



St George's Primary School is a Church of England school that promotes the spiritual, moral, cultural and physical development of each child.

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<b>Policy Title:</b>	<b>Complaints Policy</b>
<b>LT Responsibility:</b>	Head of School
<b>Review Body:</b>	Executive Head Teacher
<b>Date:</b>	September 2018
<b>Review:</b>	September 2019

*We recognise that our pupils bring with them a wide variety of behaviours influenced by life experiences outside school. We aim to respond to each case professionally, objectively and compassionately. We are sensitive when working with children and families with specific needs and experiences and we continuously seek ways to promote successful partnerships. The basis of differentiation will vary dependant on the needs of each case but we will take into account the views of parents and families, colleagues and external agencies together with any Statement of Special Educational Need or Education, Health and Care Plan. We will also ensure compliance with the trust's Equality Policy taking into account pupils with protected characteristics and making reasonable adjustments for pupils with a disability within the meaning of the Equality Act 2010. Both the school and trust respects the Public Sector Equality Duty (PSED) that requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. By following the trust's Equality Policy, the school seeks to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by such legislation.*

*This policy should be read in conjunction with the Trust's Equality Policy.*

### Context

St George's Bickley is (St George's) committed to ensuring that the highest standards are maintained at the school both in the provision of education to pupils and in every other aspect of the running of the school. A complaints procedure is an important part of the management of a well-run school allowing parents and others the opportunity to voice any concerns they may have through appropriate channels. This policy explains the procedure which has been adopted by the St George's to ensure a timely, systematic and fair approach to the resolution of such concerns.

We recognise the need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage reduces the numbers that develop into formal complaints. We aim to ensure that concerns are handled, if at all possible, without the need for formal procedures. Our formal complaints procedure is only necessary if efforts to resolve the concern informally are unsuccessful. In most cases, a class



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teacher or an individual delivering the service will receive the first approach. Our staff development process includes training to help staff resolve issues on the spot, including apologising where necessary.



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### Introduction

Our formal procedures are invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further (see appendix A).

This policy does not cover certain types of complaints, which are dealt with under separate procedures. These are:

- Complaints by staff – addressed under the school's grievance procedure or other personnel policies.
- Admissions – addressed under the admissions and admissions appeals procedure.
- Whistle-blowing – (matters of impropriety e.g. a breach of law, school procedures or ethics) – addressed under the whistle blowing procedure.

A complaint may result in disciplinary action by the school against a member of staff and this would be confidential between that member of staff and the school but otherwise complainants will be kept fully informed of the handling of any complaint. Any complaint will be kept confidential unless it is necessary to involve other parties and will be dealt with as quickly as possible.

### Policy Aims

To be effective our complaints procedure will:

- Encourage resolution of problems by informal means wherever possible;
- Be easily accessible and publicised, including to third parties who hire school premises;
- 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;



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- Respect people's desire for confidentiality;
- Address all the points at issue and provide an effective response and appropriate redress, where necessary;
- Provide information to the school's leadership team so that services can be improved.

### Action Plan

At St George's, the Head of School has overall responsibility for the operation and management of the school complaints procedure. In practical terms, the Head of School may delegate this responsibility to a member of the leadership team to deal with matters on a day-by-day basis and hold records relating to any complaints received.

In general, any written complaint should be addressed to the Head of School, although it is expected that attempts will be made to resolve difficulties informally with the class teacher and phase leader before being referred to the Head of School. The informal stage of the procedure should be exhausted before the matter is referred to the formal stage. If any substantial complaint is made to a member of staff by a parent it should be referred to the phase leader or Head of School, as appropriate, if it cannot be resolved immediately by the member of staff to the satisfaction of the parent.

Whenever a formal complaint is received it will be investigated. At each stage, the person investigating the complaint (Investigating Officer) makes sure that they:

- Establish what has happened so far and who has been involved;
- Clarify the nature of the complaint and what remains unresolved;
- Meet with the complainant or contact them (if unsure or further information is necessary);
- Clarify what the complainant feels would put things right;
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- Conduct the interview with an open mind and be prepared to persist in the questioning;
- Keep notes of the interview.



