

## Yorkley Primary School Complaints Policy

### Policy status

Statutory

The purpose of this document is to provide guidelines that Yorkley School uses when reviewing concerns and complaints. This policy has considered 'Best Practice Advice for schools complaints procedures 2016' in its implementation.

### Concern

A concern can be defined as an expression of a worry about possible danger or apparent failure in respect of the school. A matter should be viewed as a concern if it is capable of being resolved locally and does not require a formal response.

### Complaint

A complaint can be defined as an expression of dissatisfaction with the school. It requires a formal response.

Yorkley School's Governing Body is responsible for the complaints policy but the responsibility for dealing with general complaints lies with the school.

Parents of registered children and other stakeholders involved with the school or school facilities will have access to the complaints procedures.

### Raising a concern or complaint

#### Informal Stage (Concern)

In the first instance the person will be directed to communicate directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

In the case of serious concerns, it may be appropriate to address them directly to the Head Teacher (or to the Chair of the Governing Body, if the complaint is about the Head Teacher). If you are uncertain about whom to contact, please seek advice from the school office or the Clerk to the Governing Body.

#### Formal Stage (Complaint)

If your concern is not resolved at the informal stage the complaint must be put in writing and pass it to the Head Teacher, (or to the Clerk to the Governing Body, for the attention of the Chair of the Governing body, if the complaint is about the Head Teacher) who will be responsible for ensuring that it is investigated appropriately. A Complaint Form is provided to help you.

Details such as names of potential witnesses, dates and times of events, and copies of relevant documents should be included.

Please pass the completed form, in a sealed envelope to the Head teacher or to the Clerk to the Governing Body, as appropriate.

The Head Teacher (or Chair of Governors) will invite you to a meeting to discuss your complaint and to seek a resolution. It is possible that your complaint will be resolved through a meeting with the Head Teacher (or Chair of Governors). If not arrangements will be made for the matter to be referred to the Chair of Governors. In any case, you should learn in writing, usually within 5 school working days of the school receiving your formal complaint, an acknowledgement of your complaint. To uphold any complaint, both parties will formally meet within 20 school working days of receipt of the complaint with the intention of resolving it.

If you are then not satisfied with the way in which the process has been followed, you can request that the governing body reviews the process in handling the complaint. This request must be made in writing to the clerk to the governing body, within 10 school days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure. The procedure described below will be followed. A Review Request form is provided for your convenience.

The school should always investigate a formal complaint thoroughly and responsibly, irrespective of whether the complaint appears to be trivial or serious.

## **Investigation Procedure**

### **Preparing for an Investigation**

Yorkley School is committed to investigate the complaint and notify the complainant of the outcome of the investigation in due course.

Any member of staff against whom a complaint has been made will be notified that a complaint has been received and that the appropriate school procedure will be followed. It is usually not appropriate to provide the member of staff with details of the evidence on which the complaint is based until any investigation has been completed. However, the member of staff does need to be able to understand the nature of any complaint against them. Once the nature of any complaint has been established, the school will determine which procedure is most appropriate, and select an appropriate person to conduct any investigation.

### **Conducting the investigation**

- Arrangements will be agreed so that accurate notes can be taken of all interviews and the outcome of the investigation be accurately recorded.
- The complainant will be given the opportunity to offer documentation and to identify potential witnesses or sources of evidence.
- The member of staff subject to the complaint will be advised that they may be accompanied by a friend or trade union representative when invited to be interviewed.
- Where children are potential witnesses, discretion will be exercised over their involvement. Children should only be interviewed when the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available. Only in extreme circumstances will younger children be interviewed.

- Any interviews will be conducted as soon as possible to ensure that recollections are as fresh as possible and to minimise the possibility that evidence will become tainted through witnesses discussing alleged incidents with other persons.
- In conducting interviews, the investigator will prepare the questions to be asked prior to the interview. These can always be supplemented during the interview. The investigator will allow the interviewee to answer in his/her own way. Their responses will be listened to attentively. The interviewee will be given the opportunity of providing other relevant information at the end of the interview.

Interviewees should, however, be advised that their responses must be confined to the substance of the complaint.

The investigator will not reach conclusions or pass judgement until the investigation has been completed and their report is being written.

This procedure is intended to allow someone to raise a concern or complaint relating to the school, or the services that it provides.

An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.

To allow for a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, the school will not consider any complaint that was raised more than 3 months after the event.

### **Review Process**

A panel of three members of the governing body will conduct any review of the process followed by the school. This will usually take place within 10 school days of receipt of your request.

The governors on the review panel will normally consider written submissions, but will sympathetically consider any reasonable requests to make oral representations.

The panel will first receive written evidence from the complainant of perceived failures to follow the procedure.

The panel will then invite representatives of the school (Usually the Head Teacher or the Chair of the Governing Body panel that has considered the matter), as appropriate, to make a response to the complaint.

The panel may also have access to the records kept of the process followed.

You, and the school representatives, will be informed in writing of the outcome, usually within 5 school days of the panel meeting.

The matter will then be closed as far as the school is concerned.

If you believe that the Governing Body has acted illegally or arbitrarily in handling the complaint, then you may make representations to the Secretary of State for Education.

### **Links with other policies:**

This policy should be read in conjunction with the following policies;

Admissions

Allegations against Staff

Anti-Bullying  
Equal Opportunities  
Safeguarding and Child Protection  
Special Educational Needs and Disability  
Teaching and Learning  
Child Protection  
Home School Agreement  
Exclusions  
Whistling blowing

**Policy Review**

Compiled by; P.Taylor & K.Burke

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