

# ULEY C OF E PRIMARY SCHOOL



## COMPLIMENTS AND COMPLAINTS POLICY AND PROCEDURES

SUMMER 2022




They are like trees that grow beside a stream that bear fruit at the right time and whose leaves do not dry up. They succeed in all they do. Psalm 1:3

## **Ethos Statement**







*We believe that everyone should be given the opportunity and encouragement to be the best that they can be. To this end, we strive to create the right environment, deliver the right content, and embrace new ideas. We apply our school values of trust, friendship, compassion and wisdom to enable every individual to flourish within a moral framework built on Christian values. We believe that this can only be achieved by developing partnerships between pupils, staff, governors, parents and the wider community.*

## **OUR SCHOOL VISION**

Live – Learn – Flourish

-  Live: at home, in school, and in our local community
-  Learn: about self, others, and our ever-changing world
-  Flourish: be the best we can be in all that we do

## **OUR SCHOOL MISSION**

-  We give all – pupils and staff – the opportunities and encouragement to be the best that they can be
-  We create an environment that has the right balance of challenge and support
-  We deliver a curriculum that is right for our school, inspiring and motivating all, and embracing new ideas
-  We apply our School Core Values of Trust, Friendship, Compassion and Wisdom in all that we do
-  We develop strong and effective partnerships between pupils, staff, governors, parents and the wider community
-  We strive to ensure that all flourish within a moral framework built on Christian values and the Diocesan vision “I have come that they may have LIFE, and have it to the full”. (John 10:10)

## **This policy has been written in line with the document:**

'Best Practice Advice for School Complaints Procedures 2020' Departmental advice for maintained schools, maintained nursery schools and local authorities.

Uley Primary School is committed to high standards in all that we do and we encourage all feedback.

We have developed this policy to explain our approach to handling compliments and complaints.

## **Definitions**

A '*compliment*' is an expression of satisfaction made by an individual or organisation about any aspect of Uley Primary School.

A '*complaint*' may be generally defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'. This is different from a 'concern' which may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'.

## **Communication channels and contact details**

An individual wishing to make a formal compliment or a complaint can do so either:

- In person at school reception
- By phone on 01453 860350
- By e-mail to: admin@uley.gloucs.sch.uk
- By letter to Uley Primary School, Woodstock Terrace, Uley, GL11 5SW
- To contact the Head Teacher please use any of the ways to contact the school mentioned above
- To contact the Chair of Governors, please write a letter to Chair of Governors c/o, Uley Primary School, Woodstock Terrace, Uley, GL11 5SW
- To contact the Clerk to the Governors, please write a letter to Clerk to Governors c/o, Uley Primary School, Woodstock Terrace, Uley, GL11 5SW
- Contact details for the Local Authority can be obtained in confidence from the school office
- To find details of the SENDCo, please contact the school office
- For additional contacts see page 10

## **COMPLIMENTS PROCESS**

### Circulation

The compliment will be shared with relevant members of staff within 3 working days along with the Head Teacher. Governors will be informed of compliments received via the Head Teacher's report at Full Governing Body meetings.

### Analysis & improvement

Compliments will be regularly analysed so that areas for improvement and potential good practice can be identified and used to promote best practice.

Compliments and expressions of appreciation are valuable in monitoring the effectiveness of our school. They can also provide useful learning points and examples of good practice which can be shared to encourage our staff to continue to provide and improve excellence in all areas.

## **COMPLAINTS PROCESS**

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures.

### **Stage 1 - Raising a concern**

The majority of concerns can be dealt with without resorting to the formal complaints procedure. At Uley Primary School we encourage all individuals including parents and pupils to approach any member of staff in the first instance if they have a concern.

We advise that you raise the issue with the member of staff most closely involved (usually the child's class teacher), via the phone or in person. Ideally, they will be able to address your concerns on the spot, or can arrange a meeting with you to discuss your concerns.

However, if you have difficulty discussing this issue with that member of staff, the concern can be referred to another member of staff. Similarly, if the member of staff directly involved feels unable to deal with the issue then another member of staff can be allocated to deal with the situation in the first instance.

All concerns are dealt with confidentially, although staff may need to take notes if they feel that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of the General Data Protection Regulations. However, such notes would be able to be used as evidence if further investigation was required, or if the concern became a formal complaint.

If your concern cannot be sorted out in this way or you are not happy with the way it has been dealt with you should take it to Stage 2.

### **Stage 2 - Registering a Complaint**

If you wish to register a formal complaint you should complete a Complaints Form (see attached) which will be passed on to the Head Teacher who will instigate an investigation. The school will let you know that it has received your complaint in writing within 2 school days. You will be given the results of the Head Teacher's investigation in writing within 15 school days. (This allows time for a full investigation to be carried - which may involve co-ordinating diary dates for a range of people - and for a response to be written). If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

If your complaint is about the Head Teacher you can complain directly to the Chair of Governors (see Stage 3).

Where there is reference to 'the Chair of the Governing Body', the Vice Chair or another nominated governor may replace them if the Chair is unavailable, or if it is deemed inappropriate (by the Chair or the complainant) for them to hear the complaint.