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### Stages in the Procedure

There are three stages in the school's complaints procedure. See appendix A for a flow chart. At each stage in the procedure, we will remain mindful of ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- An apology;
- An explanation;
- An admission that the situation could have been handled differently or better;
- An assurance that the event complained of will not recur;
- An explanation of the steps that have been taken to ensure that it will not happen again;
- An undertaking to review school policies in light of the complaint.

We encourage complainants to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

At all times we will seek to identify areas of agreement between the parties and clarify any misunderstandings that might have occurred because this can create a positive atmosphere in which to discuss any outstanding issues.

#### Stage 1 – Informal – Complaint Heard By Staff Member

In this stage, the class teacher or line manager (will deal with the complaint. Most parents' concerns can be adequately resolved by discussion with the class teacher or with other members of staff such as the phase leader. There may be no need for the complaint to be put in writing, which would formalise matters and may lead parents to feel less prepared to articulate concerns. The complaint should be resolved within five school days. However, if the complainant wishes to take the matter further, they are requested to write to the school for the attention of the Head of School. The Head of School is informed and stage 2 is implemented.

#### Stage 2 – Formal– Complaint Heard By Head of School Or Member Of Leadership Team

If the concern is not met to the complainants' satisfaction by discussion, then:

- The complainant puts the complaint in writing.



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- The initial recipient of the complaint should refer the matter to the Head of School or to a designated member of the leadership team.
- The Head of School, or a designated member of the leadership team, will investigate the circumstances of the complaint and may find it appropriate to ask for written statements from members of staff or pupils and to call for any relevant documentation.
- If a complaint concerns the conduct of the Head of School or a Member of the Aquinas Advisory Council, or where the Head of School has been involved in the issue previously, then the matter will be referred to the Executive Headteacher. If the complaint is against the Executive Headteacher the matter will be referred to the Chief Executive of the Aquinas Church of England Education Trust (the Trust)
- If the complaint is against a member of staff, that member of staff has a right to be given details of the complaint and the opportunity to make representation about it. The person investigating the incident will take these details into account.
- Allegations of abuse against staff should be reported as soon as they become apparent – in the case of a member of staff who is employed by the Trust to work at the school, in the first instance to the Head of School or in the case of the Head of School reported to the Chief Executive of the Trust– See Allegations of Abuse against Staff Policy (Trust).
- The Head of School or designated member of staff will consider the complaint but it will be the Head of School who will decide what action is required and respond to the complainant with the outcome of the investigation, normally within ten school days of receipt of the substance of the complaint. The response may be in writing or at a meeting with the complainant followed by written confirmation of the outcome. Where the matter has been referred to the Executive Headteacher or Chief Executive, that individual will hear the complaint and respond to the complainant.
- If the complaint is against the Executive Head teacher the matter will be referred to the Chief Executive of the Aquinas Church of England Education Trust (the Trust).

The complainant will be informed of his or her right to have appeal the matter to a panel of the Aquinas Advisory Council if the outcome of stage 2 is not considered satisfactory. The time frame in which any appeal must be lodged in writing is five school days. Any such request by a complainant should be addressed to the clerk to the Aquinas Advisory Council and a panel of the Aquinas Advisory Council will be convened.



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### Stage 3 – Formal – Aquinas Advisory Council

When the clerk to the Aquinas Advisory Council receives a request for a panel of the Aquinas Advisory Council to meet:

- The complainant/parent will be informed by the clerk of the new timescale for the investigation and written report to be provided – within 14 working days. (However, the length of the investigation will depend on the nature of the complaint and other variable factors. If the investigation is likely to exceed 14 days, the school will set realistic time limits for each action within the stage. Where such further investigations are necessary, new time limits may need to be set and the complainant will be sent details of the new deadline and an explanation for the delay.)
- A panel of the Aquinas Advisory Council will be convened, none of whom have any previous connection to the complaint, and one of whom will act as chair for the meeting. The meeting will additionally have a clerk in attendance.
- As an academy, one of the members of the panel must be independent of the school.
- The clerk will write to the complainant, the Head of School, the Chair of the Aquinas Advisory Council giving details of the meeting, requesting copies of any documents to be put before the meeting and the names of any witnesses that either party may wish to attend.
- The clerk will inform the complainant of the right to be accompanied by a friend.

