

## STARBANK SCHOOL- Complaints Procedure

Starbank School aims to meet its statutory obligations when responding to complaints from parents of pupils at the school, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Address all the points at issue and provide an effective and prompt response
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Respect complainants' desire for confidentiality
- Keep complainants informed of the progress of the complaints process
- Treat complaints with respect
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

This document meets the requirements of section 29 of the [Education Act 2002](#), which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on [guidance for schools on complaints procedures](#) from the Department for Education (DfE).

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

The DfE guidance explains the difference between a concern and a complaint. A **concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought". The school will resolve concerns through day-to-day communication as far as possible.

A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action". The school intends to resolve complaints informally where possible, at the earliest possible stage.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with SEN about the school's support are within the scope of this policy. Such complaints should first be made to the SENDCO they will then be referred to this complaints policy. Our SEN policy and information report includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

### **Principles for investigation**

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

We also intend to address complaints as quickly as possible.

The school expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

### **Complaints about our fulfilment of Early Years requirements**

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

### **Stages of complaint**

There is a 4 stage process which will ask complainants to follow in order to try to provide the correct resolution as early as possible. The stages are:

#### ***Stage 1: Informal***

The school will take informal complaints and concerns seriously and make every effort to resolve the matter quickly and it is hoped that most complaints and concerns will be resolved quickly and informally.

- The complainant should raise the complaint as soon as possible with the relevant member of staff or site lead as appropriate, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office.
- The school will acknowledge informal complaints and investigate and provide a response.
- The informal stage may involve a meeting between the complainant and a member of the Senior Leadership Team and other staff as appropriate.

### ***Stage 2: Formal Complaints Procedure –Site lead response***

If the complaint is not resolved informally (Stage 1), it can become a formal complaint.

#### **Inform the Site Lead in writing**

This letter should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

- The Site Lead (or designated member of the Senior Leadership Team) will call a meeting to clarify concerns, and seek a resolution.
- The site lead (or other person appointed by the site lead for this purpose) will then conduct their own investigation. The conclusion of this investigation will be discussed with the complainant. A record will be kept of the outcome and the Head Teacher will be updated on the outcome.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the Head Teacher in writing.

### ***Stage 3: Formal Complaints Procedure – Head Teachers response***

This letter should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

The Head Teacher (or designated member of the Senior Leadership Team) will call a meeting to clarify concerns, and seek a resolution. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

The Head Teacher (or other person appointed by the Head Teacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 7 days.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the chair of governors in writing within 14 days.

### ***Stage 4: Formal - Governing Body Response***

The Governing Body has responsibility for ensuring that any complaints formally notified to them are properly investigated and a formal response is provided to the complainant. If the concern or complaint has not been raised with the Head Teacher, the Chair may refer it to the Head Teacher and advise the complainant of this action.

#### **Inform the chair of governors in writing**

This letter should set out the details of the complaint including evidence as set out above. The complainant should also specify what they feel would resolve the complaint, and how they feel the previous stage of the procedure has not addressed their complaint sufficiently.

The written conclusion of this investigation will be sent to the complainant.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the chair of governors in writing.

The Chair of Governors may decide: -

- To investigate and respond him/herself; or
- To delegate the matter to a nominated Governor; or
- To convene a review panel of up to 3 Governors to consider the matter and respond

The designated governor(s) will investigate the complaint on an impartial basis and may as part of the investigation ask to meet with the complainant and/or any members of staff concerned. Although, due to varying complexity, timescales may vary, the investigation will ordinarily be concluded within 15 school days of receipt of the request. Any extension to this timescale will be formally notified to all parties.

#### ***Stage 4: Submit the complaint to the review panel***

The review panel consists of members of the governing board. These individuals will have access to the existing record of the complaint's progress.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied by a suitable companion if they wish.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave and evidence will then be considered.

The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the Head Teacher.

The school will inform those involved of the decision in writing within 10 school days.

#### **Complaints against the head teacher or a governor**

Complaints made against the Head Teacher should be directed to the chair of governors.

Where a complaint is against the chair of governors or any member of the governing board, it should be made in writing to the clerk to the governing board in the first instance.

#### **Persistent complaints**

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the chair of governors (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the matter is closed.

- The school has taken every reasonable step to address the complainant's needs, *and*

- The complainant has been given a clear statement of the school's position and their options (if any), *and*
- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond.

### **Record Keeping**

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

Records of complaints will be kept for 2 years.

**The complaints records are logged and managed by School Business Manager.**

### **Monitoring arrangements**

The governing board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly.