

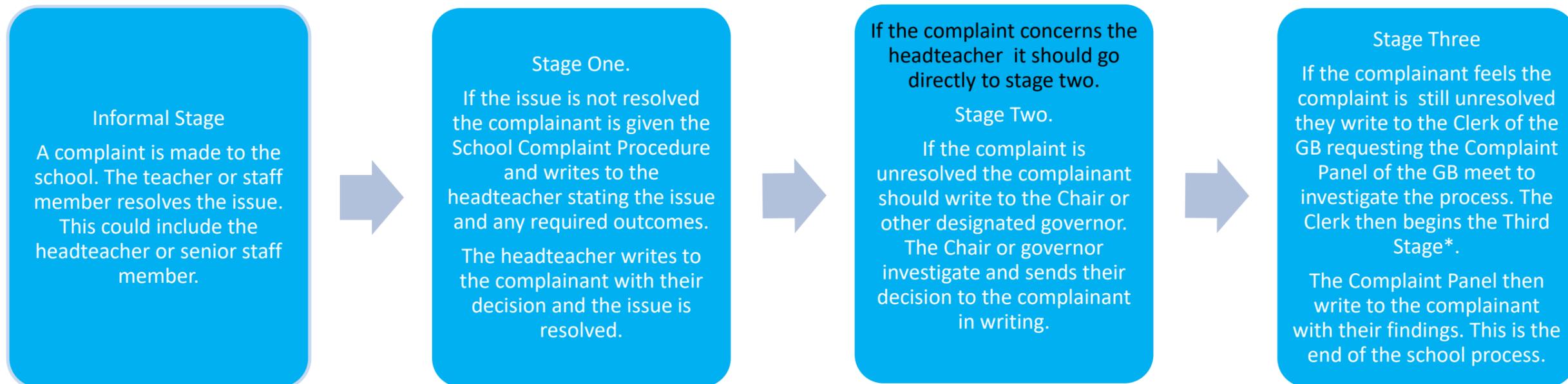
# **Barlby Bridge Community Primary School**



## **GENERAL COMPLAINTS PROCEDURE**

**December 2016**

Barlby Bridge Community Primary School COMPLAINTS PROCEDURES – SUMMARY GUIDANCE



**\*In some circumstances the governing board may feel that in the interest of all parties (and under provisions of “The constitution of governing bodies of maintained schools. Statutory guidance for governing bodies of maintained schools and local authorities in England, part 6. March 2015”) that the panel may be made up of governors from another school or have additional governors from another school making up the panel. This is likely to happen when it becomes apparent that governors have received information about the complaint and therefore cannot be seen to act impartially. The DFE “Best Practice” Advice (Jan. 16) allows for the complainant to request an independent panel if they believe there is likely to be a bias in the proceedings. Schools should consider the request but ultimately, the decision is made by the governors.**

If the complaint is about a Governor, the complainant should write to the Clerk of the Governing Board and this will be investigated by the Chair or designated governor at stage two and can progress to stage three if necessary.

If the complaint is about the whole governing board the complainant should write to the Clerk of the Governing Board. Please see Complaint about Full Governing Board.

If the complainant remains unsatisfied after the third stage they may refer the matter to the Secretary of State, The Schools Complaints Unit (SCU) DFE, Piccadilly Gate, 2<sup>nd</sup> Floor, Manchester. M1 2WD.

See details on <https://www.gov.uk/complain-about-school>

# Barlby Bridge Community Primary School



## **COMPLAINTS PROCEDURE**

### **Exceptions to the Procedure**

This procedure does not cover those areas of school life for which other procedures exist including:

	For further information contact:-
(a) staff grievance and capability procedures	
(b) staff disciplinary procedures	
(c) child protection investigations	
(d) admission appeals <sup>1</sup>	Local Area Office
(d) exclusion appeals <sup>2</sup>	Behaviour Support Service
(e) Statutory assessments of Special Educational Needs (SEN) and appeals against the decisions of the LA about a child's special educational needs and provisions	Local Area Office - SEN Officer
(f) School re-organisation proposals	Strategic Services
(g) Complaints about services provided by other providers who may use school premises or facilities.	Providers should have their own procedure and be contacted directly.

<sup>1</sup> In Foundation and Voluntary Aided Schools, complaints should be sent to the school's governing Board.

<sup>2</sup> In Foundation and Voluntary Aided Schools, complaints should be sent to the school's governing Board.

Complaints involving the following areas:	
(f) Human Rights	
(g) Race Relations	
(h) Sex Discrimination	
(i) Disability Discrimination	
(j) Age Discrimination	

## PROCEDURE

### **a) Informal Stage**

- Anyone with a concern about any aspect of the school is encouraged to raise their concern, either personally or through someone else, with their child's class teacher, a senior member of staff or with the Headteacher. Everything possible should be done at this stage to resolve the matter.
  
- If the concern cannot be resolved by informal means then the person expressing the concern will be told of the option of pursuing a formal complaint and be provided with a copy of the school's procedure and complainant leaflet.

### **b) Formal Complaint – Stage One - Investigation by a designated member of staff/Headteacher**

- Formal complaints must be detailed in writing (a complaints form is attached for this purpose). To ensure that the complaint is properly investigated it must be as clear as possible. If necessary clarification will be sought from the complainant about any aspect of the complaint which is unclear.
  
- If a complainant requires help to put their complaint in writing then they will be offered the opportunity to meet with the designated member of staff/Headteacher who will make a written note of the complaint and agree it with the complainant;
  
- The designated member of staff/Headteacher will send an acknowledgement letter within 5 working days of receiving the written complaint and will confirm:
  - ✓ details of the complaint to be investigated;
  - ✓ who will be investigating the complaint;
  - ✓ that a substantive response to the complaint will be given within 20 working days of receipt. If this timescale cannot be met an explanation will be given with a revised timescale;

- The complaint will be recorded including date;
- The designated member of staff/Headteacher will investigate the complaint in accordance with the principles of the Complaints Policy;
- The designated member of staff/Headteacher will write to the complainant within 20 days of receipt of the complaint (or by date given in the acknowledgement letter) and advise him/her of the outcome of the investigations in writing.
- If the complaint is upheld the complainant will be informed accordingly and given an indication of the steps that will be taken to put matters right. The school will seek guidance from Legal Services at County Hall before making any admissions which may lead to a legal claim. If, on the basis of the information available, it is not possible to arrive at a definitive decision on the complaint the complainant will be informed accordingly with the reasons why.
- The complainant will also be informed that if they are dissatisfied with the outcome of the investigation then they have the right to appeal against the outcome to the Chair of the Governing Board and how to do it.

### **c) Formal Complaint – Stage Two - The Chair of the Governing Body**

- Requests for a stage two investigation must be in writing and addressed to the Chair of the Governing Board or other designated governor (DG);
- The request will be recorded including date;
- The Chair will investigate the complaint in accordance with the principles of the Complaints Policy.
- The Chair will write to the complainant within 20 days of receipt of the complaint (or by date given in the acknowledgement letter) and advise him/her of the outcome of the investigations.
- If the complaint is upheld the complainant will be informed accordingly and given an indication of the steps that will be taken to put matters right. The Chair will seek guidance from Legal Services at County Hall before making any admissions which may lead to a legal claim. If, on the basis of the information available, it is not possible to arrive at a definitive decision on the complaint the complainant will be informed accordingly with the reasons why.
- The complainant will also be informed that if they are dissatisfied with the outcome of the investigation then they have the right to appeal against the outcome to the Complaints Appeals Panel and how to do it.

#### **d) Formal Complaint – Stage Three - Complaints Appeals Panel Hearing**

- Requests for a stage three hearing must be in writing and addressed to the Clerk to the Governing Board at the School;
  - ✓ the Clerk will acknowledge the request in writing within 5 working days of receiving the request
- The Clerk will ask the investigator at Stage 1 to attend the hearing to present the school's case.
  - ✓ if written submissions are to be made by the Headteacher or complainant they should be submitted to the Clerk at least 10 working days before the hearing to enable copies to be provided to the committee, the complainant, the Head teacher and any other relevant parties.
- At least 7 working days prior to the meeting the clerk will:
  - ✓ notify all parties of the date, time and place of the hearing;
  - ✓ provide all parties with a copy of any written representations submitted;
  - ✓ provide all parties with details of the format of the hearing;
  - ✓ ask the parties whether they have any particular needs for the meeting e.g. induction loop, translator etc;
  - ✓ confirm who will be in attendance at the hearing or whether they wish to rely upon written submissions.
- Within 5 working days following the hearing the clerk shall:
  - ✓ inform all the parties concerned in writing of the decision(s) of the Panel;
  - ✓ if the panel has agreed to request the LA to review the process by which the panel arrived at its decision then all parties will be informed of this.
  - ✓ the complainant will also be informed that if he/she remains dissatisfied then they may write to the Department for Education, The Schools Complaints Unit (SCU) DFE, Piccadilly Gate, 2<sup>nd</sup> Floor, Manchester. M1 2WD.
  - ✓ <https://www.gov.uk/complain-about-school> for more details.

**Last agreed by Governors: December 2016**

**Next review due: December 2020**

# Barlby Bridge Community Primary School



## Complainant Form

It will help us if you use this form to make your complaint but please write a letter if you prefer, covering all the points on the form. Please continue your answers on a separate sheet if there is not enough space on this form.

Do remember that you will need to tell us what needs to happen to resolve your complaint. When you have filled in the form, send it to The Head teacher or Chair of the Governing Board if the complaint is about the Headteacher at:

**Barlby Bridge Community Primary school, Thomas Street,  
Selby, YO8 5AA.**

If you need any help completing this form please contact the school. If this is a complaint about a governor please send it to the Clerk at the Governing Board.

We will only process your personal data in order to respond to your complaints. In general it will be used for administrative and statistical purposes.

# Barlby Bridge Community Primary School



## Complainant Form

Your name

Mr  Ms  Mrs  Miss  Other .....

First name (BLOCK CAPITALS) .....

Surname (BLOCK CAPITALS) .....

Your address

.....

Postcode

Daytime tel. no.

.....

Mobile tel. no.

.....

Email address

.....

Do you have any special requirements, for example if English is not your first language, disabilities?

.....

Have you contacted the school about this matter before?

Yes  No

If yes, who did you contact, when and how?

.....

Have you received a reply?

Yes  No

If so, when was this?

.....

Please explain your complaint.

What action, if any, have you already taken to try to 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?

***Please use additional sheets if required.***

If you have any documents to support your complaint, please send them with this form. Please tick the box if you would like them returned to you.

We will send an acknowledgement within 5 working days of receiving your communication and will tell you what is happening. If a further response is required, this should reach you within 20 working days.

**FOR OFFICE USE ONLY**

Complaint reference

Date  
Received

Acknowledgement  
sent

Substantive reply sent