



Complaints Policy

Pike Fold Primary School

This policy should be used in conjunction with the DoE (DCSF as was) Guidance, School Complaints Procedure – 22 May 2003.

1. Background:

From 1 September 2003 Governing Bodies of all maintained 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 or services that the school provides.

5. Section 29 of the Education Act 2002 requires that: Annex A

(1) The governing body of a maintained school shall :-

(a) establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 271 other than complaints failing to be dealt with in accordance with any procedures required to be established in relation to the school by virtue of a statutory provision other than this section, and,

(b) publicise the procedures so established.

(2) In establishing or publicising procedures under subsection (1)' the governing body shall have regard to any guidance given from time to time by the Secretary of State.

Section 39 of the Education Act 2002 provides the following :-

"maintained school" means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school;

Although the 2002 Act is aimed at maintained schools it will be prudent for all schools, Academies, Grammars, etc. to have a policy to deal with complaints.

2. Introduction:

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. Pike Fold School is committed to taking concerns seriously, at the

earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint, the complainant may wish, or be asked, to follow the school's formal complaints procedure.

For the school to be able to investigate a complaint it needs to be made as soon as possible after the act/incident/issue has occurred. If a complaint is not made in a timely manner it will hinder any subsequent investigation.

The prime aim of Pike Fold School's policy is to resolve the complaint as fairly and speedily as possible.

Formal complaints will be dealt with in a sensitive, impartial and confidential manner.

The following details outline the stages that can be used to resolve complaints.

3. The Pike Fold School Complaints Policy has four main stages.

In summary they are as follows: -

- Stage 1 A concern is raised informally with a staff member.
- Stage 2 A formal complaint is dealt with/heard by an appropriate member of staff.
- Stage 3 The complaint is investigated/heard by the Headteacher.
- Stage 4 The complaint is heard by Governing Body's Complaints Appeal Panel.

Stage 1 – Raising a concern

Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern.

The school requests that the complainant makes their first contact via the class teacher. The concern/complaint will be recorded and given to the head teacher.

On some occasions the concern raised may require investigation, or discussion with others, in which case the complainant will receive an informal but informed response within a day or two from the person taking the initial concern.

It is expected that the majority of concerns will be satisfactorily dealt with in this way. However, if the complainant is not satisfied with the result at stage 1, they should write to, or call into, the school within ten school working days to make an appointment with the head. The school will then investigate the complaint at the next stage.

Stage 2 – Complaint heard by the head teacher.

Formal complaints shall be put in writing and addressed to the head teacher.

The complaint will be logged, including the date it was received. The school will normally acknowledge receipt of the complaint within two school working days of receiving it.

In many cases this response will also report on the action the school has taken to resolve the issue. Alternatively, a meeting may be convened to discuss the matter further. This meeting will normally take place within ten school working days.

The aim of this meeting will be to resolve the matter as speedily as possible. However, if the complainant is not satisfied with the result at stage 2 the complainant should write to, or call into, the school within ten school working days of getting the response. The complainant will need to tell the school exactly why they are still not satisfied and what they would like the school to do.

Stage 3 – Complaint heard by the Governing Body’s Complaints Appeal Panel

If the matter has still not been resolved at Stage 2, then the complainant should write to the Chair of Governors providing full details of the complaint. The Chair or a nominated Governor will convene a complaints panel. The hearing will normally take place within twenty school working days of the receipt of the written request for Stage 4 investigation.

The aim of the Appeal panel hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. All parties will be notified of the Panel’s decision in writing within five school working days after the date of the hearing. The letter will also contain what the complainant needs to do if they wish to take the matter further.

NB If a concern/complaint is sent directly to the Governing Body without regard to stages 1 and 2 it will be passed to the head ie Stage 2 and dealt with , the complainant will be informed.

The Governors appeal hearing is the last school-based stage of the complaints process.

N.B. In cases where the matter concerns the conduct of the Headteacher, the Headteacher and Chair of Governors will be informed of the complaint. The Chair will arrange for the matter to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint.

4. Complaints to an external organisation

Complainants who remain dissatisfied at the conclusion of the school investigations can be referred to an external organisation and the nature of the complaint will determine which organisation this should be:-

- a) Should the complainant remain concerned that the governors have acted or are proposing to act unreasonably, or that the governing body has failed to discharge its duties under legislation the final course of action available to him/her is to write to the Secretary of State for Education to ask for the case to be reviewed.

b) Ofsted can also investigate complaints relating to the work of a school as a whole but will not get involved in any matter that relates to individual pupils.

c) The Local Government Ombudsman will only consider complaints regarding the maladministration of Local Authority services and will not investigate internal school management matters.

5. Frivolous/Vexatious Complaints

If properly followed, the complaints procedure should limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, a complainant remains dissatisfied. However, if a complainant tries to reopen the same issue, the chair of the Governing Body will inform them in writing that the procedure has been exhausted and that the matter is now closed.

Where a complainant makes one, or more, malicious and/or vexatious complaints the situation may incur appropriate action by the school.