BISHOP CORNISH SCHOOL

COMPLAINTS POLICY

School Name : Bishop Cornish Church of England V.A. Primary School

School Complaints Officer : Mrs S Green

School Complaints Officer Contact Details : 01752 845463

Address : Lynher Drive, Saltash, Cornwall, PL12 4PA

General Principles

The school welcomes feedback on the services it provides. Should anyone be unhappy with any aspect of the school it is important that the school learns about this.

PROCEDURE

Complaints or concerns should **in the first instance** be brought to the attention of the **class teacher** or, where this is inappropriate, to the attention of the Head Teacher. If the complaint is not resolved by the class teacher then parents need to talk with the Head Teacher.

If the complaint cannot be resolved by the Head Teacher then the complaint should be submitted to the Clerk of the Governors (who will acknowledge receipt of the complaint). All Formal Complaints will be investigated and the complainant will be informed of the outcome of an Investigation. If the matter cannot be resolved by the Governors then the complaint should be submitted on line to the DfE. The DfE will seek only to ascertain that the Governing Body has followed it's Complaints Procedure. It will not over turn any decisions of the Governing Body unless it can be proven that the Governing Body have breached Statutory Guidance.

The vast majority of concerns can usually be cleared up quickly. Parents will be assured of a sympathetic and reasonable hearing.

As schools have legal responsibilities to deal with complaints, this policy outlines how such complaints will be dealt with by the school. Some issues should not be dealt with by the school and these are listed in Appendix 2. The DfE can only get involved with general complaints after all the school stages have been tried.

Children as well as parents have legitimate rights to express concerns or to make complaints, but maturity and understanding will vary from child to child. Therefore, the school will consider a complaint on its merits. Please also note that anonymous complaints cannot be examined under a complaints procedure.

Governors have an important role to play in considering complaints. However, it is important for parents to understand that individual governors must not investigate complaints outside this procedure. All complaints should be addressed to the school complaints officer in the first instance whose details are recorded above.

Please note that should a complaint, informal or formal, reveal an issue for which other procedures exist (for example, child protection) then it will be dealt with under those procedures rather than as a complaint.

Stage 1 - Informal Resolution.

Many enquiries and concerns can be dealt with satisfactorily by the class teacher, the head teacher or other members of staff without the need to resort to a formal procedure. The school values informal meetings and discussions.

There is no suggested time-scale for resolution at this stage given the importance of dialogue through informal discussion although it would be expected that most individual issues would be resolved within 10 school days. Should this informal stage require more time then the school will inform the complainant of this in writing as soon as this is known.

Please note that "in writing" means a letter or an email although formal complaints should be started by completing the complaints form in Appendix D. The final report of any formal investigation will also be sent in paper form.

Should the face to face discussions appear unlikely to resolve matters, either party may initiate a move to the next stage (Stage 2 below) of the procedure. A copy of the school's complaints policy will be forwarded to the complainant at this stage if it has not been provided as part of Stage 1.

Stage 2 - Formal Written Complaints.

The complainant should set out the precise nature of the complaint on the form provided and indicate how they would like to see a resolution. This form must be returned to the complaints officer. The complainant should keep a copy of this form and all other relevant correspondence.

Should a complaint be about a general matter, the complaints officer may be able to respond immediately, e.g. if it only requires an explanation of school policy. For complaints that relate to specific actions or events, there is likely to be a need for further investigation in order to clarify the facts. The complaints officer or their nominee will normally undertake this investigation.

However, if in the early stages of the investigation, the complaints officer considers that the complaint is best dealt with at Stage 3, it will be passed to the chair of governors (or to the clerk to the governing body for the chair's attention) and the complainant informed of this action without delay.

Should the complaints officer, the head teacher or a governor be the subject of a complaint, these will be dealt with under Stage 3 below. The complainant should send the form directly

to the chair of governors (or to the clerk to the governing body for the chair's attention) c/o the school marking the envelope "private and confidential".

