



Complaints and Grievance Procedure

Approved: October 2023

To be reviewed: October 2024

1. Introduction

Schools are legally required to have a procedure to deal with complaints and the Governing Board of Raddlebarn School (the School) has approved this procedure, which explains what the School will do when it receives your concerns or complaint.

The School intends to deal with all concerns or complaints:

- fairly;
- openly; and
- promptly.

This procedure applies to all concerns or complaints, except for those that relate to:

- School Admissions;
- Statutory Assessments of Special Educational Needs (SEND);
- Child Protection and Safeguarding procedures;
- Pupil exclusions;
- Staff grievances, capability or disciplinary procedures;
- Complaints about services provided on the School's premises by other organisations;
- Whistleblowing; or
- Requests for information or documents retained by the School, i.e. data protection.

You can see policies relating to the above matters on the School's website or request a hardcopy from the School or the organisation about which you wish to complain.

2. What is a complaint?

A '*complaint*' is an expression of dissatisfaction regarding;

- an action taken by or on behalf of the School;
- a failure by the School or its staff to take action;
- the services provided by the School; or
- the School's policies.

We would like everyone to feel that they are able to approach the School about any concerns that they may have, as most difficulties can be resolved if they have been identified early and this helps to prevent misunderstandings.

3. Resolving Concerns Informally

It is in everyone's interest that concerns are resolved as early as possible and the School therefore encourages anyone with a concern to raise it informally with the School office, their child's class

teacher or a more senior member of staff, when they are usually available, between 3.15 pm – 3.45 pm, or by making an appointment. Hopefully, they will either be able to address the concern on the spot or arrange for you to discuss it further at a mutually convenient time.

The Head Teacher and Chair of the Governing Board will not routinely be involved in resolving informal concerns but, in exceptional circumstances, appointments can be made with them by contacting the School. It will be for the Head Teacher and/or Chair of the Governing Board, to decide if the circumstances are exceptional and require them to become involved at this stage.

4. Observing Confidentiality

Where possible complaints will be dealt with confidentially and we would ask you to also observe confidentiality by not discussing active complaints publicly or via social media.

The School maintains a centrally held record of formal complaint forms (see 6A) and documentation referred to as part of the complaints process. You are entitled to request a copy of the form generated by your complaint, in line with the School's Data Protection policy.

5. Monitoring of Complaints

The Head Teacher will prepare an anonymised report of all the complaints received by the School each term for the Governing Board in order to assist the governors to decide whether any changes should be made to the School's policies, practices or procedures.

6. Safeguarding

Where a complaint indicates that a child's wellbeing or safety is at risk, the School has a duty to consider whether it is necessary report the matter in accordance with the School's Safeguarding Policy.

7. Timescales

The School will endeavour to comply with the timescales specified below, but sometimes, due to the nature or complexity of the complaint, the School may need to change the timescale and will notify the complainant of any change, as well as keeping them informed of progress of their complaint.

The School will not investigate complaints that have been made more than six months after the event that led to the complaint, except in exceptional circumstances. If a complaint is received outside that time frame the Head Teacher or the Chair of the Governing Board will decide whether the circumstances warrant the complaint being investigated.

The Complaints Process

6 A. Submitting the Complaint

If you want to make a **formal complaint** you should complete and submit a formal complaints form (**Appendix A**) or, if you would like to raise your complaint using another method, i.e. verbally or in person, please contact the School office.

Receipt of the complaint form will be acknowledged, in writing, within 10 school days (i.e. days which are not weekends, bank holidays or do not fall in the school holidays), and should include the name of the person who will investigate your complaint.

If the complaint is about the Head Teacher, it will be referred to the Chair of the Governing Board and, if your complaint is about a member of the Governing Board, it will be referred to the Clerk to the Governing Board; the Clerk will then seek advice before referring it to an appropriate member of the Governing Board.

6 B. Investigating the complaint

As part of their investigation, the person investigating your complaint:

- may contact you, and any other person that they consider necessary, in order to examine the issues raised in the complaint;
- will review any documentation provided and any other documentation that they consider relevant; and
- may request further information or documents from you or from others.

After considering the available evidence, the person who investigated your complaint will decide that:

- 1) The complaint is upheld, in which case they will decide what action the School should take to resolve the matter;
- 2) The complaint is not upheld; or
- 3) The complaint is partially upheld, in which case they will decide what action the School should take to resolve the upheld part of the complaint.

They will then write to inform you of the decision reached and explain the reasons for that decision, within 20 school days of the date on which your complaint was acknowledged; it will also describe how you can ask for the decision to be reviewed, if you are dissatisfied with the response.

If it is not possible to comply with this timescale, a written update will be sent to you explaining why the investigation is still on-going (e.g. because further documents have been requested), along with an estimate of when the investigation is expected to conclude.

Please note that any complaints that are made anonymously cannot and will not be responded to.

6C Governing Board Panel

If you are dissatisfied with the decision made at stage 6B then you can ask for a Governing Board Panel to review it (**Appendix B**: Raddlebarn Primary School's Complaint Review Request Form) by writing to our Clerk to the governors/ c/o/ Raddlebarn Primary School within 20 school days of the date of the decision letter. If you would like to ask for a review via another method, i.e., verbally or in person, please contact the School office.

If you believe that a Panel consisting of governors from the School is likely to be biased when reviewing your complaint, you are entitled to request that the Panel's members are independent of the Governing Board.

Your request and the reasons for it will then be considered, but the Governing Board does not have to agree to a request for independent Panel members to be appointed.

An acknowledgment of your request will be sent to you within 5 School days informing you of the date and time that the Panel intends to review your complaint and the meeting will be scheduled to be held within 20 school days of the date of the acknowledgment letter.

The following will be invited to attend the review meeting:

- You, i.e. the complainant;

- The person/people who made the decision at stage 6B; and
- Any other one else that Panel believes will have relevant information, e.g. witnesses, advisors, etc.

You are entitled to bring a friend or representative to the review meeting and, if the complaint is about a member of staff, they will be invited to attend and can bring a friend or representative; you should notify the Panel if you intend to bring someone to speak on your behalf.

The Panel will not usually consider it necessary for legal representatives to be present at the meeting, but if you intend to bring a legal representative to the review meeting, you should notify the Panel at least 5 school days in advance of the meeting date, as well as providing an explanation as to why you believe a legal representative should attend. The Panel will consider and respond to your request but can refuse to permit a legal representative to attend, if it considers it appropriate.

The Panel determines the procedure followed at the review meeting and, in doing so, shall refer to the description of the roles and responsibilities of the Complainant, Clerk to the Panel, Chair of the Panel and Panel members, as set out in the Department for Education (DfE) best practice advice for School Complaints Procedures (2016).

The Panel will consider any relevant information and representations made before deciding whether the decision made at stage 6B is:

- 1) Upheld;
- 2) Not upheld, i.e. the Panel disagree with the School's decision, in which case they will decide upon the action that the School should take to resolve the matter; or
- 3) Partially upheld, in which case they will decide upon the action that the School should take resolve the parts of the decision which were not upheld.

The Clerk to the Panel will write to you and the School's Senior Management Team explaining the Panel's decision within 10 School days of the meeting.

This is the final stage in the School's internal complaints procedure, so if the same issues are raised with the School again, it will only re-consider these points in exceptional circumstances, for example where new evidence has come to light.

The School follows the advice published by the DfE in the best practice advice for School Complaints Procedures (2016) on dealing with serial and persistent complainants.

8. Escalating the complaint beyond the School

If, having completed the complaints process, you remain dissatisfied with the School's response you may wish to refer your complaint to:

- The Local Authority: Please note that the Local Authority will only consider the process followed by the School, rather than the substance of the complaint, unless there is a compelling reason to do so.
- The Secretary of State: via the School Complaints Unit (SCU) of the DfE. The Secretary of State has a duty to consider all complaints raised, but will only intervene where the Governing Board has acted unlawfully or unreasonably and where it is expedient or practical to do so.

- Ofsted: It can consider complaints about the School, as a whole, but not complaints about individual pupils.

9. Queries that relate to this Complaints Procedure

If you have any questions about this complaints procedure, please contact the School.

10. Relevant legislation and guidance

- The Equality Act 2010 www.legislation.gov.uk/ukpga/2010/15/contents

- Best Practice advice for school complaints procedures
www.gov.uk/government/publications/school-complaints-procedures
 - Section 29 of the Education Act 2002 www.legislation.gov.uk/ukpga/2002/32/contents
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Appendix A

Raddlebarn Primary School's Formal Complaint Form

If you wish to make a formal complaint please complete this form and return it to the school.

Your Name	
Your address	
Contact telephone day/mobile number	
Contact email address	
Name of pupil, year group and your relationship to them (where applicable)	
Details of the complaint (You need to provide an overview of the complaint so far, who has been involved, why the complaint remains unresolved).	
Action taken so far (including staff member who has dealt with it.) or solutions offered	

The reason that this was not a satisfactory resolution for you

What action would you like to be taken to resolve the problem?

Signed:

Date:

Please return this form to: Raddlebarn Primary School

Official use

Date received:

Signed:

Date acknowledgement sent:

Complaint Referred to:

Date:

Appendix B

Raddlebarn Primary School's Complaint Review Request Form

If you wish to request a review of the decision made in respect of your complaint please complete this form and return it to the school

Your Name	
Your address	
Contact telephone number/mobile number	
Contact email address	
When did you submit your formal complaint?	
Why are you dissatisfied by the decision made in respect of your complaint? <i>You may continue on a separate piece of paper or attach additional documents.</i>	

Continued overleaf)

What actions would you like to be taken to resolve your complaint at this stage?

Signed:

Date:

Please return this form to: Raddlebarn Primary School

Official use

Date received:

Signed:

Date acknowledgement sent:

Complaint Referred to:

Date: