




SHAP ENDOWED CHURCH OF ENGLAND PRIMARY


COMPLAINTS PROCEDURES

2022 - 2024

Approved by¹	
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Position:	Head teacher Vice Chair of Governors
Signed:	
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Proposed review date²:	Autumn 2024

REVIEW SHEET

The information in the table below details earlier versions of this document with a brief description of each review and how to distinguish amendments made since the previous version date (if any).

Version Number	Version Description	Date of Revision
1	Original	September 2018
2	Updated to include: <ul style="list-style-type: none"> ▪ definitions of concerns and complaints, ▪ reference to our Christian Vision, ▪ procedures for anonymous complaints, ▪ procedures for complaints out of school time, ▪ details of the scope of the procedures, ▪ details of 'next steps'. 	 Autumn 2020
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SHAP C of E SCHOOL

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Anyone who has dealings with the school can use this procedure, whether a pupil, a parent or carer, a visitor, a neighbour, or a provider of a service to the school.

If you wish to raise a concern or complain on someone else's behalf, the school will only deal with this if the person on whose behalf you are complaining is unable to do so for themselves. If this is the case, we may be able to direct you to or obtain support from a local advocacy service, such as [People First](#).

Unless complaints are required to be dealt with under separate statutory procedures (see Scope of this Complaints Procedure, below), we will use this complaints procedure.

How will my concern or complaint be handled?

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 defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

Our procedure has three stages:

1. Responding to concerns
2. Investigating complaints
3. Appeal to the governing body

At any point in the handling of your complaint, there is also the possibility of a 'resolution' meeting. The school will try to deal with your complaint as quickly as possible. If you have concerns about the time being taken, you should raise this with the Clerk to the governing body.

We expect concerns and complaints to be brought to the attention of the school as quickly as possible. Complaints notified to the school after three months from the date of any incident will usually be ruled 'out of time', unless there are exceptional circumstances.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. At each stage in the procedure, Shap Endowed CE Primary School wants to resolve the complaint, with our Christian Vision in mind: ... *nurturing one another in order to create an environment from which all can soar*. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Shap Endowed CE Primary School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Shap Endowed CE Primary School will attempt to resolve the issue through the stages outlined within this complaints procedure. If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Will anonymous complaints be investigated?

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

How will complaints received outside of term time be managed?

We will consider complaints made outside of term time to have been received on the first school day after the holiday period, unless there are safeguarding concerns which require immediate attention.

What is the scope of this complaints procedure?

This procedure covers all complaints about any provision of community facilities or services by Shap Endowed CE 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 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Cumbria County Council</p>
<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 Multi-Agency Safeguarding Hub (MASH). LADO – 03003 033892 lado@cumbria.gov.uk. Cumbria safeguarding Hub 0333 240 1727 safeguardinghub.fax@cumbria.gov.uk</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> <p>https://primarysite-prod-sorted.s3.amazonaws.com/shap-cumbria/UploadedDocument/893134a6fed34a4b8fe54b179fdc77cf/whole-school-behaviour-policy-and-procedures-september-2020.pdf</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</p>

	<p>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 	Complaints from staff will be dealt with under the school's internal grievance procedures.
<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 	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
<ul style="list-style-type: none"> • National Curriculum - content 	Please contact the Department for Education at: www.education.gov.uk/contactus

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 Shap Endowed CE 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.

What are the three stages of the complaints procedure?

1. Responding to concerns

If your concern is about something that a person has or has not done, for example a member of staff, the Headteacher, a governor, or a volunteer, you should make an arrangement through the school office to discuss the concern with that person or their manager. If your concern is about an aspect of school practice or policy, you should contact the Headteacher. We want to respond to your concern as quickly as possible, but it may not be possible to arrange an immediate meeting: an appointment within a few days may be necessary. Please do not approach staff while they are 'on duty'.

We can reassure you that most concerns are usually resolved at this stage. We will give you a verbal response, usually within 5 school days, and may confirm this in writing.