Should the chair of governors be the subject of a complaint, the complainant should send the form directly to the vice-chair of governors (or to the clerk to the governing body for the vice-chair's attention) c/o the school marking the envelope "private and confidential".

All formal complaints will be acknowledged within 5 school days of receipt.

Investigations at this stage should normally be completed within 20 school days of receipt of the complaint, unless there are circumstances that require a longer investigatory period. The complainant will be informed in writing should more time be required.

The school will aim to send a formal written response within 5 school days of the completion of the investigation. This gives a target of 5 school weeks for the completion of this stage of the procedure.

Following the stage 2 investigation, the complaints officer will decide on one of two outcomes:-

Recommend that appropriate remedial action necessary to resolve the complaint be undertaken, or
Confirm that all internal investigative measures have been exhausted and uphold the original informal response if this had occurred.

The decision is confidential to the complainant and to the governing body.

The complainant may take the complaint further if they are unhappy with the Stage 2 outcome by giving notice of their intention within 10 school days of their receipt of the formal outcome. This notice should be made in writing to the chair of governors (or to the clerk to the governing body for the chair's attention) c/o the school marking the envelope "private and confidential".

Stage 3 - The Governing Body.

Where the complaints officer is unable to resolve a complaint to the satisfaction of the complainant or where there is a complaint against the complaints officer, the head teacher or a governor, the complainant should write to the chair of governors (or to the clerk to the governing body for the chair's attention) c/o the school marking the envelope "private and confidential" including
copies of all relevant documents.

Should the chair of governors be the subject of a complaint, the complainant should send the form directly to the vice-chair of governors (or to the clerk to the governing body for the vice-chair's attention) c/o the school marking the envelope "private and confidential".

A panel of three governors must be convened by the chair (or vice-chair) of governors to investigate the complaint.

All formal complaints will be acknowledged within 5 school days of receipt.

Investigations at this stage should normally be completed within 20 school days of receipt of the complaint, unless there are circumstances that require a longer investigatory period. The complainant will be informed in writing should more time be required.

The school will aim to send a formal written response within 5 school days of the completion of the investigation.

This gives a target of 5 school weeks for the completion of this stage of the procedure.

Following the stage 3 investigation, the panel will decide on one of two outcomes:-
1. Recommend that appropriate remedial action necessary to resolve the complaint be undertaken, or
2. Confirm that all internal investigative measures have been exhausted and uphold the original response.

The decision is confidential to the complainant and to the governing body.

Complainants who have exhausted all school-based stages and consider that the school has not investigated the complaint in a fair and reasonable matter, may request, in writing, that the LEA or the appropriate Diocesan Authority reviews how the school handled the complaint. Please note that this review will not investigate the original complaint.

Stage 4 - Appeals to the Secretary of State or the Ombudsman.

Finally, complainants have a right of appeal to the Secretary of State for Education. In such cases, the Department for Education (DfE) will examine the complaint and adjudicate. The DfE has the power to require the LA or Diocesan Authority to take certain actions, including the issuing of instructions to the school governing body. It should be pointed out that the members of staff also have the same right of appeal.

Should a complainant feel that there has been maladministration in the manner in which a complaint has been dealt with, this can be referred to the Local Government Ombudsman.

Please note that the Ombudsman can look into complaints about how something has been done, but she/he cannot question what has been done simply because the complainant does not agree with it.

The relevant addresses are:

The Secretary of State for Education Sanctuary Buildings Great Smith Street, Westminster, London SW1P 3BT Tel: 0171 925 5000	Local Government Ombudsman The Oaks, Westwood Way, Coventry CV4 8JB Tel: 01203 695999

Procedures should be as speedy as possible - consistent and fair to all concerned
Each stage of the procedure will have known time limits. Where it is not possible to meet these, the complainant will be kept informed of progress.