Complaints against the Chair of Governors, any individual governors or the governor body, should be sent to the Clerk to Governors. The school will request an independent investigator, such as a governor from another school, to hear and resolve the complaint.

### **Stage 3 Registering a Complaint with the Chair of Governors**

Should you feel that your complaint has been unresolved at Stage 2, you can complain in writing to the Chair of Governors of the school. You should make it clear why you are complaining, who you have already spoken to and what you want to happen as a result of your complaint.

The Chair of Governors will let you know that he or she has received your complaint in writing within 2 school days and will then investigate it.

You will be told about the outcome of the Chair of Governors' investigation in writing within 15 school days. (This allows time for a full investigation to be carried out - which may involve co-ordinating dairy dates for a range of people - and for a response to be written). If the Chair of Governors is unable to meet this deadline, they will provide the complainant with an update and revised response date.

If you are still not satisfied after receiving the Chair of Governor's report, you can ask to have your complaint referred to a complaints committee of the governing body at Stage 4.

### **Stage 4 - The Complaints Appeal Panel**

If necessary, the Chair of Governors will convene a Complaints Panel consisting of three governors who have not have been involved in the early stages of the complaint (they will elect their own Chair). A Clerk will be appointed to the panel who will set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible. They will collate any written material and send it to the parties in advance of the hearing, meet and welcome the parties as they arrive at the hearing, record the proceedings and notify all parties of the panel's decision.

This Complaints Panel is the last school based stage of the complaints process. Individual complaints will not be heard by the whole Governing Body at any stage as this will compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

The aim of the hearing, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. The panel Chair will ensure that the proceedings are as welcoming as possible.

Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend. However, this must be agreed to by the panel Chair who has the final say in the matter. If the Chair feels that a child's presence is not appropriate

or might irrevocably damage relationships between the child and the member of staff, for example, s/he may refuse to allow a child to be present.

The Chair of the panel needs to ensure that the complainant is notified in writing of the panel's decision, with the panel's response; this is usually within a set deadline agreed at the hearing. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

#### **Investigating the Complaint (Stages 2 to 4)**

The following guidance will be followed:

- It will be established what has happened so far and who has been involved.
- All information relating to the complaint will be documented.
- Everyone involved in the complaint will be interviewed, accompanied by a friend or companion, if they wish, to ensure that all the facts of the complaint are understood. Notes will be kept of the discussions and all parties asked to sign the notes to show that they feel they were an accurate record of the meeting.
- Those involved in the complaint will be encouraged to say what actions they feel would remedy the situation at any time. The Head Teacher or Chair of Governors will remain impartial during the interviews.

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether Uley School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD.

## **Roles and Responsibilities**

### **Complainant**

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

### **Investigator**

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - interviewing staff and children/young people and other people relevant to the complaint
  - consideration of records and other relevant information
  - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Head Teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Head Teacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

**Complaints Co-ordinator** (this could be the Head Teacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure

- liaise with staff members, Head Teacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

### **Clerk to the Governing Body**

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

### **Committee Chair**

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted



- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

### **Committee Member**

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.

### **Complaints outside this Policy**

Sometimes, when concerns are more specific, there are more appropriate policies and processes for dealing with them. The following list details specific topics of complaints and the correct policy to refer to. These policies can be accessed on the School's website or a copy can be requested from the school office.

- ✿ Pupils admissions; please see the school's admission policy or contact Gloucestershire County Council
- ✿ Pupil exclusions; please see the school's behaviour and exclusion policies
- ✿ Staff grievance, capability or disciplinary; these are covered by the school's staff conduct and staff capability policies
- ✿ Where the complaint concerns a third party used by the school; please complain directly to the third party themselves
- ✿ Anonymous complaints – We will not normally investigate anonymous complaints. However, the Head Teacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.
- ✿ Subject access requests and Freedom of information requests; please see the schools data protection and freedom of information policy

### **Complaints procedure when involving a pupil with Special Educational Needs**

Concerns about provision for disabled pupils and pupils with special needs should be referred to the SENDCo. Parents can contact school by telephone, letter or in person by an appointment. The concern will be dealt with either through a letter, a phone conversation or an appointment arranged to discuss the matter in school. The SENDCo may need to involve other personnel involved in the child's care, for example, the Educational Psychologist, in order to resolve an issue as fairly and fully as possible.

The Code of Practice 2014 sets out procedure for complaints about provision. Parents are informed of their rights in the documentation from the LA. The school will advise parents on provision outlined in the statement, if this is requested. Parents have the opportunity, through the school's report system and review meetings, to alert the school to concerns or issues. If a parent continues to be dissatisfied, then the issue should be referred to the Head Teacher and, or, the LA. We will provide a response in writing, giving the reasons for any decisions. We will also let you know how you can appeal should you wish to.

### **Safeguarding**

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the school is under a duty to report this immediately to the Local Authority. Any action will be in accordance with the school's safeguarding policy, which is available via the school's website or from the school's office.

