

Westhaven School

Complaints Procedure for Maintained Schools

Reviewed by Governors 30/11/23

Based on Best Practice Advice for School Complaints Procedures 2016:
<https://www.gov.uk/government/publications/school-complaints-procedures>

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Rationale

In accordance with Section 29 of the Education Act 2002, all local authority maintained schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the schools provide, unless separate statutory procedures apply. These are listed at the end of this document in the section '*Complaints not in Scope of this Procedure*'.

Any person, including members of the general public may make a complaint; schools must not limit complaints to parents or carers of children who are registered at the school.

An anonymous concern or complaint will not be investigated under this procedure unless there are exceptional circumstances.

In the event that a complaint concerns the well-being or safety of a child, schools have a duty to report this to the Local Authority, and any action taken will be in accordance with the school's Safeguarding Policy.

If it is determined that staff disciplinary or capability proceedings are required to resolve an issue, the complainant will only be informed that action is being taken and the outcome of any such action. The complainant will not be entitled to participate, and the details of the proceedings will remain confidential to the headteacher and/or the individual's line manager.

To allow for a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than three months after the event being complained of will not be considered. However, this may be extended in exceptional circumstances, such as the level of complexity of information needed to review the complaint, or difficulties regarding individuals' availability. A mutually acceptable timeframe will then be agreed with all involved.

Raising a Concern or Complaint

The following is an outline of the three stages that can be used to resolve complaints:

- Stage 1 – Informal
- Stage 2 – Complaint is heard by the Headteacher
- Stage 3 – Complaint is heard by the Governing Body's Appeal Panel

Stage 1: Informal

We aspire to forming good relationships within our school community which we hope will enable you to feel comfortable with communicating your concerns or complaints directly with the member of staff concerned. This may be by letter, telephone or in person by appointment.

We recognise that there is a difference between a concern and a complaint and many concerns can be resolved by simple clarification or the provision of information. It is anticipated that most concerns will be resolved at this informal stage.

In the case of serious concerns, it may be appropriate to address them directly to the Headteacher, or to the Chair of the Governing Body if your complaint is about the Headteacher.

If you are uncertain about who to contact, please seek advice from the school office or the Clerk to the Governing Body.

Stage 2: Complaint to the Headteacher (Formal Stage)

If your concern is not resolved at the informal stage and you wish to make a formal complaint, you must put the complaint in writing to the Headteacher, who will be responsible for ensuring that it is investigated appropriately.

If your complaint directly concerns the Headteacher (or a Governor), you should write to the Clerk to the Governing Body for the attention of the Chair.

If your complaint concerns the Chair of Governors, you should contact the Clerk to the Governors where an informal resolution will be sought. If this fails, the complaint will go straight to Stage 3 of the procedure and the Vice Chair or an independent investigator will conduct the proceedings.

A Complaint Form is attached to this policy at [Appendix 1](#).

If for any reason you are unable to submit the complaint in writing we will, on request, offer appropriate help and assistance.

Your letter of complaint should include all details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern.

Please pass the completed form, in a sealed envelope, to the Headteacher or the Clerk to the Governing Body, as appropriate.

The Headteacher (or Chair of Governors) may invite you to a meeting to clarify your concerns and to seek an informal resolution. If you accept that invitation, you may be accompanied by a friend or family member (not acting in a legal capacity), if you wish, to assist you in explaining the nature of your concerns. Brief notes of the meeting will be kept and a copy of any written response will be added to the record.

If it is not possible to resolve your complaint through a meeting with the Headteacher (or Chair of Governors), arrangements will be made for the matter to be fully investigated using the appropriate procedure. In any case, you should learn in writing, within five school working days of the school receiving your formal complaint, of how the school intends to proceed. This notification will include an indication of the anticipated timescales.

Any investigation will begin in accordance with the above-mentioned timeline and when it has been concluded you will be informed in writing of its conclusion.

If you are not satisfied with the decision or the manner in which the process has been followed, you can request that the Governing Body reviews the process followed by the school in handling the complaint. Any such request must be made in writing to the Clerk to the Governing Body within ten school working days of receiving the notice of the outcome, and must include a statement specifying any perceived failures to follow the procedure.

Members of the Reviewing Panel will have no prior knowledge of the content of the complaint, however if you feel that there is likely to be a bias, you have the right to request an Independent Panel. Timescales may be affected whilst members of an Independent Panel are sourced.

Stage 3: Governing Body Appeals Panel Review Process

Any review of the decision and/or process followed by the school will be conducted by a panel of three members of the Governing Body. This will usually take place within ten school days of receipt of your request.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make direct representations will be considered sympathetically. The Panel will first receive written evidence from the person making the complaint.

The Panel will then invite representatives of the school as appropriate to make a response to the complaint (usually the Headteacher or the Chair of the Governing Body Panel that has considered the matter).

The Panel will also have access to the records kept of the process followed.

You and the school representative(s) will be informed in writing of the outcome, usually within five school days of the Panel meeting.

The matter will then be closed as far as the school is concerned.

If you are not satisfied with the decisions of the Governing Body, then you may make representations to the Secretary of State for Education:

National Helpline: 0370 000 2288

Online: www.education.gov.uk/help/contactus

In writing: Department for Education, School Complaints Unit, 2nd Floor, Piccadilly Gate, Store Street, Manchester, M1 2WD

Complaints not in Scope of this Procedure

Separate statutory procedures are in place for the following exceptions:

- Admission to schools
- Exclusion of children from school
- Statutory assessments of Special Educational Needs
- School re-organisation proposals
- Matters likely to require a Child Protection Investigation
- Whistleblowing

- Staff grievances and disciplinary procedures
- Complaints about services provided by other providers who may use the school premises or facilities

What action, if any, have you already taken to try to resolve your complaint? Who did you speak to and what was the response?

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

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

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If it has been more than three months since the incident, please explain the delay in making your complaint

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Signature:

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Date:

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For Official Use Only:	
Date acknowledgement sent:	
By whom:	
Complaint referred to:	
Date:	

Written:	Sep 2016
Review Date:	November 2023
Signed by Chair of Governors / Chair of Committee:	
Date:	30/11/23
Date of Next Review:	Oct 2024 or at next NS review

History of Document

Version No.	Author/ Owner	Date Reviewed	Approved by Governors on	Comments	Next Review Date
1	North Somerset	21/9/17	21/9/17		Sep 2019
	North Somerset	14/2/19	14/2/19	No change	Oct 2020
V1.2	North Somerset	15/10/20	15/10/20	No change	Oct 2022
V1.3	North Somerset	22/09/22	22/09/22	No change	Oct 2024
V1.4	North Somerset	30/11/23	30/11/23		October 24

