



Brackenbury Primary School Complaints Procedure

October 2015

The school's Governors and the Head Teacher are committed to providing the best educational experience they can for all pupils attending this school. They recognise the value to all concerned of dealing fairly, speedily and effectively with any complaint against their decisions, actions or omissions, which a pupil or parent or other aggrieved person may have. To this end, they have adopted the underlying principles and procedures set out in this document, which we encourage you to read before submitting your complaint.

Framework of Principles

Our complaints procedure aims to:

- encourage resolution of problems by **informal** means wherever possible;
- be easily **accessible** and **publicised**;
- be **simple** to understand and use;
- be **impartial**;
- be **non-adversarial**;
- allow **swift** handling with established **time-limits** for action and keeping people informed of the progress;
- ensure a full and **fair** investigation by an independent person where necessary;
- respect people's desire for **confidentiality**;
- address all the issues and provide an **effective** response and **appropriate** redress, where necessary;
- provide **information** to the school's senior management team so that services can be improved.

Definition of complaint

A school complaint is any communication received by a person or persons with a legitimate interest in the school, but not employed at the school, which expresses dissatisfaction about the standard of teaching of members of the teaching staff, or about the conduct, actions or omissions of members of the teaching or non-teaching staff employed at the school.

Definition of a complainant

A complainant is someone:

- who allegedly has been wronged
- whose child(ren) may have been wronged (i.e. parent or carer or other person with parental responsibility) or
- someone representing a person in one of the above groups, for example a Councillor.

Where a complainant is a pupil under the age of 18 years, the complaint may be pursued only by, or on behalf of, the child's parent or carer. Where someone other than a pupil or a parent/carers is pursuing a complaint on his or her behalf, this can be done only with the express consent of the pupil or parent concerned.

Types of complaints

Statutory/established procedures

Where there are established or statutory or other procedures for dealing with complaints, those will be followed. Areas to which this applies include:

- admissions to schools
- exclusions
- special education provision
- school re-organisation
- matters concerning the curriculum under Section 19 and 23 of the Education Reform Act 1988
- complaints by school staff or prospective staff
- child protection
- public examinations
- school records on individual pupils

Complaints to Ofsted

Ofsted can consider complaints about maintained schools, if your concern affects 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, or
- the pupils' personal development and well-being are being neglected.

Ofsted will not normally investigate cases to do with individual pupils. Further information and guidance can be found at:

<http://www.ofsted.gov.uk/resources/complaints-ofsted-about-schools-guidance-for-parents>

Complaints not covered by established or statutory procedures

If you are a complainant and none of the above apply to you, you may find the following information about our Staged complaints procedure useful:

Stage 1 - Informal Stage

All complaints, however received, should be reported to the Head Teacher. The Head Teacher may then refer the complaint to an appropriate member of staff to resolve the matter. That member of staff will have a duty to inform the Head Teacher if any issue is not resolved after discussion with the complainant. You can, if you wish, contact the Children's Services Department of Hammersmith and Fulham Council with your concern at this informal stage. However, we would encourage you to settle the matter with the Head Teacher, class teacher or designated staff member. The majority of straightforward complaints and problems are likely to be resolved quickly at this point. If, however, your complaint is about actions/omissions of the Head Teacher then refer to Stage 2 of the Procedure.

Stage 2 - Chair of Governors

This second Stage is for when you are not satisfied with the informal response at Stage 1, or feel it is not appropriate to contact the Head Teacher. You must take up the matter **in writing** with the Chair of Governors. If the Chair of Governors undertakes the investigation at Stage 2, they will be exempt from sitting on any complaints committee convened to hear a complaint escalated to Stage 3. The outcome at this second Stage may be:

- no further action, with reasons given
- action within the Head Teacher's own powers
- referral to the appropriate committee of the Governing Body for consideration.

Stage 3 - The Governing Body

The third Stage may be used when you are not satisfied with the outcome of the Stage 2 investigation and response. If this is the case, you must put your concerns **in writing** to the Clerk to the Governing Body for consideration by the Complaints Committee of the Governing Body. The Committee will normally meet within 10 school days of the complaint being received by the Clerk.

A panel of three Governors, with delegated powers, will convene to hear your complaint at a meeting attended by you, the Head Teacher and witnesses. Written evidence is submitted in advance to all parties and verbal evidence given at the meeting. The Committee's decision is final and will be notified to all parties as soon as possible after the meeting. The outcome will be one of the following:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

Timescales

The following limits should apply to all complaints handled under the procedure:

- Stage 1:** It is reasonable that complainants seeking to resolve matters of concern to them should receive a response within **15 school days** of making initial contact, unless there is a good reason not to do so. The response should offer the complainant a full explanation or set out the steps that are proposed to resolve the complaint.
- Stage 2:** Should be responded to within **15 school days** from receipt of complaint escalation.
- Stage 3:** Should be responded to within **20 school days** from receipt of complaint escalation.

The longer time limit for Stage 3 reflects the fact that these complaints may be complex and therefore likely to take longer to resolve. Where it is not possible to respond to complaints within these timescales, you should be informed in writing of the reason for the delay and given an anticipated response date.

Further Stages

If your complaint remains unresolved after Stage 3, and you think the school, or school's Governing Body, is acting unreasonably, or is failing to carry out its statutory duties properly, you can write to the Secretary of State for Education. This should be a last resort and your complaint should highlight in your letter the steps you have already taken to resolve the problem and enclose all previous correspondence relevant to the complaint. The Department for Education (DfE) will not usually be able to investigate your complaint if your child no longer goes to the school where the incident took place.

Further, the Department will not re-investigate the substance of the complaint. This remains the responsibility of the school.

If legislative or policy breaches are found, the DfE's School Complaints Unit will report them to the school and yourself and, where necessary, require remedial action to be taken. Failure to carry out remedial actions could ultimately result in a formal Direction being issued by the Secretary of State.

To complain to the DfE, write to:

The School Complaints Unit (SCU)
Department for Education
2nd Floor, Piccadilly Gate
Manchester
M1 2WD

Appendix A

Example of a complaint form

Please complete and return to Brackenbury Primary School either by hand, post or email for the attention of the Head Teacher (or, where appropriate, Chair of Governors), who will acknowledge receipt.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?

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

Are you attaching any paperwork? If so, please give details.

Signature:.....

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date: