

## **St Benedict's C. of E. VA Junior School**

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***Dream, Believe, Achieve***



## **COMPLAINTS POLICY AND GUIDANCE**

### **Introduction**

Our policy, devised with reference to Department of Education guidance on schools' statutory responsibilities in this area, is a three-stage model.

We would anticipate that the majority of matters which parents or carers wish to raise with the school are capable of informal resolution; for the purposes of this policy, these are described as 'concerns'. This constitutes Stage 1 of our Complaints Procedure.

A minority of matters which parents or carers wish to raise with the school will need to be considered as formal 'complaints' at Stages 2 to 4 of our Complaints Procedure. Stage 2 and 3 provide for written complaints to be considered by the Headteacher (Stage 2) or by the Chair of Governors or their designated replacement (Stage 3); Stage 4 allows for a complainant who is not satisfied with the outcome of previous stages to put their complaint before a complaints review panel of governors.

A parent or carer who remains dissatisfied once the stages outlined above have been exhausted may contact the Secretary of State for Education at this address: The Secretary of State, Department for Education, Sanctuary Buildings, Great Smith Street, London SW1P 3BT enclosing a copy of any correspondence with the School and/or the Governors.

There are additional sources of support, advice and advocacy for parents and some of these are detailed in Appendix 1.

### **Who does this policy apply to?**

Educating our pupils is our main purpose as a school and it is anticipated that the majority of concerns or complaints would be by parents or carers concerning the education or welfare of specific pupils. The wording of much of this Policy and Guidance reflects this.

However, in compliance with Section 29 of the Education Act 2002, we are also able to consider relevant concerns or complaints

- which relate to any community facilities or services that the school provides, for example hiring of school facilities or public/ community events that the school hosts
- from members of the community, or from parents/ carers in relation to an ex-pupil

In line with its Christian ethos, St Benedict's School aims to be a good corporate citizen within our local community.

## **Types of Resolution**

As a learning community, we are open to discussing any compliments, concerns or complaints parents and carers may have. We recognise that, while we strive to offer the best possible education to each pupil and to be a good corporate citizen within our local community, we do not always get things right. In certain circumstances, we may deem it appropriate to offer any of the following as resolution, either informally (Stage 1) or more formally (Stages 2 to 4).

- 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 would encourage parents or carers to share their views about any actions which they feel might resolve the concern or complaint at the earliest possible stage. We would also hope at each stage in this process to work together with parents or carers on both holding in mind and stating areas of agreement as well as disagreement.

## **Concerns (Stage 1)**

It is natural that parents may, occasionally, be concerned about an aspect of their child's education or welfare at school. This could include issues concerning the school's approach to aspects of the curriculum, homework, behavioural problems or any other issue.

The school welcomes enquiries from parents or carers about any matter. Teachers and staff will be able to explain the school practices, policies, and how they affect the pupils and, where there is a shared concern, will seek to work collaboratively with parents or carers in the best interests of each child. The vast majority of concerns will be handled by the class teacher or by the subject co-ordinator if this is more helpful.

The usual format for raising concerns is to speak to the child's class teacher in the first instance, or to contact the school office to ascertain the best person to speak with, and to arrange an appointment at a convenient time. As a learning community committed to working collaboratively with parents and carers in the best interests of pupils, we would hope to be able to resolve the majority of parent concerns through these informal channels; however, parents, carers and others with a legitimate concern with children's welfare have the right to raise a formal complaint (i) should these informal channels not resolve matters to their satisfaction or (ii) if they feel that the grounds for concern are serious enough to warrant moving immediately to our formal complaints procedure, detailed below.

Please note this additional guidance in respect of Stage 1 Concerns:

1. We will see you, or contact you by telephone or in writing, as soon as possible after your concern is made known to us.
2. We will ensure that you are clear what action or monitoring of the situation, if any, has been agreed. We will be happy to confirm this in writing if you would feel that this is helpful.
3. We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into your concern.
4. We will aim to have considered any concern raised with us within ten days, often sooner. You will have the opportunity of asking for the matter to be considered further, once we have responded to your concern.

5. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

### **Formal Complaints (Stage 2 and 3).**

This stage in our procedures deals with written complaints and applies where the concern has not been resolved to your satisfaction at Stage 1 .

1. Normally, your written complaint should be addressed to the Headteacher. If, however, your complaint concerns the Headteacher personally, it should be sent to the school marked "For the attention of the Chair of Governors".
2. You may wish to use the Complaints Form in Appendix 2 for guidance. We will consider complaints in any written form, however.
3. We will acknowledge your complaint in writing as soon as possible after receiving it. This will be within three working days.
4. We will enclose a copy of this Complaints Policy and Guidance with the acknowledgement.
5. Normally we would expect to respond in full within ten working days but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
6. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
7. The Headteacher, or Chair of Governors may also be accompanied by a suitable person if they wish.
8. Following the meeting, the Headteacher or Chair of Governors will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
9. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
10. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
11. The Headteacher or chair of governors will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
12. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give a full explanation of the Headteacher's or Chair of Governors' decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to collaborative working with parents and carers in the best interests of children.
13. If you are not satisfied with the outcome of the Stage 2/3 investigation and the school's findings, you may wish to proceed to Stage 4, as described below.
14. In certain rare circumstances (for example, illness) it may be necessary for a delegated representative to 'act up' in place of the Headteacher and/or Chair of Governors.

### **Review of Complaints (Stage 4)**

If your concern has already been through Stages 1, 2 and 3 and you remain dissatisfied with the outcome, you have the right to request that the Chair of Governors instructs the Clerk to set up a complaints review panel in order to review your complaint. The purpose of Stage 4 is to allow your complaint to be heard by a panel of governors who have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice.

The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously.

The complaints review panel operates according to the following formal procedures:

1. The Clerk to the governing body will aim to arrange for the panel meeting to take place within 20 working days.
2. The Clerk will ask you whether you wish to provide any further written documentation in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.
3. The Headteacher will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
4. The Clerk will inform you, the Headteacher, any relevant witnesses and members of the panel by letter, at least five working days in advance, of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place in the school; but we will do what we can to make alternative arrangements if you prefer.
5. With the letter, the clerk will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit further written evidence to the panel.
6. The letter will explain what will happen at the panel meeting and the clerk will also inform you that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
7. With the agreement of the chair of the panel, the Headteacher may invite members of staff directly involved in matters raised by you to attend the meeting,
8. The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
9. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
10. The chair of the panel will ensure that the meeting is properly minuted. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.
11. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the Clerk can then be asked maintain confidentiality in the minutes.
12. During the meeting, you can expect there to be opportunities for:
  - you to explain your complaint;
  - you to hear the school's response from the Headteacher;
  - you to question the Headteacher about the complaint;
  - you to be questioned by the Headteacher about the complaint;
  - the panel members to be able to question you and the Headteacher;
  - any party to have the right to call witnesses (subject to the chair's approval) and all parties to have the right to question all witnesses;
  - you and the Headteacher to make a final statement.

13. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the Headteacher and yourself within two weeks. All participants other than the panel and the Clerk will then leave.
14. The panel will then consider the complaint and all the evidence presented in order to:
  - reach a unanimous, or at least a majority, decision on the complaint;
  - decide on the appropriate action to be taken to resolve the complaint;
  - recommend, where appropriate, to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.
15. The Clerk will send you and the Headteacher a written statement outlining the decision of the panel within two weeks. The letter will explain what further recourse, beyond the governing body, is available to you.
16. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

### **Closure of complaints**

Where Stages 1 to 4 have concluded, this exhausts the school's ability to deal internally with a given concern or complaint. If a parent or carer remains dissatisfied after these stages, the school would ask the parent or carer to direct any further correspondence on this particular concern/ complaint to the Secretary of State whose contact details are given on p1 of this Policy and Guidance document. In order to ensure that resources are directed effectively to the welfare of all, the school may at this point decline to answer any further phone calls, emails or personal representations about the matter which formed the substance of the complaint. The school will, of course, be open to dialogue as outlined in this Policy and Guidance on any genuinely new concern which any parent or carer would wish to raise.

## **Appendix 1 - Other sources of information and advice**

If your concern is about an aspect of Special Education Needs and Disabilities (SEND) provision, or if you would like to receive advice and advocacy about SEND, you may wish to contact

- Somerset SENDIAS (Special Educational Needs & Disabilities Information & Advice Service).  
Phone: 01823 355 578 Email: [info@somersetsend.org.uk](mailto:info@somersetsend.org.uk).

The Local Government Ombudsman (LGO) no longer considers the majority of schools-related matters – however, if your concern relates to school admissions or a permanent exclusion, they may be able to help.

- The LGO can be contacted 0300 061 0614 or online at [www.lgo.org.uk](http://www.lgo.org.uk)

## Appendix 2: Complaints Form

Please complete and return to the Headteacher, who will acknowledge receipt and explain what action will be taken. You may submit your complaint in letter form if you prefer.

**Your name:**

**Pupil's name (if relevant):**

**Your relationship to the pupil (if relevant):**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Please give details of your complaint.**

**What action, if any, have you already taken to try and resolve your complaint.  
(Who did you speak to and what was the response)?**

**What actions do you feel might resolve the problem at this stage?**

**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By whom:**

**Complaint referred to:**

**Date:**