



Lyme Community Primary School Parental Complaints Policy and Guidance



Introduction

It is our aim at Lyme to work closely with all parents in a partnership which benefits all children and ensures that their school experience is happy and secure. The home/school agreement clearly states expectations of pupils, staff and parents.

Responsibilities

- The governing body will seek to ensure that the school complies this policy and its procedures are implemented.
- The head teacher along with the governing body will see that the policy and its procedures are implemented and that staff are aware of their responsibilities.
- Visitors to school (particularly supply teachers) will be aware of the Complaints Policy
- Copies of this policy will be available to meet the needs of people, particularly parents and carers, with different communication needs, such as translation into specific different languages, British Sign Language, Braille, etc.)

Equality Act 2010

This policy reflects the school's general and specific duties, as detailed in:

- Code of Practice on the Duty to Promote Race Equality 2001, issued by the Commission for Racial Equality (CRE);
- Preparing a Race Equality Policy for Schools (CRE 2002).

It also refers to the Equality Act 2010 which has replaced all existing equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act. It has consolidated this legislation and also provides some changes that schools need to be aware of:

Race

- The definition of race includes colour, nationality and ethnic or national origins
- Schools need to make sure that pupils of all races are not singled out for different and less favourable treatment from that given to other pupils
- Segregating pupils by race or ethnicity
- Segregation of pupils by race is always direct discrimination. It would thus be unlawful for a school to put children into sets, or into different sports in PE classes, according to their ethnicity

Schools previously had a statutory duty which required them to take proactive steps to tackle racial discrimination, and promote equality of opportunity and good race relations. Under the Equality Act, this has been replaced by the general equality duty and the specific duties.

Religion or belief

The Equality Act defines "religion" as being any religion, and "belief" as any religious or philosophical belief. A lack of religion or a lack of belief are also protected characteristics.

The Equality Act makes it clear that unlawful religious discrimination can include discrimination against another person of the same religion or belief as the discriminator.

- Copies of this policy will be available to meet the needs of people, particularly parents and carers, with different communication needs, such as translation into specific different languages, British Sign Language, Braille, etc.)

Article 3

The best interests of the child must be a top priority in all things that affect children.

Dealing with Complaints – Initial Concerns

It is important to be clear about the difference between a concern and a complaint. Taking formal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

This document deals with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the Class Teacher will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including taking action where appropriate. If a Governor is approached they should not get involved in the complaint but should refer it to the Headteacher.

What is a complaint?

A 'concern' may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought.' A complaint may be generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'. (DFE, January 2016)

From time to time parents express concerns and these are dealt with as a matter of routine through discussion with the class teacher or another member of staff. Occasionally a parental concern may become more serious and develop into a complaint and be a clear statement of dissatisfaction. This may relate to a variety of issues. Anonymous complaints are discouraged as they are difficult to deal with in a way that will be useful to all parties.

Concern or complaints relating to any of the following are not covered by these procedures as separate procedures apply:

- Child Protection
- Freedom of Information Access
- Pupil Exclusions
- School Admissions
- Services provided by other organisations on the school site or through the school
- Staff grievance
- Special Educational Needs assessment procedures
- Whistleblowing by an employee

GUIDELINES

For a general complaint:

Step 1 If a parent is concerned about anything to do with the education or support that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher; most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress.

Step 2 Where a parent feels that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the head teacher. The head teacher will consider all matters of concern very seriously and investigate each case thoroughly. Most complaints would normally be resolved at this stage.

Step 3 Only when an informal complaint fails to be resolved by the head teacher should a formal complaint be made to the governing body. This complaint must be made in writing, stating the nature of the complaint, who has been spoken to already and the preferred outcome. The parent should send this written complaint to the chair of governors via the school office.

For a complaint about the head teacher:

Step 1 If a parent is concerned about anything to do with the behaviour, leadership or management of the head teacher, they should, in the first instance, discuss the matter with the head teacher; most matters of concern can be resolved positively in this way.

Step 2 Where a parent feels that a situation has not been resolved through contact with the head teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the chair of the governing body. The chair will consider all matters of concern very seriously and investigate each case thoroughly. Most complaints would normally be resolved at this stage.

Step 3 Only when an informal complaint fails to be resolved by the chair should a formal complaint be made to the governing body. This complaint must be made in writing, stating the nature of the complaint, who has been spoken to already and the preferred outcome. The parent should send this written complaint to the governing body via the school office.

For a complaint about a governor, the Chair of Governors or the Governing Body

Complaints about a governor should be referred to the Chair of Governors who will investigate and respond to the complainant. In dealing with this matter the Chair should seek advice from the Local Authority's Governor Services Team.

Any appeals against the Chair's response would be dealt with by the Complaints Appeals Committee. Complaints about the Chair of Governors must be referred to the Clerk to the Governors who would arrange from the complaint to be considered by the Complaints Appeals Committee of the Governing Body. Clerks to the Governors should seek advice from the Local Authority's Governor Services.

Governing body complaints committee

The governing body must consider all written complaints within 21 school working days of receipt. The chair of governors will nominate a governor to co-ordinate the procedure and will appoint a complaints panel consisting of 3 governors who are not employees of the school. The nominated co-ordinator will chair the complaints panel.

The co-ordinator will arrange a meeting of the complaints panel to discuss the complaint and will invite the person making it to attend the meeting so that they can explain the complaint in more detail. The school will give the complainant at least five days' notice of the meeting. If the complainant cannot attend the suggested date, a further date will be set. If the complainant does not attend the second date, a third and final date will be set, at which time the meeting will proceed without the complainant present.

The head teacher will write a report addressing the complaint and ensure that the complaints panel members and the complainant receive a copy 4 days before the meeting. (If it is a complaint about the head teacher, the Chair of Governors will write the report).

Resolving Complaints

When making a complaint, the complainant should decide whether they would like to make an informal complaint by discussing their issues with the head teacher or the Chair of Governors, or whether they would like to make a formal complaint, which should be in writing. Once an informal meeting has taken place, the complainant cannot then opt to make the complaint formal.

At each stage in the procedures the School will keep in mind ways in which a complaint can be resolved while recognising that not every complaint is a valid one. Properly followed this procedure will limit the number of complaints that become protracted. However, there will be occasions when despite all stages of the procedures having being followed the complainant remains dissatisfied. If the complainant tries to reopen the same issue the Chair of the Governing Body will inform them in writing that the procedure has been exhausted and that the matter is now closed from the Governing Body's point of view.

Complaints record

The School will make a written record of all formal complaints, how they are dealt with and the outcome in a complaints register.

Unresolved complaints

From 1 August 2012 complaints about maintained schools not resolved by the school that would have been considered by the Local Authority should be addressed to the Secretary of State for Education. The Secretary of State or another member of the Department's ministerial team can be contacted by email at: ministers@education.gsi.gov.uk or by telephone: 020 7925 5065

Reviewed: November 2017

Next Review Due: November 2019

Signed: