



## **Radley CE Primary School** **& Foundation Stage Unit**

### **Complaints Procedure Policy**

#### General Non-Statutory Complaints Procedure

**Purpose:** To establish a procedure for dealing with complaints relating to the school regarding the actions of staff and application of school procedures where they affect the individual pupils concerned. This procedure excludes matters relating to the curriculum, exclusions, admissions etc. which are subject to separate, statutory procedures.

#### **General Principles:**

- Anonymous complaints will not be investigated under this procedure unless there are exceptional circumstances.
- To allow for a proper investigation, complaints should be brought to the attention of the school as soon as possible. Any matter raised more than three months after the event being complained of will not be considered save in exceptional circumstances.
- Investigation of any complaint or review request will normally begin within five school days and the investigation will be completed as soon as reasonably practicable.

#### **Part 1: Complaining about the actions of a member of staff other than the Headteacher:**

##### **1. Informal Stage**

The complainant is normally expected to arrange to communicate directly with the member of staff concerned. This may be by letter, by phone or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage. In the case of serious concerns, it may be appropriate to address them directly to the Headteacher. An unreasonable refusal to attempt an informal resolution may result in the procedure being terminated forthwith. Any dispute in relation to the 'reasonableness' may be determined through the review process.

##### **2. Formal Stage**

If the complaint is not resolved at the informal stage, the complainant should put the complaint in writing and pass it to the Headteacher who will be responsible for its investigation. The complainant should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. In addition, the Headteacher may meet with the complainant to clarify the complaint. The Headteacher will collect such other evidence as they deem necessary. Where this involves an interview with a member of staff who is the subject of the complaint, that member of staff may be accompanied by a friend or representative.

The investigation will begin as soon as possible and when it has been concluded, the complainant and the member of staff concerned will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion so the complaint cannot be upheld;
- The concern is not substantiated by the evidence;
- The concern was substantiated in part or full (some details may then be given of action the school may be taking to review procedures etc, but details of the investigation or of any disciplinary procedures will not be released);
- The matter has been fully investigated and that appropriate procedures are being followed, which are strictly confidential (e.g. where staff disciplinary procedures are being followed). The complainant will be told that consideration of their complaint by the Headteacher is now concluded. If the complainant is not satisfied with the manner in which the process has been followed, the complainant may request that the Governing Body review the process followed by the Headteacher in handling the complaint. Any such request must be made in writing within two weeks of receiving notice of the outcome from the Headteacher, and include a statement specifying any perceived failures to follow the procedure. The procedure described in Part 3 will be followed.

## **Part 2: Complaining about the actions of the Headteacher**

**1. Informal Stage** The complainant is usually expected to arrange to speak directly with the Headteacher (in the case of serious concerns it may be appropriate to raise them directly with the Chair of Governors). Many concerns can be resolved by simple clarification or the provision of information. If the matter is not resolved – and both parties agree that it is not simply a matter of disagreement on an internal organisational concern – then a third party may be invited to act as a mediator in a further meeting. A refusal, unreasonably, to attempt an informal resolution may result in the procedure being terminated forthwith.

**2. Formal Stage** If the complaint is not resolved at the informal stage, the complainant must put the complaint in writing and pass it to the Chair of the Governing Body who will determine which of the agreed procedures to invoke. If it is determined that the complaint is a 'general non-statutory' one, the Chair will arrange for an investigation. The complainant should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, copies of relevant documents, etc. In addition, the complainant will be invited to meet with the Chair to present oral evidence or to clarify the complaint. The complainant may be accompanied at this meeting by a friend or representative. The Chair will collect such other evidence as is deemed necessary.

The Headteacher will be provided with a copy of the complaint and any additional evidence presented by the complainant or collected by the Chair. Once there has been an opportunity for the Head to consider this, they will be invited to meet separately with the Chair of Governors in order to present written and oral evidence

in response. The Head may be accompanied at this meeting by a friend or representative. When the investigation has been concluded, the complainant and the Headteacher will be informed in writing of the outcome. The complainant will not be informed of any disciplinary/capability action. The complainant will be told that consideration of their complaint by the Chair is now concluded. The complainant may appeal in writing against the decision of the Chair to the Governing Body within two weeks and must include a statement specifying any perceived failures.

### **Part 3: Review Process**

Any review of the process followed by the Headteacher or the Chair of Governors shall be conducted by a panel of three Governors. The review will normally be conducted through a consideration of written submissions, but reasonable requests for oral representation will be considered sympathetically. The complainant and the Headteacher or Chair, as appropriate, will be informed in writing of the outcome. The complainant is not entitled to any details of the investigation except for any statements provided by their child. Any information relating to the application of disciplinary procedures is strictly confidential. If the complainant believes that the Governing Body has acted illegally or arbitrarily in handling the complaint, then the complainant may make representations to the Secretary of State for Education and Skills.

**Policy Review.** The Governing Body reviews this policy every two years. The governors may, however, review the policy earlier than this, if the government introduces new regulations, or if the Governing Body receives recommendations on how the policy might be improved.

Reviewed: February 2018

Next review date: February 2020