

# Horton Mill Community Primary

## Complaints Policy



### Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Horton Mill Community Primary School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

### The difference between a concern and a complaint

A concern may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'.

A complaint may be defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Horton Mill takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, Mrs Cook (Headteacher), will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, Mrs Cook will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, we will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## **How to raise a concern or make a complaint**

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or Headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

Complaints against school staff (except the Headteacher) should be made in the first instance, to Mrs Cook via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to Mr Shoukat Ali (the Chair of Governors), via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

## **Anonymous complaints**

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

## **Time scales**

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

## **Complaints received outside of term time**

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

## Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Horton Mill Community Primary School, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>• Admissions to schools</li> <li>• Statutory assessments of Special Educational Needs</li> <li>• School re-organisation proposals</li> </ul>	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Oldham Local Authority.</p>
<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH - Tel: 0161 770 7777).</p>
<ul style="list-style-type: none"> <li>• Exclusion of children from school</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>

<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> <li>• National Curriculum - content</li> </ul>	<p>Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Horton Mill in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## Recording Complaints

To prevent any later challenge or disagreement of conversations, brief notes of meetings and telephone calls should be taken. These should be:

- Kept securely.
- Encrypted where appropriate.

A copy of any written response should be added to the record.

## Audio or video evidence

As a school, we are data collectors and complainants must obtain consent from all parties present before recording conversations or meetings (this would be considered to be a reasonable adjustment where there are language difficulties). We do not normally accept electronic recordings as evidence when we are asked to consider a complaint.

Unless exceptional circumstances apply, the Department for Education supports schools who do not consent to recordings of conversations that were obtained covertly and without informed consent of all parties.

## **Resolving complaints**

At each stage in the procedure, Horton Mill wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

## **Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

### **Stage 1: Class Teacher (informal)**

Most concerns and complaints may be resolved informally at a meeting of parents and carers with the Class Teacher, and an appointment should be made with the Class Teacher concerned. All discussions will be held in private, unless it is agreed to involve a third party, e.g. Deputy Head Teacher, Head Teacher or Local Authority.

### **Stage 2: Headteacher (Formal)**

Having spoken with the Class Teacher, if parents are still not satisfied that their complaint has been resolved, or if the Class Teacher is the subject of their complaint, they will need to make an appointment for a meeting with the Headteacher to discuss their complaint. If the complaint cannot be resolved right away, the Headteacher will agree the complaint in writing, and will then conduct an investigation as soon as possible. This investigation may involve talking to any staff or pupils involved and reviewing any written information available. Parents will receive a written response to their complaint, confirming the outcome and any action to be taken, within fifteen school working days

### **Stage 3: Chair of Governors (Formal)**

Most complaints will be resolved at Stage 2. However, if attempts to resolve the matter have been unsuccessful and parents wish to proceed further, then they will need to put their complaint in writing to the Chair of Governing Board enclosing, where available, a copy of the Headteacher's response to their complaint. Their letter should be addressed to: Chair of Governors, Horton Mill Community Primary School, Southlink, off Glodwick Road, Oldham, OL4 1GL. (Tel: 0161 - 770 5870).

The Chair of Governors will acknowledge receipt of the complaint and conduct an investigation with the school. The Chair will then arrange to meet with the parents within fifteen school working days of the receipt of the complaint to discuss the issues involved, and try to identify any outcome that would provide a resolution to the complaint. The Chair of Governors may be able to resolve complaint. However, if this is not the case, parents may request that the Chair of Governors arranges for the complaint to be heard by a Complaints Panel of the Governing Board.

### **Stage 4: Governing Board Complaints Panel (Formal)**

This is the final stage of the school complaint process and the request for a meeting of the Complaints Panel will need to be put in writing by the parents to the Chair of the Governing Board, together with details of the complaint to be reviewed and the requested outcome. The Chair will then acknowledge the request and arrange for a Complaints Panel of three members of the Governing Board, who have not had prior involvement in the complaint, to meet to review the complaint and the response made by the school.

Once the date for a meeting of the Complaints Panel has been agreed, the parents, school representatives and any other identified attendees, who may include representatives from the Local Authority, will be invited to the meeting and each will receive an Information Pack in advance of the meeting. The information pack will contain all the information that will be presented to the Complaints Panel at the meeting. This includes the complaint, reason for complaint, evidence to support the complaint and the school case against the complaint. All members of the Complaints Panel, together with the parents and school representatives, will receive a complete copy of this information at least three days prior to the meeting. The information will need to be received by the Chair of the Complaints Panel at least five days in advance of the meeting. Failure to do this may mean that the meeting is either postponed, or cancelled.

NB: Both the and parents and the school representatives will be invited to submit information for inclusion in the information pack in advance of the meeting of the Complaints Panel, and no additional written information will be accepted at the meeting of the Panel itself.

The Chair will arrange for the meeting of the Complaints Panel to be clerked and the aim of the meeting will be to try to resolve the complaint and achieve reconciliation between the school and the parents. However, it needs to be acknowledged that the complainants may not be satisfied with the outcome if the Complaints Panel does not provide the outcome they would wish to see to resolve their complaint. In these circumstances it may only be possible for the Complaints Panel to establish facts, identify possible ways to move forward and make recommendations to satisfy the parents that their complaint has been taken seriously by the school.

Following the hearing by the Panel the Chair will write to the parents confirming the outcome of the meeting of the Panel within fifteen school working days. This provides for the closure of the complaint and the end of the school complaint process.

## Department for Education

Should parents remain dissatisfied with the way that the school has dealt with their complaint they may write to the Secretary of State for Education: School Complaints Unit, Department for Education, 2nd Floor, Piccadilly Gate, Manchester, M1 2WD. It should be noted, however, that the School Complaints Unit will only investigate if the School Concerns & Complaints Policy and any other relevant School Policies were followed in accordance with the provisions set out. It will not re-investigate the substance of the complaint.

This policy has been updated in accordance with the '**Best practice guidance for school complaints procedures 2019**'.

<b>Approved by:</b>	<i>Shoukat Ali (Chair of Governors)</i>
<b>Date:</b>	February 2019
<b>Review date:</b>	February 2021