

## Blackfell Primary School

### **Complaints Procedure**

#### **Overview**

Since 1st September 2003, Governing Bodies of all maintained schools and maintained nursery schools in England have been 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. The law also requires the procedure to be publicised.

This document sets out how we, the Governing Body of Blackfell Primary School, will deal with complaints.

#### **General Principles**

We recognise that there will be occasions when parents, carers and children have concerns about our school. We expect these concerns to be taken seriously from the outset and we hope that most will be resolved quickly and informally at the initial contact.

However, if initial attempts to resolve a concern are unsuccessful and the person who raised the concern is not satisfied with the outcome, their concern will become a formal complaint. There is a complaints form available on our school website.

Our complaints procedure is designed to deal with complaints relating to the day to day running of the school. Any complaints relating to teaching standards/professional staff issues will be dealt with confidentially by the Head Teacher or Chair of Governors if about the Head Teacher, as part of her/his overall responsibility for the standard of education for all pupils in the school.

The Governors will not investigate an anonymous complaint unless there are exceptional circumstances which might include serious concerns such as child protection issues or bullying allegations. In these cases the school would involve external agencies.

Sunderland Local Authority are responsible for dealing with complaints about:

- The curriculum.
- Collective worship and religious education.
- The provision of information required by law.
- Appeals about admissions.
- Appeals about exclusions.
- Appeals about assessments and statements of special educational needs.

Information about the above Local Authority procedures is available from the Children's Services Complaint Team - Telephone 0191 561 1296

### **The Formal Complaints Procedure**

#### **Stage One**

In the first instance complaints should usually be brought to the attention of the class teacher, or the member of staff involved. This can be done in person, by telephone or in writing.

The teacher/member of staff should ensure at the end of a meeting or telephone call that they and the complainant have the same understanding of what was discussed and agreed. At this point a 'School Complaints form' will be completed and a copy provided for the complainant.[Appendix 1]

We will aim to respond to all complaints in full within 15 working days. If this is not possible we will explain why and give a date by which the complainant can expect to receive a full response.

If the Head Teacher has good reason to believe that the situation has child protection implications, they should inform the designated Child Protection Officer and ensure the local Children's Services department is contacted, according to the procedure set out in the Safeguarding Policy. If any party involved in the complaint has reason to believe that a criminal offence has been committed, then they will contact the Police.

## **Stage Two**

If the complainant is dissatisfied with the outcome of their complaint after Stage One they can take it to Stage Two. This will be dealt with by the Head Teacher or by the Chair of Governors if the complaint, or part of the complaint, is about the Head Teacher. The complainant should make their complaint in writing, explaining what their complaint is, what has happened so far, who has been involved and what more they feel should be done to put things right. .[appendix 1]

The Head teacher or Chair of Governing Body as appropriate will:

- Review the written records of the complaint from Stage One or in exceptional cases someone will meet the complainant and help put the complaint in writing.
- Invite the complainant to a meeting if they feel they need to clarify any points. The complainant may have someone accompany them to this meeting if they wish. Depending on the level of detail in the letter of complaint it may not always be necessary to meet with the complainant.
- Speak to the staff involved and keep written records of all such meetings and telephone conversations.
- Decide what action should be taken to resolve the complaint.
- Respond to the complaint in writing within 15 working days of receipt, or advise the complainant of a date by which they can expect a full response if this is not possible.

## **Stage Three**

If a complaint has already been through Stages 1 and 2 and the complainant remains unhappy with the outcome, the next step is to make a formal complaint to the Chair of Governors via the school or clerk to the Governing Body.

Complaints at this stage should be made in writing or by email and sent to:

Linda Jobson  
Business & Governance Support Officer to the Governing Body of  
Blackfell Primary School

WISE Governance Services

WISE Academies

Tel 0191 553 6996 Ext 4

e-mail [linda.jobson@wiseacademies.co.uk](mailto:linda.jobson@wiseacademies.co.uk)

The complaint will be referred to the Chair of the Governing Body who will forward it to the Chair of the Governing Body's Complaints Committee. At no stage will the complaint be heard by the full Governing Body as there is a committee structure in place with delegated powers for each committee.

The complaint will be shared with Chair of the Complaints Committee and will convene a committee meeting with the aim of resolving the complaint and achieving reconciliation between the school and the complainant. They will:

- Invite the complainant to the meeting to give them the opportunity to discuss the complaint. The complainant may have someone accompany them if they wish.
- Meet with members of staff directly involved separately.
- Not consider any previously undisclosed evidence or witnesses introduced by any participants.
- Decide on the appropriate action to be taken to resolve the complaint and dismiss or uphold it, either in whole or in part.
- Prepare a written statement outlining the decision of the committee within 10 working days. The Clerk to the Committee will send this to the complainant.
- Recommend any changes to the school's systems or procedures

considered necessary to prevent further problems of a similar nature.

