

Goose Green Primary and Nursery School



Complaints Procedure

Reviewed SPRING 2014 & will be reviewed in SPRING 2021

Goose Green's Core Professional Purpose is



Life

Responsible Citizens



Learning

Successful Learners



Laughter

Confident Individuals

Goose Green Education Trust
Trustees: R. McDade, J. Condliffe, T. Naik
Company Secretary: S. Chapman

Company No. 08149796



Goose Green Primary and Nursery School Core Purpose Statement

We aim to provide the highest standards of education, in an inclusive and pleasant environment, by developing knowledgeable, curious and caring children within a broad, balanced and personalised curriculum that includes rigorous assessment and all statutory requirements. We value our belief that through fun we can build ambition, independence, resilience and self-worth within every person at Goose Green so that all learners become confident individuals, able to live safe and healthy lives as lifelong learners and responsible citizens who will make an active and positive contribution to a peaceful society that can compassionately deal with economic, social and cultural change.

1. Purpose of the Complaints Procedure:

This procedure meets the standards set out in the Education (Independent School Standards) (England) Regulations 2010 Schedule 1, Part 7 and aims to reassure parents with a child at the academy and the wider community that:

- any concern or complaint will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution; and
- the academy recognises that a willingness to listen to questions and criticism and to respond positively, can lead to improvements in practices and provision for pupils.

2. Scope of the Procedure:

This procedure applies to most general complaints received by the academy which fall outside the scope of the following procedures:

- Complaints which have an alternative statutory avenue of appeal or complaint, for example, curriculum, collective worship, admissions, exclusions and special needs assessments.
- Concerns and complaints which must be dealt with by specific employment procedures, for example, allegations of professional abuse, criminal offences or those that are potentially staff disciplinary issues.

The complainant may be anyone e.g. parent, grandparents, neighbour of the academy or anyone with an interest in the work of the school. However, it is expected that it will be mainly parents who will make use of this procedure.

3. General:

This procedure is available on our school website and from the office. Records of all conversations and meetings with complainants to resolve complaints will be kept within the Formal Stage. Governors' Complaints Panel meeting minutes will be taken. To help prevent recurring complaints, copies of correspondence and notes will be kept on file and monitored.

If at any stage in the procedure it becomes apparent that the complaint falls outside of this general complaints procedure, complainants will be informed. At any point the academy can seek advice from its HR providers or the Education Funding Agency, which handles complaints for the Department of Education.

There may be rare occasions when, despite all the stages of the procedure having been followed, a complainant remains dissatisfied. If the complainant seeks to re-open the same issue, the academy reserves the right to inform him/her in writing that the procedure has been exhausted and the matter is closed.

4. Stage 1: Informal Stage:

The vast majority of concerns and complaints can be resolved directly with staff without any formality. At this stage, it may be unclear whether the person is making a complaint, seeking information or expressing an opinion. In any event, the academy aims to resolve the concern at this point in a speedy and effective way. However, if the concern is not resolved immediately and a complaint is confirmed by the person, the opportunity to discuss the matter with an appropriate member of staff will be given, for example; Headteacher, Phase Leader, or member of the Leadership Team.

In the case of a concern or complaint about the Headteacher, the person will be advised to contact the Chair of Governors.

The member of staff will discuss the issue with the person and those involved, with the aim of resolving the issue as soon as possible. The person will be informed of the outcome of the investigation and what action, if any, the school proposes to take.

If the informal process has been exhausted and no satisfactory solution has been found, the person will be asked by the member of staff dealing with the issue whether (s)he wishes the complaint to be considered formally at **Stage 2** of this procedure.

If wishing to proceed to **Stage 2**, the complainant will be invited to put their complaint and desired outcome in writing to the Headteacher or the Chair of

Governors, using the form attached at Appendix 1. The form should be sent to the Headteacher or the Chair of Governors (as appropriate).

5. Stage 2: Formal Complaint to the Headteacher or the Chair of Governors

Where the complaint has been addressed by the Headteacher (or designated member of staff) at **Stage 1**, this stage will be heard by the Chair of Governors. Where another staff member has addressed the complaint at **Stage 1**, this stage will be heard by the Headteacher.