Support for complainant

At any stage of the procedure parents can be accompanied by a friend, relative or representative and they will be told where they can go for information, advice and advocacy, if required.

Support for a person complained against

Staff who may be questioned as part of the investigation of a complaint will be treated fairly and they will always have the opportunity to put their case. A friend or representative may accompany them at any stage.

Confidentiality

All concerns and complaints will be treated with discretion. It will be made clear to parents that making a complaint will not result in their child being penalised. Complainants will, however, be made aware that some information will have to be shared with those involved in order that the complaint can be investigated.
Anonymous complaints will normally be disregarded unless they relate to a serious issue. The Head Teacher and Chair of Governors will decide whether the gravity of an anonymous complaint warrants an investigation.

Redress

If the outcome of the complaints procedure shows the school is at fault, redress will be in the form of an acknowledgement that the complaint is valid. It may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- a promise that the event complained of will not recur;
- an undertaking to review school policies or practices in the light of the complaint.

Fear of litigation will not prevent the school from admitting to parents when mistakes have been made, but advice will be sought from the Local Authority if it is possible that the parent might take legal action.

Staff Awareness and Training

All staff are aware of the procedures, as potentially many will be involved with handling complaints, especially at the informal level. Training every two years will take place to ensure that staff are clear and confident about the procedures.
Part of the training includes dealing with people who are upset or angry. Staff have clear information about which staff have which responsibilities so that parents do not get continually passed from one to another.

Policy agreed by staff
Adopted by Governors May 2012
Reviewed April 2014
Next review 2019

Appendix A

Bishop Cornish School Complaints Procedure

In order to investigate your complaint as fully as possible the Governing Body of Bishop Cornish School has implemented a staged approach.

Stage 1: The first contact

Parents are always welcome to discuss any concerns with the appropriate member of staff, who will clarify with the parent the nature of the concern and reassure them that the school wants to hear about it. The member of staff may explain to the parent how the situation happened. It can be helpful at this point to identify what sort of outcome the parent is looking for.

If the member of staff first contacted cannot immediately deal with the matter, s/he will make a clear note of the date, name and contact address or phone number.

All members of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. S/he will check later to make sure the referral has been dealt with.

If the matter is brought to the attention of the Head teacher she may decide to deal with concerns directly at this stage if the complaint is more serious; if the complaint is against the Head teacher the parent will be advised to contact the Chair of the Governing Body.

The member of staff dealing with the concern will make sure the parent is clear what action (if any) or monitoring of the situation has been agreed, putting it in writing if appropriate.

Where no satisfactory solution has been found within ten days, parents will be advised that if they wish their concern to be considered further they should ask for the official complaints form and procedure.

Stage 2: Referral to the Head Teacher for investigation

The Head teacher (or designated person) will acknowledge the complaint in writing within three working days of receiving the written complaint. The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This should normally be within ten working days. If this proves impossible, a letter will be sent explaining the reason for the delay and giving a revised target date.

The Head teacher will provide an opportunity for the complainant to meet her to supplement any information provided previously. It will be made clear to the complainant that if s/he wishes s/he might be accompanied to any meeting by a friend, relative, representative or advocate who can speak on his/her behalf.

If necessary the Head teacher will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. Pupils should normally be interviewed with parents/guardians present, but if this would seriously delay the investigation of a serious/urgent complaint or if the pupil has

specifically said that s/he would prefer that parents/guardians were not involved, another member of staff with whom the pupil feels comfortable should be present. If a member of staff is complained against, they must have the opportunity to present their case.

The Head teacher will keep written records of meetings, telephone conversations and other documentation.

Once all the relevant facts have been established as far as possible, the Head teacher will then produce a written response to the complainant, including a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint. The complainant will be advised that should s/he wish to take the complaint further s/he should notify the Chair of Governors within five weeks of receiving the letter.

