

## **Gilmorton Chandler C of E Primary School Complaints Policy M11**

**Signed by the Governing Body:**

**Agreed by the Governing Body: December 2017**

**Review Date: Autumn 2020 or earlier if required.**

Gilmorton Chandler CE Primary School is committed to working in close partnership with all members of the school community. We aim to be a warm, welcoming school with positive relationships between all members of the school community and we strive to provide an outstanding education for all our children, placing great value on the role which parents and carers can play in supporting children's learning.

Staff and governors actively encourage a positive relationship between the school and the families of children who attend the school. We also desire to have good relations with our neighbours and the wider community.

Our policy is:

- To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint.
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint.
- To make sure everyone at Gilmorton Chandler CE Primary School knows what to do if a complaint is received.
- To make sure all complaints are investigated fairly and in a timely way.
- To make sure that complaints are, wherever possible, resolved and that relationships are repaired.
- To gather information which helps us to improve what we do.

Where any concerns are raised we aim to resolve these as quickly and efficiently as possible. Usually concerns that are raised can be resolved very quickly through the academy's day to day communication between parents and the academy staff. However, for those situations where this is not the case, we have a formal process to investigate and deal with complaints. This procedure will apply to most general complaints received by the academy. It is not intended to cover matters for which there is a specific statutory process to object, complain or appeal. Our complaints procedure is detailed on the following pages.

### **Who can raise a complaint?**

Complaints can come from any person or organisation that has an interest in the academy. This policy does not cover complaints from staff who should follow the relevant internal policy.

### **Timescales from submitting a complaint**

To enable a proper investigation, concerns or complaints should be brought to the attention of the academy as soon as possible, usually within 3 months. This time limit does not apply if it can be shown that there were good reasons for not making the complaint earlier and it is still possible to investigate the complaint properly.

### **Confidentiality**

All complaint information will be handed sensitively, telling only those who need to know and following any relevant data protection requirements.

### **Complaints procedure**

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the academy can be crucial in determining whether the complaint will escalate. To this end all staff and governors are aware of the procedure to be followed if a complaint is raised. Also, whilst not wishing to encourage complaints, complainants should note that they have a duty to raise a matter as soon as conveniently possible.

The academy operates a five stage complaints procedure outlined below. If your complaint is about the headteacher, you should refer your formal written complaint to the chair of the local governing body to be dealt with under Stage 3 of this procedure.

Where the following procedure refers to the headteacher, they may delegate any of these functions to a member of the senior leadership team if appropriate. In exceptional circumstances, the headteacher may commission an independent investigator to undertake an investigation on behalf of the academy.

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**Stage 1: Informal concern**

An initial concern should be raised with the class teacher or the member of staff concerned. This can be done in writing, by telephone or in person by appointment. The vast majority of concerns can be dealt with at this stage. It would be helpful to identify at this point what outcome you are looking for in order for us to address your concern quickly and effectively.

If you are not a parent/carer of a child at our academy, please start at Stage 2 and make contact with the headteacher to discuss your concerns.

**Stage 2: Formal complaint to the headteacher**

If your concern is not resolved at the informal stage you can make a formal complaint to the headteacher, within 10 school days of Stage 1 being concluded. Your complaint should usually be made in writing indicating your desired outcome from the complaint (a form is enclosed for this purpose).

Your complaint will be acknowledged within 5 school days and will include an indicative date for a written response. The headteacher will be responsible for ensuring that your complaint is investigated appropriately. They may meet with you to clarify details of your complaint and the resolution that is being sought. The headteacher will investigate the complaint further and make every effort to resolve the issue.

Dependent upon the nature of the issues raised, the matter will either continue to be dealt with through the academy's complaints procedure, or by other procedures such as the disciplinary or safeguarding procedures. If this happens you will be informed of this fact but you will not be advised of the outcome of these proceedings.

On conclusion of the investigation the headteacher will write to you with all appropriate information in relation to the complaint and information on any outcome(s). The response should also inform you of the next stage of the procedure in case you are not satisfied with the response.

**Stage 3: Formal complaint to the chair of the local governing body**

If you are dissatisfied with the headteacher's response or your complaint concerns the conduct of the headteacher then you can make a formal complaint to the chair of governors.

Your complaint should be made in writing to the chair of governors, care of the academy, within 10 school days of the date of the letter notifying you of the outcome of Stage 2. Please provide a copy of the written complaint, a copy of the headteacher's letter concluding Stage 2 and give details in writing of why you are not satisfied with the outcome.

At this stage the chair of governors will generally handle the complaint but can delegate this to a nominated governor. In exceptional circumstances, the chair of governors may commission an independent investigator to undertake an investigation on behalf of the academy.

You will receive an acknowledgement of receipt of your complaint within 5 school days and an indicative timescale for response.

The governor will investigate the complaint and make every effort to resolve the issue. They may meet with you if they need clarification or further information is necessary.

On conclusion of the investigation you will receive a written response of the outcome reached and the process for appeal.

**Complaints against an individual governor**

If your complaint concerns the chair of governors or an individual governor, you should write to the clerk to the governing body. The clerk will acknowledge receipt of your complaint within 5 school days. The letter will explain the process that will be followed and the expected timescale for response.

The chair of governors will consider complaints about an individual governor and the vice chair will consider complaints against the chair. If for any reason this is not appropriate then another governor will be nominated.

On conclusion of the investigation you will receive a written response detailing all appropriate information in relation to the complaint and information on any outcome(s). There will be no further right of appeal for complaints against an individual governor.

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**Stage 4: Formal complaint complaints appeal panel**

If you remain dissatisfied with the response to your complaint you may request that it is reviewed by the complaints appeal panel by writing to the clerk to the governing body within 10 school days of the date of the letter notifying you of the outcome of Stage 3.

The clerk will write to acknowledge receipt of your complaint within 5 school days. The letter will explain the process which is to be followed and information about how the appeal panel will operate.

The clerk will convene a complaints appeal panel and ask you to provide details of your appeal and any relevant supporting evidence.

The panel will usually comprise of at least three people not directly involved in the complaint, one of whom must be independent of the management and running of the academy. If this is not possible for any reason, then alternative arrangements will be made and communicated to you.

The remit of the complaints appeal panel is to:

- 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 academy's systems or procedures to ensure that problems of a similar nature do not recur.

You will be notified in writing of the panel's decision, usually within 5 school days. The letter will confirm the end of the academy's and governing body's involvement with the complaint and explain any further rights of appeal.

**Stage 5: Management of complaints to Inspiring Primaries Academy Trust**

Where the academy-based complaints procedures have been completed and the complainant does not feel their complaint has been dealt with to their satisfaction by the academy, they may contact Inspiring Primaries Academy Trust in writing to request a review of the complaint investigation. Generally, Inspiring Primaries Academy Trust will only look into complaint about academies that fall into the following two areas:

- The academy did not comply with its own complaints procedure when considering a complaint or the academy's complaints procedure does not comply with statutory requirements. Inspiring Primaries Academy Trust cannot review or overturn an academy's decisions about complaints but will look at whether the academy considered the complaint appropriately. Inspiring Primaries Academy Trust will generally only do this after a complaint has been through the academy's own procedure but may investigate sooner if there is evidence of undue delays by the academy. If Inspiring Primaries Academy Trust finds that an academy did not deal with a complaint appropriately it will request that the complaint is reconsidered. Similarly, if the academy's complaints procedure does not meet statutory requirements then Inspiring Primaries Academy Trust will ensure this is put right.
- The academy has failed to comply with a duty imposed under its funding agreement with the Secretary of State. Inspiring Primaries Academy Trust will seek to resolve any concerns regarding potential or actual breaches of the funding agreement with the academy. Inspiring Primaries Academy Trust will also consider evidence that an academy has failed to comply with any other legal obligation placed on it. Inspiring Primaries Academy Trust reserve the right not to investigate complaints considered to be vexatious or malicious or where Inspiring Primaries Academy Trust is satisfied with the action that the academy has already taken or proposes to take to resolve the complaint.

Written complaints to Inspiring Primaries Academy Trust will be acknowledged in writing within 5 school days. The complainant will be given the name of the Investigating Officer at Inspiring Primaries Academy Trust. The complainant will be asked to submit a written summary of the complaint. The academy will be asked to provide an explanation of how each stage of its complaints procedures has been followed; a response to the summary of the complaint, together with relevant documents and copies of correspondence with the complainant.

The academy will be asked to respond within 10 school days, notifying the Investigating Officer if there is any confidential information which may not be shared with the complainant such as data belonging to individuals not involved in the complaint.

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The Investigating Officer will respond in writing to the complainant, usually within 15 school days. However, whilst every effort will be made to complete investigations promptly, in cases requiring detailed investigations, it will take longer to produce a written response. Where this is the case the complainant will be advised of any revised timescale for production of the written response. Where appropriate, Inspiring Primaries Academy Trust may direct the academy to review its decision on the complaint submitted to it or change its procedures for reaching the decision if they are noncompliant with statutory requirements.

If the complainant still continues to be dissatisfied after the matter has been considered by Inspiring Primaries Academy Trust they can write to the Secretary of State through the School Complaints Unit.

Advice from the Education and Skills Funding Agency can be found using the following link

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/557407/Complain\\_about\\_an\\_academy.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/557407/Complain_about_an_academy.pdf)

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**Complaint form for Gilmorton Chandler C of E Primary Academy**

<b>Your name:</b>	
<b>Pupil's name:</b>	
<b>Your relationship to pupil:</b>	
<b>Address:</b>	
<b>Post Code:</b>	<b>Daytime tel:</b>
<b>Mobile:</b>	<b>E-mail:</b>
<b>Please give concise details of your complaint:</b>	
<b>What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to, when and what was the response?):</b>	
<b>What actions do you feel might resolve the problem at this stage?</b>	
<b>Are you attaching any paperwork? If so, please give details.</b>	
<b>Signed:</b>	<b>Date:</b>
<b>Official Use:</b>	<b>Complaint referred to:</b>
<b>Date acknowledgement sent:</b>	<b>Date:</b>
<b>By who:</b>	