#### **Stage 4 - Complaint to the Secretary of State.**

If you wish to pursue your complaint further, you can write to the Secretary of State including all correspondence from your complaint investigation so far.

The Secretary of State  
Department for Children, Schools and Families  
Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT

Should you choose to take the complaint to this final stage, the Secretary of State may request copies of all investigation notes and documentation relating to the complaint and this must be supplied by the Chair of Governing Body/Complaints Committee. It should be noted that if a complainant uses stage 4 before going through stages 1-3 then the school cannot deal with the complaint any further.

#### **Ofsted**

As well as inspecting schools and monitoring how they perform, Ofsted also consider complaints if they affect **the school as a whole**. For example:

- The school is not providing a good enough education.
- The pupils are not achieving as much as they should, or their different needs are not being met.
- The school is not well led and managed, or is wasting money.

- The pupil's personal development and well-being are being neglected.

You can contact Ofsted by calling their help desk from 8am to 8pm  
Monday to Friday on 08456 404045 or by email to  
[enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

Staff on the helpdesk will discuss your concerns with you and advise you whether or not to put your complaint in writing to them. To make a formal complaint you can write to:

Enquiries  
National Business Unit  
Ofsted  
Royal Exchange Buildings  
St Ann's Square  
Manchester  
M2 7LA

### **Exhausted Complaints**

There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Governing Body will inform the complainant in writing that the procedure has been exhausted and that the matter is considered closed.

### **Vexatious Complaints**

In the event that having exhausted all the stages of the complaints procedure, a complainant persists in pursuing the matter they will be informed that the complaint will be regarded as vexatious and may be classed as harassment.

### **Documentation**

In order to maintain confidentiality to all concerned, once the complaints procedure has been exhausted, any documentation relating to complaints against the Head Teacher will be forwarded to the Governor Support

Team for confidential filing. For all other complaints the documentation will be stored confidentially by the Head Teacher.