### **Review of Complaints**

The Governing Body will monitor the level and nature of complaints, and review the outcomes, on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. The Head Teacher will report any official complaints in the Head Teacher's Report to Governors.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard the Governing Body

may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Body will be a useful tool in evaluating the school's performance.

### **Resolving Complaints**

Once any complaint has been fully investigated those persons involved will be informed of the findings and suggested actions to remedy the situation. Areas of agreement between the parties will be highlighted and any misunderstandings clarified to create a positive atmosphere in which to discuss outstanding issues.

If, for any reason, any party involved in the complaint remains dissatisfied following any investigations, the Chair of Governors will be informed who may then seek further advice on dealing with the matter. The Chair of Governors does have the right to inform the complainant that the complaints procedure has been exhausted and that the matter is now closed.

### **Records**

The Head Teacher will maintain a record of any formal complaints at the school.

### **Time Limits and Time Scales**

Complaints need to be considered, and resolved, as quickly and efficiently as possible and within realistic time limits that may be set by the appointed governor or Head Teacher and agreed by the complainant.

A complaint must be raised within 3 months of the incident or, where a series of associated incidents have occurred, within 3 months of the last of these incidents.

### **Complaints received outside term-time**

We will consider complaints made outside of term-time to have been received on the first school day after the holiday period.

### **Publicising the Procedure**

There is a legal requirement for this Complaints Procedure to be publicised. Uley Primary School will include this information on the website. Please ask at the school office for a copy.

### **Social Media**

In order for complaints to be resolved as quickly and fairly as possible, Uley Primary School requests the complainants do not discuss complaints publically via social media such as Facebook and Twitter. Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

### **Complaints that result in staff capability or disciplinary**

If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the Head Teacher and/or the individuals line manager. The complainant is entitled to be informed that action is being taken and the eventual outcome of any such action, but they are not entitled to participate in the proceedings or receive any detail about them.

### **Duplicate complaints**

After closing a complaint at the end of the complaints procedure, we may receive a duplicate complaint from:

- a spouse
- a partner
- a grandparent
- a child

If the complaint is about the same subject, we will inform the new complainant that the school has already considered that complaint and the local process is complete. We will advise the new complainant to consider contacting the Secretary of State if they are dissatisfied with the school's handling of the original complaint.

### **Complaint Campaigns**

The school can receive a campaign and receive large volumes of complaints for example:

- all based on the same subject
- from complainants unconnected with the school

In this case, the school will send a template response to all complainants or in the event of complaints unconnected with the school, publishing a single response on the school's website.

### **Serial and Persistent Complainants**

We are fully committed to dealing with all complaints fairly and impartially, in a friendly, respectful and professional way. We expect all people involved in the complaint, including the complainant, to behave in a similar way, as this is in everyone's best interest and will help to ensure that the matter can be resolved as quickly and effectively as possible.

The school does not expect its staff or governors to tolerate behaviour by complainants which is unacceptable, for example, which is abusive, offensive or threatening, and will take action to protect staff and governors from any such behaviour if it occurs. Also, there may be complainants who, because of the frequency of their contact with the school, hinder our consideration of their or other people's complaints and potentially the running of the school. We anticipate that such behaviour will be a very rare occurrence, but if we consider a complainant's behaviour is unacceptable or unreasonably persistent, we will tell them why and ask them to change it. If the behaviour continues, we may take action to restrict the complainant's contact with the school.

The decision to restrict access to the school will be taken by the Head Teacher and Chair of Governors. Any restrictions imposed will be appropriate and proportionate. They may include:

- ✿ requesting contact in a particular form (for example, letters only);
- ✿ requiring contact to take place with a named member of staff or governor;
- ✿ restricting telephone calls to specified days and times; and/or
- ✿ asking the complainant to enter into an agreement about their conduct.

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action. We will also tell them how they can challenge the decision if they disagree with it. Where a complainant continues to behave in a way which is deemed unacceptable or unreasonably persistent, we may decide to terminate contact with that complainant and discontinue any investigation into their complaint. If we decide to carry on treating someone as an unreasonably persistent complainant and we are still investigating their complaint six months later, we will carry out a review and decide if restrictions will continue.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of the school's staff or governors, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

Where a complainant whose case is closed persists in communicating with us about it, we may decide to terminate contact with that complainant. In such cases, we will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complaint we will simply acknowledge it or place it on the file with no acknowledgement.

New complaints from people who have come under the unreasonably persistent complainant's policy, will be treated on their merits.

**Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

<b>Review Dates</b>	
October 16	
September 17	
November 18	
September 19	
November 20	
July 2022	



## Uley Primary School Complaint Form

Please complete and return to the office; addressing the appropriate person. Your complaint will be acknowledged with an explanation of what action will be taken.

Your Name:

Pupil's Name:

Your relationship to the child:

Address:

Postcode:

Daytime telephone number:

Evening telephone number:

Please give concise details of your complaint (including dates, names of witnesses etc.) to allow the matter to be fully investigated:

Please continue on separate paper if you wish.

What action, if any, have you already taken to try and resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

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

**Policy review**

There will be a biennial review of this policy by the Governing Body.