



Procedure for Handling Concerns and Complaints

Formally adopted by the Governing Board of:-	Denver V. C. Primary School
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Chair of Governors:-	Amanda Dawson
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A procedure for handling concerns and complaints

At Denver V. C Primary, we want our pupils to be healthy, happy and safe, and to achieve. We recognise that parents, guardians or carers play an important part in making this happen. Cooperation between parents, staff, and governors leads to a shared sense of purpose and a good atmosphere in the school.

However, we have a clear procedure in place to deal with any complaint made against the school or individuals connected with it. We take complaints seriously and will deal with them in accordance with this policy.

Each level of the procedure set out below offers the opportunity for concerns and complaints to be resolved as quickly as possible.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Denver V. C. Primary School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

How to raise a concern or make a complaint

Level 1 - informal

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Parents, carers or guardians should, in the first instance, make an appointment to speak to the class teacher about the concern. It is better to resolve issues at this point if at all possible. If the issue remains unresolved, the next step is Level 2.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Level 2 of the procedure.

Level 2 – informal

Parents, carers or guardians dissatisfied with the results of the discussions with the class teacher should ask for an appointment to meet with the Headteacher.

If a resolution to the issue is proving difficult to find, the Headteacher can speak to one member of the governing body about the issue who may be willing to offer informal intervention. However, there is no obligation on any governor to become involved at this level.

Level 3 – formal

An issue that has not been resolved through the informal levels 1 and 2 can become a formal complaint. Parents, carers or guardians wishing move to level 3 must write a formal letter of complaint to the Headteacher (unless the complaint is about the Headteacher). This letter will need to set out clearly the issues which have previously been discussed and why the parent, carer or guardian considers the issue to be unresolved.

The Headteacher will consider the complaint and discuss a resolution with the complainant. The Headteacher should offer a resolution to the complaint in writing within 10 school days of receipt of the letter.

The decision that the Headteacher has made as a result of the complaint does not become a complaint about the Headteacher. If the complainant feels the complaint has not been resolved he/she should proceed to Level 4, a Governors' Complaints Panel.

Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher.

Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Vice Chair, via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Level 4 – formal

If a complainant is dissatisfied with the outcome of Level 1, 2 or 3, and wishes to move to Level 4 of the complaints procedure, then they must send a letter to the Chair of Governors to request that a Governors' Complaints Panel meets to hear the complaint. The formal complaint letter must be received within 10 school days of receipt of the Level 3 response concerning the issue. The complainant should write to the Chair of Governors at the school address marking the envelope as 'urgent and confidential'. The letter will need to set out the complaint that has previously been formally discussed with the Headteacher and show why the matter is not resolved.

Before the meeting

The Chair of Governors should appoint a clerk to the Governors' Complaints Panel, acknowledge the complainant's letter in writing within 5 school days of receipt and arrange for a panel of Governors to meet within 15 school days of receipt. It must be recognised that if the letter is received within 14 school days to the end of term it may not be possible to organise the Governors' panel meeting. In this case the matter should be dealt with within 10 school days of reopening.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Headteacher should be given a copy of the complainant's letter and written documentation should be requested from the school. The Clerk should send both the complainant's letter and the school documentation to the Governors' Complaints Panel members, complainant and Headteacher (and anyone involved in the meeting) at least 5 school days before the date of the meeting.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Level 4 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee.

The complainant and Headteacher will be invited to attend the Governors' Complaints Panel meeting to give a verbal statement in support of their documentation. Each of them may bring someone along to provide support. This can be a relative or friend.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Level 1 of the procedure.

At the meeting

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The Governors' Complaints Panel will listen to verbal statements from the complainant and Headteacher. The Governors' Complaints Panel can ask questions to make sure they understand the issue from both viewpoints.

After the complainant and Headteacher (or his/her representative) have provided all the information they wish, the Chair will ask all parties to leave except the panel members and Clerk.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

After the meeting

The Chair of the Governors' Complaints Panel will write to all concerned with a full explanation of their decision and the reason(s) within 10 school days. The decision of the Governors' Complaints Panel is final.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

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

Withdrawal of a Complaint

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

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Denver V. C. Primary School, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none">• Admissions to schools• Statutory assessments of Special Educational Needs• School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Norfolk County Council.

<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Children’s Advice and Duty Service (CADS) on 0344 800 8021.</p>
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school’s complaints procedure.</i></p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school’s complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the school’s internal grievance procedures.</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school’s internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> • National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Denver V. C. Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Next Steps

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 Level 4.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Denver V. C. Primary School. They will consider whether Denver V. C. Primary 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, by telephone on: 0370 000 2288 or by writing to:

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

Complaint Form

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

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

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

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 Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher 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.

Clerk to the Governors' Complaints Panel

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; 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.