complainant in writing within three school days to acknowledge receipt and explain the next steps of the complaints procedure.

The Governing Body will arrange for the complaint to be heard by a panel of three Governors who have not had any involvement with the matter at an earlier stage. The panel of Governors will henceforth be referred to as the complaints committee. The complaints committee will not include the school's Staff Governor or any Parent Governors with connections to people involved in the complaint.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs. If the complainant is invited to attend the meeting, they may bring someone along to provide support.

The Clerk will aim to convene a meeting within 20 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

At least seven school days before the meeting, the Clerk will:

- confirm and notify the all parties of the date, time and venue of the meeting, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 2 school days before the meeting

If any parties wish to call witnesses as part of the meeting, they should inform the Clerk of this at this point.

Any written material will be circulated to all parties at least five school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The committee will consider the complaint and all the evidence presented. After hearing all the evidence, the committee will ask all parties other than panel members and the Clerk to withdraw while they discuss their findings and reach a decision.

The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The chair of the complaints committee will write to the complainant and the Headteacher within five school days of the meeting to inform them of the outcome of the complaint and fully explain the reasons for their decision.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled.

At the next meeting of the full governing body, the chair of the complaints committee will inform governors that a complaint has been received and whether or not it has been upheld. Details of the complaint will only be shared with Governors as appropriate, and in accordance with the school's Privacy Policy.

If the complaint is:

- jointly about the Chair and Vice Chair,
- about the entire governing body, or
- the majority of the governing body

Stage 2 will be heard by a committee of independent governors.

### **Next steps**

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for Education  
Piccadilly Gate  
Store Street

Manchester  
M1 2WD.

### **Closure of complaints procedure**

Very occasionally, a school will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied. We will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".

If a complainant persists in making representations to the school – to the Headteacher, Designated Governor, Chair of Governors or anyone else this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.

For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and that the complaint has exhausted our official process. In exceptional circumstances, closure may occur before a complaint has reached stage two of the procedures described in this document. This is because a complaints panel takes considerable time and effort to set up and we must be sure that it is likely to assist the process of investigating the complaint.

The Chair of Governors may decide, therefore, that every reasonable action has been undertaken to resolve the complaint and that a complaints review panel would not help to move things forward.

### **Complaints made directly to the Governing Body**

Any complaint to the Governing Body or one of its members should be passed immediately to the Headteacher for investigation. If the complaint concerns the Headteacher, it should be referred to the Clerk to the Governing Body. The complaint should then follow the procedure outlined in this policy.

### **Complaints received anonymously**

Complaints that are made anonymously will be handled at the discretion of the School and may be considered using other procedures, depending on the nature of the complaint. For example, anonymous complaints relating to (or appearing to relate to) a child protection matter or alleged criminal activity may be referred immediately to the relevant authorities.

### **Complaints received by petition**

Complaints received by petition will be dealt with informally in the same way as other complaints. If it is not clear who the response should be directed to, the complaint will be treated as an anonymous complaint.

## **Complaint Campaigns**

In the event of the school receiving a large number of complaints based on the same subject, the school may publish a single response to the complaint on the school website or send a template response to all complainants.

## **Vexatious complaints**

There will be occasions when, on proper investigation a complaint is deemed to be unfounded, malicious or vexatious or when, despite all stages of the procedure having been followed, the complainant remains dissatisfied and wishes to reopen the same issue. In these circumstances the Chair of Governors will inform the complainant in writing that the procedure has been exhausted and that the matter is closed. The Chair of Governors may refuse to consider the complaint at either Stage 1 or Stage 2 of the complaints procedure.

## **Roles and Responsibilities**

### **Complainant:**

The complainant should:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

### **Headteacher and/or Investigator:**

The investigator may be the Headteacher or another member of senior staff investigating the complaint. The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond.
- prepare a comprehensive report that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

### **Clerk to the Governing Body:**

The Clerk should:



- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)

For Stage 2 complaints the Clerk should:

- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the Committee's decision.

### **Complaints Committee Chair**

The Committee's Chair, who is nominated in advance of a Stage 2 complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
  - the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
  - complainants who may not be used to speaking at such a meeting are put at ease.
  - the remit of the committee is explained to the complainant
  - written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the Data Protection Act (2018) or GDPR.
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- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
  - the issues are addressed
  - key findings of fact are made
  - the committee is open-minded and acts independently
  - no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
  - the meeting is minuted

### **Complaints Committee Members**

Committee members should be aware that:

- The meeting must be independent and impartial. No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant.

- Some complainants may feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child.
- Extra care needs to be taken when the complainant is a child/young person and is present during all or part of the meeting. If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- The welfare of the child is paramount.

## **Appendix A**

### **Complaints Form**

*Please complete this form and return to the Headteacher, who will acknowledge receipt and explain what action will be taken. If your complaint involves the Headteacher or a member of the Governing Body, please mark it 'For the attention of the Clerk to the Governing Body' and return it to the school office.*

**Your Name:**

**Your child's name (if applicable):**

**Your phone number:**

**Your email address:**

**Please give details of your complaint:**

**Have you already spoken to anyone at the school about it? If so, what was the outcome of your conversation:**

**What actions do you feel might resolve the problem at this stage?**

**Signature:**

**Date:**

Signed on behalf of the Governing Body:

Position:

Date:

Approved in May 2023 by the Governing Body of Columbia School.  
To be reviewed in May 2024 unless any statutory documentation is published which  
supersedes this policy.