2. Investigating complaints

If you remain dissatisfied by our response to your concern, then you should make a formal complaint in writing to the Headteacher, even if you have already met and discussed the concern. The Headteacher will arrange for the complaint to be investigated. *Note: The headteacher may delegate the investigation to another senior member of school's staff but not the decision to be taken.*

If your complaint is about the Headteacher, you should contact the Chair of Governors who will arrange for it to be investigated by a nominated member of the governing body. If your complaint is about the Chair of Governors, you should contact the Clerk to the governing body, who will make the arrangement.

In all cases:

- state that you are making a complaint
- give specific details
- say what you want the school to do to put things right

If you need help to set out your complaint in writing, the school will arrange for this for you. All letters should be sent to the school address, marked 'Confidential: for immediate attention'.

The Headteacher, staff member or governor nominated to investigate and respond to your complaint should:

- Contact you and arrange to meet or discuss the complaint and confirm with you, what will be investigated;
- Review any documents and meet with relevant staff and/or witnesses (though governors will not usually interview children);
- Seek and consider independent advice, such as from the local authority;
- Write a response letter with a decision and explain how to make any appeal.

Please be aware that if your complaint alleges misconduct by a member of staff, the school must use a separate procedure which is confidential to the employer and employee. You will not normally be given any details of the outcome and the right of appeal does not apply.

This process should take no longer than 20 school days. If there is likely to be a delay, the investigator should contact you again to explain why and indicate a new timescale.

3. Appeal to the governing body

If you remain dissatisfied with the outcome of the investigation, you may appeal to the governing body. The Chair of Governors (or the Clerk) will arrange for a panel of governors to consider your appeal and respond to you within a set timescale. For complaints about staff (except the Headteacher) or volunteers who work in school, this is the final stage of the complaints procedure and the panel's decision is final. If you are complaining about the Headteacher, or about a member of the governing body and are dissatisfied with the nominated governor's response, you have a right to appeal to a panel of governors (not including the nominated governor who first investigated your complaint).

The letter giving the school's decision following the investigation will tell you how to make an appeal. This is usually by writing to the Clerk within 10 school days of the date of the response letter. The governing body will arrange for a panel of three governors to review your complaint. After this review, the panel will notify you of their decision. This will include informing you that the school's procedure has been exhausted and that the matter is now closed. There is no further right of appeal to the school against the decision.

The appeal process should take no longer than 20 school days. If there is likely to be a delay, the Chair of the appeal panel should contact you again to explain why and indicate a new timescale.

Are there any 'next steps' following the three stages within the complaint's procedure?

Department for Education

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 an appeal to the governing body.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Shap Endowed CE Primary School. They will consider whether Shap Endowed CE 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

Ofsted

If your complaint is about a whole school issue, you have a separate right to complain to the Office for Standards in Education (Ofsted). Contact details can be found at www.ofsted.gov.uk. Note, however, that Ofsted do not consider complaints relating to individual children but they may use the information to bring forward an inspection.

What are unreasonable, abusive or harassing complainants?

The school expects anyone who wishes to raise problems with the school to:

- treat all staff with courtesy and respect;
- respect the needs of pupils and staff within the school;
- recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to your concern;

Whilst we recognise that some concerns may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour, and will take steps supported by legal action as appropriate to ensure that the school can continue its work safely and securely.

Vexatious complaints

There may be an occasion where, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If a complainant tries to reopen the same issue or theme, the Chair of the governing body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue or theme, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school to respond.

Further Information

For any complaint about the following, contact the local authority on 0800 121 8800 for advice and information

- an appeal against a decision relating to the admission or exclusion of your child
- an appeal against a local authority decision about your child's special educational needs
- an allegation of child abuse or other criminal offence

The governing body is not responsible for handling complaints about third party providers offering community facilities or services through our premises or using school facilities for external events. The governing body will however take reasonable steps to ensure that such providers have their own complaints procedures.