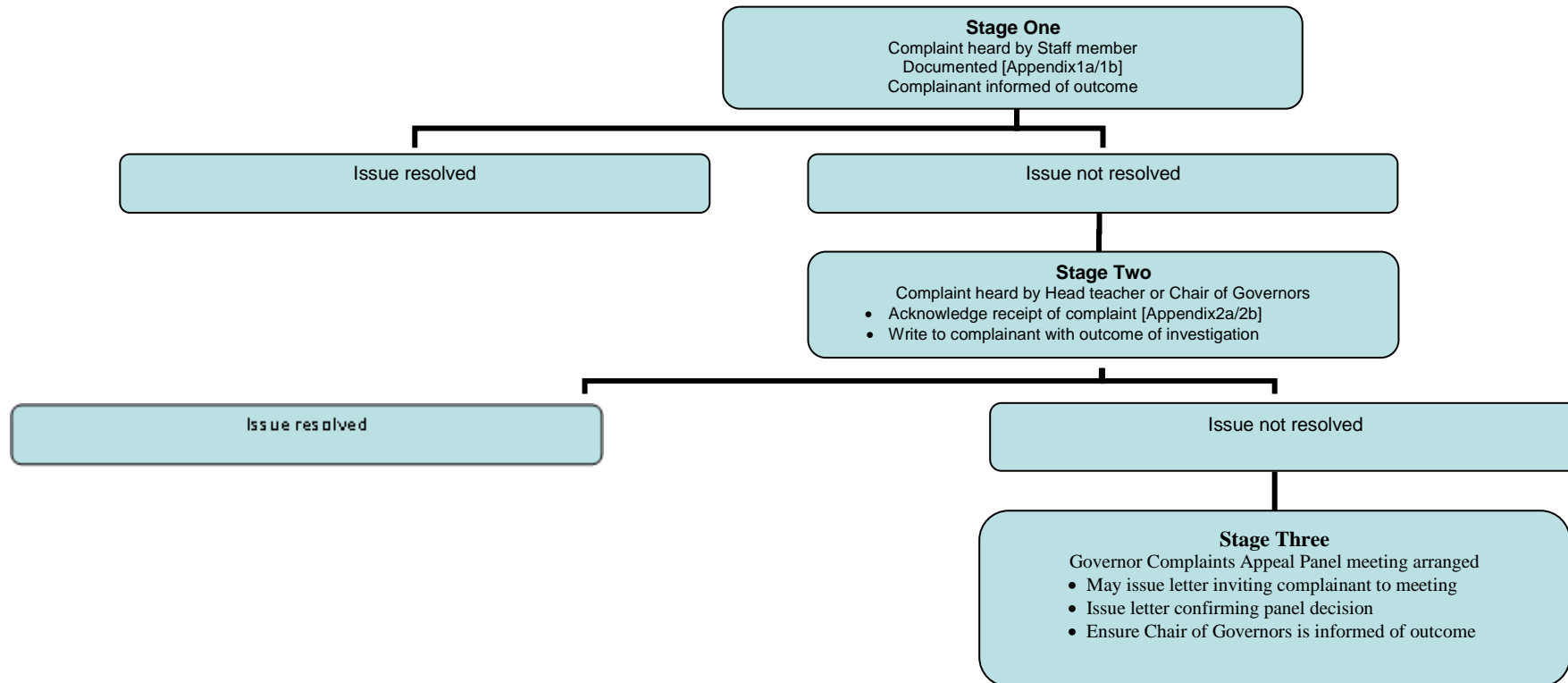
**June 2017**

# Blackfell Primary School - Complaints Procedure

Annex A

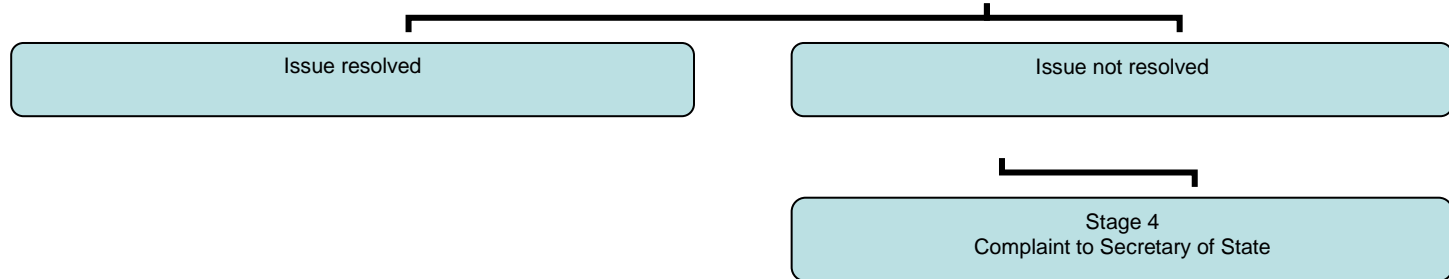
## Flowchart

### Summary of Dealing with Complaints





# Blackfell Primary School - Complaints Procedure



## Blackfell Primary School - Complaints Procedure

Appendix 1a

### Initial Complaint form

*This is a written record of conversation held.*

*Please indicate on the acknowledgement form if you do not agree that this is a true record of what was discussed.*

Your name: \_\_\_\_\_

Relationship with school[Parent, friend etc] \_\_\_\_\_

Pupil's name: \_\_\_\_\_

Address:

Postcode:

Day time telephone number:

Evening telephone number:

**Details of your complaint.[including dates, names of witnesses etc...] to allow the matter to be fully investigated**

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

## Blackfell Primary School - Complaints Procedure

### Appendix 1b Acknowledgement form for initial complaint

Signature of member of staff:

Date:

Date acknowledgement sent:

If you are not happy with this written record please comment below sign and return form

Your Comments

Signature:

Date of return:

## Blackfell Primary School - Complaints Procedure

### Complaint review form

#### Appendix 2a

Your name: \_\_\_\_\_

Relationship with school[Parent, friend etc]  
\_\_\_\_\_

Pupil's name: \_\_\_\_\_

Address:

Postcode:

Day time telephone number:

Evening telephone number:

#### Details of your complaint.

I submitted a formal complaint to the school on \_\_\_\_\_ and I am dissatisfied by the procedure that has been followed.

My complaint was submitted to \_\_\_\_\_ and I received a response from \_\_\_\_\_ on \_\_\_\_\_.

I attach copies of my formal complaint and the school's response. Signature  
\_\_\_\_\_

**I am dissatisfied with the way the procedure was carried out , because :**

**The actions I feel should have been take are:**

**You may continue on a separate piece of paper: Number of additional sheets\_**  
\_\_\_\_\_

## Blackfell Primary School - Complaints Procedure

### Appendix 2b

#### Acknowledgement of Complaints review form

Received from \_\_\_\_\_

Address:

Date form received \_\_\_\_\_

Signature of person dealing with the complaints review

\_\_\_\_\_

Name of person dealing with the complaints review

\_\_\_\_\_