The Chair of Governors or Headteacher (or designated member of staff) will acknowledge the written complaint, orally or in writing, within **five school days** of receipt and provide an opportunity to meet the complainant to discuss the complaint.

The Chair of Governors or Headteacher will investigate the complaint and either write a response or arrange a meeting within **ten school days** of receipt of the complaint. If this is not possible, a letter will be sent explaining the reason for the delay and providing a revised target date.

The written meeting summary or written response will include full reasons for the conclusions reached by the Chair of Governors or Headteacher and what action, if any, the academy proposes to take. The complainant will be advised in this letter that if they remain unhappy with the outcome they may appeal to an independent panel by notifying the Clerk to the Governing Body in writing **within ten school days**, copying the original complaint form.

The Clerk will then ensure that the complainant is offered the opportunity of taking the complaint to the Panel Hearing at **Stage 3** of this Procedure.

6. Stage 3: Complaint Panel Hearing:

Complaints only rarely reach this stage. However, when the need arises, the Complaint Panel will hear it. Panel members may wish to seek advice from the HR providers at this stage. The aim of this panel is to resolve the complaint and achieve reconciliation between the academy and the complainant. However, it may only be possible to establish the facts of the situation and make recommendations about future action, and to satisfy the complainant that their complaint has been taken seriously.

It is important, should a complaint reach this stage that the panel is impartial and independent and is seen to be so. Individual complaints should not be considered by the whole governing body. The governing body will, therefore, establish a panel to deal with complaints, two members will be governors, who have had no prior involvement with the complaint, and one will be an independent member not involved with the management or running of the academy.

A written acknowledgement of the complaint and the request for it to be heard at **Stage 3** of the Procedure will be sent to the complainant by the Clerk to the Governing Body within **five school days**.

The letter will inform the complainant that the complaint will be heard by the Complaint Panel (CP) within **twenty school days** of receiving the complaint. It will also inform the complainant of the right to submit any further documents other than the complaint form and that these must be made available to the Clerk to the Governing Body within **five school days** of receipt of the acknowledgement letter. The right to call witnesses to the meeting, subject to the approval of the Chair of the Complaint Panel, and the right of the complainant to be accompanied by a companion of her/his choice, will also be explained in the letter.

The Clerk to the Governing Body will send a copy of the letter of acknowledgement of the complaint to the Chair of Governors and/or Headteacher and also a request for a written report in response to the complaint to the CP within **five school days** of receipt of the letter. The right to call witnesses, subject to the approval of the Chair, will also be explained.

The Clerk will then convene a Complaint Panel Hearing, having consulted with all parties on convenient times. The date, time and venue for the hearing will then be confirmed at least **five school days** in advance.

The names of all parties and witnesses (if any) to attend the meeting and all relevant documents to be referred to at the meeting will also be provided by the Chair of the CP, to: the complainant, the Chair of Governors and/or Headteacher; and each panel member.

This will be provided as soon as possible and, in any event, at least **five school days** prior to the meeting.

The meeting will be held following the procedures for hearing a complaint detailed in Appendix 3.

A written decision will be sent to the complainant and the Chair of Governors and/or Headteacher by the Chair of the CP within **ten school days** of the hearing.

The letter will explain that the decision of the Complaint Panel is final but that complaints can be checked by the Department for Education, using the schools complaints form.

7. Stage 4: Complaints to the Department for Education

If the complainant is not satisfied that their complaint has been handled properly they can contact the Department for Education (DfE), using the

schools complaints form, or by post to: Department for Education, Castle View House, East Lane, Runcorn, Cheshire, WA7 2GJ.

The Education Funding Agency (EFA) is the branch of the DfE that deals with complaints from academies and they will consider complaints about academies that fall into any of the following three areas:

- a) Where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint
- b) Where the academy is in breach of its funding agreement with the Secretary of State
- c) Where an academy has failed to comply with any other legal obligation.

The Education Funding Agency will not overturn an academy's decision about a complaint. However, if they find the academy did not deal with a complaint properly, will request it is looked at again from the appropriate stage.

