



Altmore & Lathom Schools Federation

Complaints Policy and Procedure

The Department for Education (DfE) provides guidance for schools regarding complaints procedures. Both Altmore & Lathom Schools follow this guidance. Please see the DfE link: [Best practice guidance for school complaints procedures 2019](#)

The guidance is produced to:

- Share and encourage best practice
- Help schools avoid common pitfalls

Under section 29 (2) of the Education Act 2002, Governing Boards of maintained schools must 'have regard to any guidance given from time to time (in relation to England) by the Secretary of State' when establishing and publishing complaints procedures relating to their school and any facilities or services the school provides.

This document also includes:

- A complaint form
- Guidance on, what to do with serial and unreasonable complaints

Who can make a complaint?

Any person, including members of the public, may make a complainant about any provision of facilities or services that a school provides unless statutory procedures apply (such as exclusions or admissions). The school must not limit complaints to parents or carers of children that are registered at the school. However, anonymous complaints will be dealt with under a different procedure.

Investigating complaints

Schools must ensure that at each stage, the person investigating the complaint:

- Establishes what has happened so far
- Identifies who has been involved
- Understands the nature of the concern or complaint
- Knows what issues remain unresolved
- Have contacted the complainant to establish and clarify information
- Have spoken to or interviewed those involved as required
- Conducts meetings with an open mind and be prepared to persist with questioning and finding the answer
- Keeps accurate records of the complaint including notes of any meetings, discussions and if required arrange for a minute/note taker

Resolving complaints

Schools must acknowledge and register complaints from complainants. The possible outcomes of a complaint will be one or more of the following (this list is not exhaustive):

- An apology
- An explanation of what actually happened, clarification of the facts
- An admission that the situation could have been handled differently or more appropriately
- An assurance that the event complained of will not reoccur
- 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.

Dealing with vexatious complaints

On occasions, despite all stages of the procedures having been followed, the complainant continues to be dissatisfied. If the complainant tries to reopen the same issue, the Chair of the School Governing Board is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school to respond.

It is important to note however, that should a complainant raise a new, separate complaint, it must be responded to in accordance with the school complaints procedure.

Legal Representation

The school's complaints procedure is not a form of legal proceedings. The aim of the procedure and especially at the Governing board stage should be:

- Reconciliation
- To put right things that may have gone wrong

If a complainant commences legal action against the school in relation to their complaint, the school should consider whether to suspend the complaints procedure, until those legal proceedings have concluded.

Across the Altmore & Lathom Schools Federation, we aim:

- to provide a happy, secure, well organised and stimulating environment where all children, pupils and staff can work and learn together in an atmosphere of mutual trust and respect and where children and pupils can learn to be tolerant, courteous and considerate to others
- to provide an education of exceptional quality which promotes the highest possible standards of learning for every child
- to provide a broad and balanced curriculum to help and guide each child/pupil to develop his/her full potential through a range of skills, knowledge and practical play and investigation activities
- to promote and encourage children's/pupil's independence and confidence
- to recognise the individuality of each child/pupil and cater for individual needs
- to provide equal educational opportunities and experiences to all children/pupils regardless of disability, race, religion or gender
- to teach and foster the development of good working habits, an enquiring mind and self- discipline and to encourage children/pupils to take pride in their work, themselves and the school
- to enrich the lives of our children/pupils through fostering respect and understanding of the many cultures represented in our schools
- to encourage children/pupils to believe in themselves and to participate and support each other as active members of our community
- to foster a caring environment where all children/pupils learn to respect the school's property and that of others

If you have a problem, are unhappy, or wish to make a complaint – please tell someone, we will try our best to resolve any situation.

In order to investigate your problem or complaint we need to know:

- when and where the incident/s happened
- who was involved
- what happened
- what you would like to happen as a result of your complaint

Our procedure is a very straight forward four-staged process that includes three formal stages:

Stage 1 - Informal

The complaint is dealt with initially by an appropriate member of staff, usually the class teacher and in the vast majority of cases, a concern can and should be resolved.

The initial communication from the complainant to the member of staff may be by letter, telephone conversation or in person by appointment. The complainant must allow the designated staff member at least 5 days to respond to the concern. It is hoped an agreement that satisfies the complainant and the school can be reached.

If this does not lead to a resolution of the problem then the concern/complaint must be referred to the next stage of the process, which is the commencement of the formal process.

Stage 2 – Formal (if unresolved at Stage 1)

The Head of School/Headteacher hears the complaint.

If the complainant is dissatisfied with the response from the member of staff at Stage 1, they should be advised to put their complaint in writing to the Head of School/Headteacher who will deal with it formally at Stage 2. Where

the Head of School/Headteacher is the subject of the complaint, the complainant should be advised to address it to the Chair of Governors. If the complaint is, being dealt with by the Chair of Governors this will bypass Stage 2 and go to Stage 3 of the formal procedure and heard by the Chair of Governors or another appropriate person.

The complainant must ensure that they include details of why they are still dissatisfied and what action they would like to resolve the complaint. They can also attach any evidence to support their concerns.

The Head of School/Headteacher must acknowledge the complaint within 5 days by writing to the complainant. The acknowledgement should state a further communication will follow within 20 school days that will set out the actions taken to investigate the complaint and the findings.

