



Shaftesbury Park Primary School



Complaints Procedure

HOW DO I MAKE A COMPLAINT?

Introduction

Shaftesbury Park School is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair, and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

All school staff will be made aware of complaints procedures and expected to review this policy regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

This policy explains that procedure, and the steps that it outlines should be referred to and followed by all pupils and their parents whenever an issue arises that causes them concern.

This policy does not apply to complaints about: admissions, exclusions and staff disciplinary proceedings.

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the school may immediately refer the case to child protection and welfare services. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the school and outlined in this policy.

For more information on our school's provision for protecting our students, read our child protection and safeguarding policy, and the allegations of abuse against staff policy.

1. When a concern first arises

If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone, or in writing. You will then be invited to an informal meeting with the member of staff most appropriate for dealing with your concern.

You may wish to approach your child's teacher first as they will be best placed to help you either directly or by figuring out which other member of staff you should be speaking to.

We encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding.

If your complaint is about a member of staff, you should first raise this with the Headteacher either in person or in writing, and a meeting can be arranged with the Headteacher to discuss the issue at hand.

If your complaint is about the Headteacher, you should raise your concern in writing with the chair of governors.

The chair of governors may refer complaints that are taken straight to them back to the appropriate member of staff if they do not warrant the governing body's involvement at that point.

1.2 Initial informal meeting, complaint heard by staff member

Once a concern has been raised you may be invited to attend an informal meeting with a member of staff or the headteacher to discuss your concerns.

You are welcome to bring a friend or partner to this meeting. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed upon in this meeting and should make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure that your concerns are dealt with appropriately and efficiently but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you can make a formal complaint in writing to the headteacher.

2. Formal complaints, complaint heard by headteacher

In order to ensure that complaints are processed efficiently and effectively, Shaftesbury Park School deals with formal complaints in three stages:

Stage 1: The Headteacher

If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting, or feel that the issue is serious enough that it warrants it, you can make a formal complaint in writing to the Headteacher.

The school has a standard complaints form which is attached at the end of this policy.

The Headteacher should acknowledge your complaint in writing within 10 days. They may already be aware of the situation. They will outline their decision if there is one to be made, and any action to be taken as a result of your complaint.

The Headteacher may call you in for a meeting to discuss the issue outcome, possible solutions, or to explain what has or will happen as a result of your complaint.

The Headteacher will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint.

If the complaint is against a member of staff, the Headteacher will talk to that employee. If it is an allegation of abuse, a formal investigation may be instigated by the school or external child welfare authorities to whom the school reports. Please refer to our allegations of abuse against staff policy for an outline of this procedure. Complaints about the Headteacher should be reported to the chair of governors by letter or via the school office (office e-mail address). A form is attached at the end of this policy.

Stage 2: The chair of governors

If, having spoken to the Headteacher, you are dissatisfied; you may lodge your complaint with the chair of governors in writing, explaining your concern and the steps that have lead up to you taking this course of action.

If the complaint is against a member of staff, that employee will be given the opportunity to write a response, which will be sent to the chair of governors within 10 days of the complaint being lodged with them.

The chair of governors will respond to you in writing within 10 days outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right of appeal and how you can start your appeal.

3. Appeals

Stage 3: Governors' appeal panel

If you would like to launch an appeal following the outcome of a formal complaint that you have lodged, this will be taken to the appeals panel of the governing body.

The appeals panel

The appeals panel will be made up of members of the governing body. No member of the governing body can sit on the appeals panel if they have had any former knowledge or involvement in the case that is being dealt with at that time.

The panel will give careful consideration to how the complainant can be made to feel most comfortable presenting to the panel, especially in the case of a young child having to present or explain information.

Appeals procedure

The procedure for an appeal is as follows:

1. The complainant and Headteacher will enter the hearing together.
2. The chair will introduce the panel members and outline the process.
3. The complainant will explain the complaint.
4. The Headteacher and panel will question the complainant.
5. The headteacher will explain the school's actions.
6. The complainant and panel will question the headteacher.
7. The complainant will sum up their complaint.
8. The headteacher will sum up the school's actions.
9. The chair will explain that both parties will hear from the panel within XX working days.
10. Both parties will leave together while the panel decides.
11. The clerk will stay with the panel to clarify.

The appeals panel will:

- dismiss all or part of the complaint
- uphold all or part of the complaint
- decide on the appropriate action to be taken to resolve the complaint
- evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

Shaftesbury Park School will review and evaluate *all* complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively.

The panel's decision is final. If you are unhappy with the outcome, you may have the choice of seeking mediation (see below) or you are entitled to take your complaint to the Secretary of State for Education.

4. Local Authority Mediation Role

Local Authorities are not part of the formal statutory process for school complaints. However Shaftesbury Park School works closely with Wandsworth Local Education Authority and governors believe there can be value in using a mediation process for some complaints. If both parties are in agreement, Shaftesbury Park Governors have agreed to offer Local Authority mediation at this stage before a complaint is escalated to the Secretary of State for Education.

Mediation is an effort to bring the two parties together; it does not formally reinvestigate or propose remedies. Wandsworth Local Authority mediation service cannot impose a resolution to a complaint. Wandsworth involvement in mediation shall be time limited to no more than six weeks; school term times will need to be taken into consideration. Should a resolution fail to be reached within this time period, the complainant will be advised of their right to escalate their complaint to the Secretary of State for Education.

5. Complaints about the governing body or LA to the Secretary of State

The Secretary of State may hear a complaint and intervene if:

- the complaint relates to a failure by the governing body or LA to carry out its statutory duties
- the complainant believes the governing body or LA is acting unreasonably. The test for this is that no reasonable authority or governing body, acting with due regard to its statutory duties, would have reached that decision
- intervention is expedient (i.e., there is an instruction the Secretary of State can give to one or other party that would put matters right).

The complainant should set out fully the concerns and reasons why the complaint is being submitted, enclosing all previous correspondence relevant to the complaint. They should write to The Secretary of State, Department for Children, Schools and Families, Sanctuary Buildings, Great Smith Street, London SW1P 3BT or call 0870 001 2288.

6. Complaints to Ofsted

Ofsted also has powers to investigate certain complaints by parents about their child's school. Complainants should write to Ofsted, Royal Exchange Buildings, St Ann's Square, Manchester, M2 7LA or call 08456 404045 or email enquiries@ofsted.gov.uk

7. Staff complaints

Staff who have a concern about a colleague or a volunteer member of staff should refer to our whistleblowing policy.

The procedure for dealing with any other staff complaints or employment grievances is set out in the school's **staff discipline, conduct and grievance policy**

Signed by:

The Chair of Governors

Date:

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Headteacher

Date:

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Date: September 2017

Reviewed: September 2019