If the complaint is against the Head teacher, or if the Head teacher has been closely involved at Stage 1, the Chair of the Governing Body will carry out all the Stage 2 procedures.

Stage 3: Review by the Governing Body

The Chair of the Governing Body will write to the complainant to acknowledge receipt of the written request for the Governing Body to review the complaint. The acknowledgement will inform the complainant that three members of the school's Governing Body will hear the complaint within twenty days of receiving the complaint. The letter will also explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be sent to the three members – at least seven days before the hearing.

A meeting of the Governors' Complaints Panel will be convened. No Governors with prior involvement must be included on the panel and it may be necessary to use reserves (previously agreed by the governing body) to ensure the Panel can meet within the set time. If she has not previously been involved the Chair should chair the Panel; otherwise the Vice-Chair should do so. Governors should bear in mind the advantages of having a parent governor on the panel, and will also want to be sensitive to issues of race and gender. It is not appropriate for the Head teacher to sit on the Panel.

The Chair/Vice-Chair will ensure the Panel hears the complaint within twenty school days of receiving the letter. All relevant correspondence relating to the complaint will be given to each Panel member as soon as the composition of the panel is confirmed. If the correspondence is extensive, the Chair may prepare a thorough summary for sending to Panel members.

The clerk will write and inform the complainant, Head teacher, any relevant witnesses and members of the Panel at least five working days in advance of the date, time and place of the meeting. The notification will also inform the complainant of his/her right to be accompanied to the meeting by a friend/advocate/interpreter and explain how the meeting will be conducted and the complainant's right to submit further written evidence to the Panel.

The Head teacher will be invited to attend the Panel meeting and will be asked to prepare a written report for the Panel in response to the complaint. All concerned, including the complainant, should receive any relevant documents including the Head

teacher's report, at least five working days prior to the meeting. The Head teacher may also invite members of staff directly involved in matters raised by the complainant to respond in writing or person, subject to the discretion of the Chair.

The meeting should allow for:

- The complainant to explain their complaint and the Head teacher to explain the school's response
- The Head Teacher to question the complainant about the complaint and the complainant to question the Head teacher and/or other members of staff about the school's response
- Panel members to have an opportunity to question both the complainant and the Head teacher
- Any party to have the right to call witnesses (subject to approval of the Chair) and all parties having the right to question all the witnesses
- Final statements by both the complainant and the Head teacher.

It is the responsibility of the Chair of the Panel to ensure that it is properly minuted.

The Panel will then consider the complaint and all the evidence presented and

- reach a unanimous, or at least a majority, decision on the complaint;
- decide upon the appropriate action to be taken to resolve the complaint;
- and where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.

A written statement outlining the decision of the Panel must be sent to the complainant and Head teacher. The letter to the complainant should also explain whether a further appeal can be made, and if so, to whom.

The school should ensure that a copy of all correspondence and notes are kept on file in the school's records. These records should be kept separately from the pupil's personal records.

Stage 4 The complaint can be sent to the Local Authority and/or the Diocesan Director for Education

Stage 5 The complaint can be sent to the Local Government Ombudsman

If a complainant wishes to go beyond the Governors' Complaints Panel, they should be advised to write to the LGO. The LGO will then investigate and review as appropriate.

Areas where the LA or others have responsibility

The following areas are those that should not be addressed through the school complaints police:

- Complaints about the curriculum and the provision of collective worship and religious education.
- Complaints about the LA's assessment of a child's special educational needs.
- Appeals against refusal to admit a child to the parents' preferred school.
- Appeals against exclusions (although an appeal to the governing body will be involved in the earlier stages).

Details of the procedures for these complaints are available from the LA:

Director of Children, Schools and Families
New County Hall,
Truro,
Cornwall
TR1 3AY

Please note that should a complaint, informal or formal, reveal an issue for which the above applies or where other internal procedures exist (for example, child protection) then it will be dealt with under these procedures rather than as a complaint.