The Head of School/Headteacher can delegate another senior member of staff to carry out the investigation and report their findings to them. The Head of School/Headteacher will then reach a conclusion based on the investigation. All notes relating to the investigation should be kept on file. The investigating officer may feel it necessary to meet with the complainant. If this happens, then the notes of the meeting should be produced.

The investigating officer will then compile a report detailing their findings. The Head of School/Headteacher will consider any recommendations or actions proposed.

Once satisfied that the investigation has been concluded and a decision has been reached, the Head of School/Headteacher must notify the complainant in writing of the conclusion and any actions that will be taken as a result. The decision can be communicated by the Head of School/Headteacher to the complainant in writing or, if they may feel it appropriate, meet with them first to communicate their findings and then confirm in writing afterwards.

The complainant must be informed that if they are still dissatisfied with the outcome they can write to the Chair of Governors.

Stage 3 - Formal (if unresolved at Stage 2)

The Chair of Governors or another appropriate person hears the complaint.

If the complainant is dissatisfied with the response from the Head of School/Headteacher at Stage 2, they should be advised to put their complaint in writing to the Chair of Governors for consideration at Stage 3 of the procedure.

The complainant must ensure that they include details of why they are still dissatisfied with the decision, the recommendations and actions of the Stage 2 complaint and what they require to resolve the matter. They may also attach any evidence to support their concerns that can be added to that submitted at Stages 1 and 2.

The Chair of Governors must write to the complainant within 5 days of receipt of the complaint to acknowledge this. The letter should state that another letter will follow within 20 school days setting out the actions taken to investigate the complaint and the findings.

The Chair of Governors will look at all the information pertaining to the complaint submitted by the complainant and the investigatory evidence by the school at Stages 1 and 2. The Chair may want to talk with the complainant or investigating staff members to establish facts and obtain further information.

Once satisfied that the investigation has been concluded and a decision has been reached on the complaint, the Chair of Governors will notify the complainant in writing of the conclusion.

The conclusion could be:

- The evidence indicates that the complaint was substantiated and therefore upheld
- The complaint was substantiated in part and what action will be taken
- The complaint is not substantiated by the evidence and therefore not upheld

The complainant is informed if they are still dissatisfied, they can write to the Governing Board directly via the school or, School Management Support (SMS) at The Education Space (NPW), outlining why they feel the complaint is unresolved. The Governor Services Team can also support and refer cases to the SMS team.

Stage 4 - Formal (if unresolved at Stage 3)

The Governing Board hears the complaint. This is the final stage of the process.

If the complainant is dissatisfied with the response from the Chair of Governors (or Vice-Chair) at Stage 3 they should be advised that the next stage is to put their complaint in writing to the School Governing Board at Stage 4.

The complainant must ensure that they include details of why they are still dissatisfied with the decision at Stage 3, recommendations and actions of the Stage 3 complaint and what they feel would resolve the matter. They may also attach any evidence to support their concerns that can be added to that submitted at Stages 1, 2 and 3.

The complaint will be acknowledged within 10 school days.

A panel of Governors who form a complaints appeal panel considers the complaint. The panel must be independent and impartial. No governor may sit on the panel if they have had prior involvement in the complaint or in the circumstances surrounding it. The panel must have a cross-section of categories of governors and sensitive to the issues of race, gender and religious affiliation. If appropriate, the panel can be made up of governors from another school. Complaints should not be shared with the whole Governing Board, except in very general terms

The panel must convene a meeting to discuss the complaint and all the investigation evidence to make a final decision on how to progress. A clerk should be appointed to take notes of the meeting and records must be kept.

The Head of School/Headteacher has a statutory duty for the internal organisation and management of the school, which they must carry out in accordance with any rules, regulations or policies laid down by the Governing Board. Therefore, the remit of Governors' consideration of a complaint about a matter of internal organisation and control will be as to whether the Head of School/Headteacher has followed any relevant school policies; it is not to substitute its own operational judgement for that of the Head of School/Headteacher.

The panel can decide:

- To convene a meeting with the complainant. If a meeting is to be convened, the person chairing the meeting either the Chair or Vice-chair (whoever did not deal with the complaint at Stage 3), will write to the complainant to acknowledge the complaint within 10 school days. The letter would also include the date, time and venue of the convened meeting to hear the complaint.
- Decide on the appropriate action to be taken to resolve the complaint.
- For non-complex complaints, not to meet with the complainant, but to use all the information available to them and make a decision on the complaint as there is enough information to allow a decision to be made.

Possible outcomes for the panel:

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Recommend changes to school systems or procedures to ensure that similarly do not occur

An outcome letter will be sent to the complainant within 20 school days of the meeting.

Further information

The outcome letter from the School Complaints Panel exhausts the 4 Stage procedures. If the complainant is dissatisfied with the process, they are able to contact:

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| <ul style="list-style-type: none">• Department for Education,
The School Complaints Unit (SCU)
2nd Floor, Piccadilly Gate
Manchester, M1 2WD
Making a complaint to the DfE | <ul style="list-style-type: none">• School Management Support
The Education Space
760 Barking Road
London, E13 9PJ
https://theeducationspace.co.uk/ |
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The SCU will examine if the school complaints policy and any other relevant processes were followed. The SCU will also examine policies to determine if they adhere to education legislation. However, the SCU will not re-investigate the substance of the complaint and will not overturn a school's decision about a complaint only in exceptional circumstances where it is clear that a school has acted unreasonably or unlawfully.