ADOPTED AND SIGNED ON BEHALF OF THE SCHOOL GOVERNING BODY	SPRING 2014
NAME OF GOVERNING BODY REPRESENTATIVE	John Condliffe
SIGNATURE OF THE GOVERNOR	
NAME OF THE SUBJECT CO-ORDINATOR	Sharon Marland
SIGNATURE OF THE SUBJECT CO-ORDINATOR	
THE POLICY IS DUE TO BE REVIEWED IN	SPRING 2021

Appendix 1

Form to notify school of a formal School Complaint (Stage 2 and/or Stage 3)

Child's name (to whom issue relates) -----

Class group -----

Complainant-----

Address and Contact details (including mobile) -----

Email address -----

Details of Complaint:

(Please be as specific as possible e.g. giving dates, who was involved and where etc.)

Please attach a continuation sheet if you wish:

What would you like to see done to resolve your complaint and bring the matter to an acceptable closure for yourself and the school?

Signed: ----- Date: -----

(Complainant)

Please return the completed form to the **Chair of Governors or Headteacher** at the school.

Appendix 2

Composition of the Complaints Panel

- The Complaint Panel (CP) should consist of two members of the governing body and one independent member not involved with the management or running of the academy. A Chair of the CP should be appointed from these three members.
- The Governing Body may decide to appoint the three members annually, together with three reserves, designated in the order in which they would be called upon to stand in order to ensure that members be available to meet within the timescales. The Governing Body may wish to consider the advantages of having a parent governor as a member of the panel.
- No member of the CP should have had prior involvement with the complaint. As the Chair of the Governing Body may be involved at an earlier stage in the procedure (particularly where the complaint is about the Headteacher) it may be wise not to include the Chair as a member of the CP to avoid any possible reference to the Chair being “tainted”.
- It is not considered appropriate for the Headteacher to be a member of the CP. The role of the Headteacher would be to attend the panel hearing to give evidence and s/he may choose to invite staff directly involved in matters raised by the complainant (subject to the approval of the Chair of the CP).

Appendix 3

Stage 3: Complaint Panel: Procedures for Hearing the Complaint

Introduction:

- The aim of the meeting is to resolve the complaint and achieve reconciliation between the academy and the complainant.
- The Chair of the CP will ensure that the meeting is properly minuted.
- Although the meeting will follow the structured order below, given potential sensitivities and anxieties, the Chair will endeavour to ensure that the proceedings are as informal as possible and that all parties are put at their ease.
- The introduction of new information or witnesses, previously not notified to all parties, would be reason to adjourn the meeting so that everyone has time to consider and respond to the new information.

Order of Hearing:

- The Chair welcomes the complainant and his/her companion and introduces the independent CP.
- The Chair explains the purpose of the hearing, the procedure, and that all written evidence has been made available to all parties.
- The complainant/companion explains the complaint, calling in witnesses if appropriate.
- The CP may question the complainant/companion and witnesses.
- The complainant and companion retire from the hearing.
- The Chair welcomes the Headteacher and the Chair of Governors (where the complaint has been addressed by the Chair of Governors at **Stage 2**).
- The Chair explains the purpose of the hearing, the procedure, and that all written evidence has been made available to all parties.
- The Headteacher/Chair of Governors present a response to the complaint, including action taken to address the complaint at **Stages 1 and 2** of the procedure and calling witnesses, if appropriate.
- The CP may question the Headteacher/Chair of Governors.
- The Headteacher and Chair of Governors retire from the hearing.
- The complainant, together with his/her companion, is invited back into the room to make a final statement, and then retire.
- The Headteacher, together with the Chair of Governors, where applicable, is invited back into the room to make a final statement, and then retire.
- The CP considers the complaint and reaches a unanimous or majority decision. The CP also decides what action (if any) to take to resolve

the complaint and, if appropriate, recommends changes to ensure similar complaints are not made in future.

- When a decision has been made, the Chair recalls the complainant, then the Headteacher and each is informed of the outcome and any action to be taken.
- All outcomes are confirmed in writing to both parties in accordance with this Complaints Procedure.