Appendix C

Concerns and Complaints about the School

Guidance Notes for Parents

If you have a concern or complaint
We would like you to tell us about it. We welcome suggestions for improving our work in school. Be assured that no matter what you are wanting to tell us, our support and respect for you and your child in school will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate properly an incident or problem that happened some time ago.

What to do first
Most concerns and complaints can be sorted out quickly by speaking with your child's Class Teacher.

If you have a complaint that you feel should be looked at by the Head teacher in the first instance, you can contact her straightaway if you prefer. It is usually best to discuss the problem face to face. You may need an appointment to do this, and you can make one by ringing or calling into the school office. You can take a friend or relation to the appointment with you if you would like to.

All staff will make every effort to resolve your problem informally. They will make sure that they understand what you feel went wrong, and they will explain their own actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case they will come round to your point of view but it will help both you and the school to understand both sides of the question. It may also help to prevent a similar problem arising again.

What to do next
If you are dissatisfied with the Teacher's initial response (or with the head teacher's initial reaction if she has already been involved) you can make a complaint to the head teacher. This should be made in writing on the official form available from the school office.

If your complaint is about an action of the Head teacher personally, then you should refer it to the Chair of Governors now. You can contact her by telephoning the school office (01752 845463) or e-mailing the Clerk to the Governors directly: secretary@bishop-cornish.cornwall.sch.uk

You may also find it helpful at this stage to have a copy of the full statement of the General Complaints Procedures as this explains in detail what procedures are followed. This is available from the school office.

The Head Teacher will ask to meet you to discuss the problem. Again you may take a friend or someone else with you if you wish. The Head Teacher will conduct a full investigation of the complaint and will seek information from any members of staff or pupils involved. You will receive a written response to your complaint.

If you are still unhappy
The problem will normally be solved by this stage. However, if you are still not satisfied you may wish to contact the Chair of the Governing Body to ask for a referral of your complaint to a Governors' Complaints Panel. It will then be heard by a group of three Governors who have no previous knowledge of the problem and so will be given a fresh assessment. You will be invited to attend and speak to the Panel at a meeting that the Head teacher will also attend. The General Complaints Procedures statement explains how these meetings operate.

Further Action
Complaints about school problems are almost always settled within schools but in exceptional cases it may be possible to refer the problem to an outside body such as the Local Authority, the Diocesan Director of Education, or the Local Government Ombudsman. Again there is more on this in the General Complaints Procedure.

Areas where the LA or others have responsibility

The following areas are those that should not be addressed through the school complaints police:

- Complaints about the curriculum and the provision of collective worship and religious education.
- Complaints about the LA's assessment of a child's special educational needs.
- Appeals against refusal to admit a child to the parents' preferred school.
- Appeals against exclusions (although an appeal to the governing body will be involved in the earlier stages).

Details of the procedures for these complaints are available from the LA:

Director of Children, Schools and Families
New County Hall,
Truro,
Cornwall
TR1 3AY

Please note that should a complaint, informal or formal, reveal an issue for which the above applies or where other internal procedures exist (for example, child protection) then it will be dealt with under these procedures rather than as a complaint.

Appendix D - Formal Complaints Form

Please complete and return to Head teacher who will acknowledge receipt and explain what action will be taken

Your Name	
Pupil's Name	
Your relationship to the Pupil	
Address	
Postcode	
Daytime Tel Number	
Evening Tel Number	
Please give details of your complaint here (please continue on a separate sheet if necessary)	
What actions, if any, have you 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?	
Are you attaching any paperwork?	
Signature	Date
For Office Use only	
Date acknowledgement sent	By Whom
Complaint referred to:	Date:

Appendix E – Record Keeping Form

Notes from Parent Meeting (Telephone/Face to Face)

Name of Parent:

Name of Child:

Date:	
Notes	**Actions:**
	Follow up:
Completed by:	**Date:**
Copies to:	