The hearing will be on reasonable notice and be held as soon as practicable after receipt of the referral. The procedure at the hearing (see appendix B) will be sensitive and appropriate for the circumstances and is at the discretion of the chair of the panel Aquinas Advisory Council.

The panel can:

- 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 procedures to ensure that similar problems do not recur.



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The panel's decision is final.

A copy of the findings and recommendations of the panel will be sent by letter to the complainant and, where relevant, to the person complained about, and will be available for inspection on the school premises by the Head of School.

Where the complaint relates to the Head of School, the formal stage of the complaint will be referred to the CEO. In circumstances where an Executive Head teacher has been appointed in relation to an academy, the formal stage of the complaint in relation to the Head of School will be referred to the Executive Head Teacher.

### **AS AN ACADEMY**

If, despite following appropriate procedures, the complainant remains dissatisfied, or tries to reopen the same issue, the chair of the Aquinas Advisory Council will inform them in writing that the procedure has been exhausted and that the matter is now closed, and if they wish to take the complaint further they must complete the form available at: [www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form](http://www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form) and the Education Funding Agency will deal with the complaint.

### **Recording Complaints**

The progress of any complaint and the final outcome will be recorded by the Investigating Member. These findings will be made available to the complainant and, where relevant, the person complained about, and will be available for inspection by the Head of School. Initially a complaint may be made in person or by telephone and if unresolved needs to be put in writing. At the end of a meeting or telephone call, the member of staff will ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.

### **Vexatious Complaints**

The implementation and adherence to this complaints procedure should reduce the number of complaints that become protracted or vexatious. If a complainant tries to reopen the same issue the Chair of the Aquinas Advisory Council will write to the complainant explaining that the complaint has been through all stages of the procedure, is now exhausted and the matter is now closed.



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### Publicising The Policy And Procedure

Details of St George's CE Primary School complaints policy and procedures are included, as appropriate, in:

- The school website.
- The information given to new parents when their children join the school.
- The information given to the children themselves.
- The home-school agreement.
- Newsletters.
- Documents supplied to community users, including course information or letting agreements.
- Posters displayed in areas of the school that will be used by the public, for example, reception or the main entrance.

### Monitoring and Evaluation

The Executive Headteacher will monitor the level and nature of complaints and the policy will be evaluated in the light of complaints made and their resolution and the necessary changes will be made to this policy.

Number of complaints registered under the formal procedure of the policy for the preceding year:

Academic Year	Number of complaints:
2016-2017	Nil
2017-2018	Nil
2018-2019	

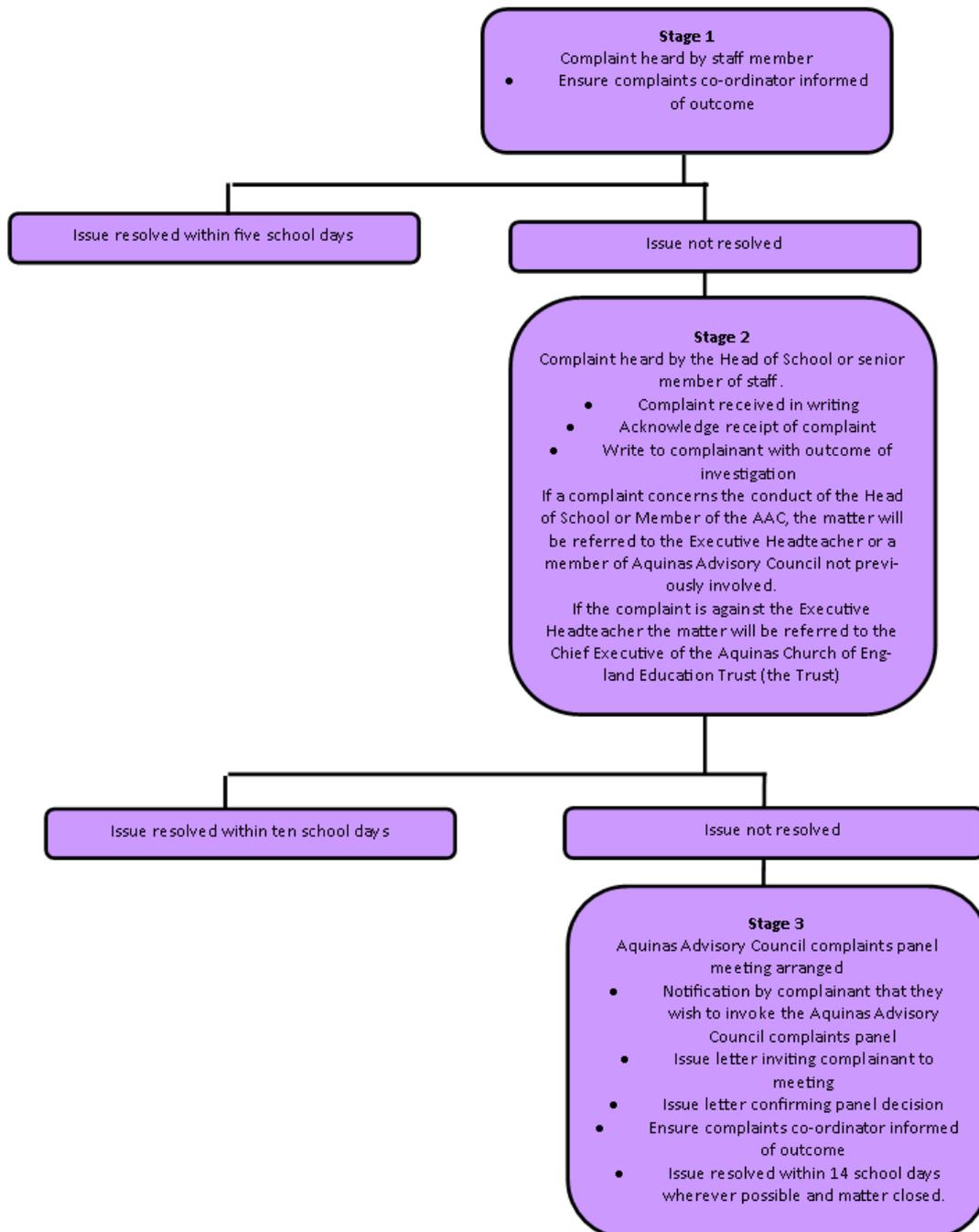
Appendix A: Flowchart for the Complaints Procedure



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If there is no resolution after stage 3, the complainant will be advised of how to take their complaint further if they so wish.

### Appendix B: Checklist for a Panel Hearing

The Aquinas Advisory Council needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Head of School may question both the complainant and the witnesses after each has spoken.
- The Head of School is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Head of School and the witnesses after each has spoken.
- The Executive Head Teacher and Aquinas Advisory Council may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Head of School is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.



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### **DATA PROTECTION**

*St George's CE Primary School [The Academy] processes personal data, some of which will be sensitive personal data, in accordance with the data protection principles embodied in the General Data Protection Regulations (GDPR) and the Data Protection Act 2018. The Academy complies with the requirements of the data protection legislation as detailed in the Trust Data Protection Policy.*

*All staff are aware of the principles of data protection and will not process personal data unless necessary. The Academy safeguards the personal data it collects through the operation of the Trust's data protection policy and processes and the IT policy. In addition, the Academy has taken steps to ensure that all its contracts that process data have the GDPR compliant provisions.*