Spurcroft Primary School – Complaints Procedure

STATUS:	DATE AGREED:	REVIEW DATE:
Procedure: Statutory/Recommended/Additional	OCTOBER 2025	OCTOBER 2027
WRITTEN BY:	**SIGNED:**	
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CONSULTATION:		
STAFF & GOVERNORS		
RESOURCES AND REFERENCES:		
West Berkshire Managing Complaints Toolkit		
PURPOSE AND AIMS:		
This procedure document aims to give clear information on how to raise a concern or complaint, and on how issues are addressed. This procedure applies to any person, including members of the general public, who may make a complaint about any provision of facilities or services that a school provides.		
PROCEDURE STATEMENT:		

Stages in the Procedure
The procedure is divided into three school based stages with a further external Appeal Stage.

1. **The Informal Stage** aims to resolve the concern through informal means at the appropriate level in school.

2. **Formal Stage** is the stage at which written complaints are considered by;

- The Head teacher **or**
- The designated governor, who has special responsibility for dealing with complaints, *This will apply if the complaint is against the Head teacher* **or**
- An Independent Investigating Officer if appropriate.

3. **Formal Appeal Stage is** the last school based **formal stage.**
It involves a Complaints Appeal Panel of governors. The Panel reviews how the investigation has been conducted.

4. ***External Appeal*** *is a further formal stage where the complainant can contact the Secretary of State if they remain unsatisfied with the way in which the investigation has been handled. Having exhausted the previous stages, complaints can be taken to the Secretary of State for Education but only on the grounds that the governing board is acting, or proposing to act, unreasonably or illegally.*

Timeline for making a formal complaint

It is expected that a complaint is made as soon as possible after the incident. However in keeping with guidance from the DfE, we consider three months to be a reasonable timeframe in which to lodge a complaint. In some circumstances a longer time frame may be considered, but this will be at the discretion of the school and governing board.

1. **Informal Stage – your initial contact with the school**

   Many concerns will be dealt with informally when you make them known to us. The first point of contact is normally your child's class teacher.

Senior Leaders can be approached as the next step: -

- Deputy Headteacher & SENCO: Mrs R Davey
- Headteacher: Mrs J Griffiths

Concerns about Safeguarding should always be sent to the Headteacher.

a. Once your concern is made known to us, we will see you, or contact you by telephone or in writing, as soon as possible. If it is necessary, all members of staff know how to refer to the appropriate person with responsibility for your particular issues. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.

b. Any actions or monitoring of the situation that has been agreed will be communicated clearly to you.

c. If necessary we will contact appropriate people who may be able to assist us with our enquiries into your concern.

d. We will normally update you on the progress of our enquiries within 10 school days. Once we have responded to your concern, you will have the opportunity to ask for the matter to be considered further.

e. If you are still dissatisfied following this informal approach, you can approach the Headteacher informally and ask for a review and follow up. Alternatively you can raise it as a formal complaint and we will deal with it at the next stage.

2. **Formal Stage - Formal consideration of your complaint**

a. This stage in our procedure deals with formal complaints. It applies where you are not happy with the informal approach in dealing with your concern, as outlined above. In order to manage the complaint effectively, it is requested that a formal complaint is put into writing and we provide a sample form for this purpose, should you wish to use it. You may, of course, provide your own written letter, of make a complaint in person or on the telephone. We do appreciate that in

certain circumstances you may require assistance to make a formal complaint and we therefore request you contact the Clerk to Governors to discuss your requirements. The email address is clerk@spurcroft.w-berks.sch.uk

Formal Stage proceedings will be conducted by an Investigating Officer. This will typically be one of the following:

- The Head teacher – or member of staff the Head teacher has delegated this to.
- The Chair of Governors (if the complaint is against the Head teacher)
- Another Governor if delegated by the Chair of Governors
- An Independent Investigating Officer, designated by either the Head teacher or Governance (if appropriate to the circumstances)
- The Vice Chair of Governors, if the complaint is against the Chair of Governors.
- The Chair of Governors, if the complaint is against a Governor.
- An Independent Investigating Officer, if the complaint is against more than one governor.
- Complaints about Safeguarding should always be sent to the Headteacher.

b. Normally, your written complaint should be addressed to the Head teacher. If, however, your complaint concerns the Head teacher personally, it should be sent to the Clerk to the Governors marked "for the attention of the Chair of Governors" clerk@spurcroft.w-berks.sch.uk
c. We will acknowledge your complaint in writing within five school working days.
d. We will enclose a copy of the complaint policy and procedures with the acknowledgement.
e. As part of our consideration of your complaint, we may/will invite you to a meeting, either in person or by Teams meeting where appropriate, to discuss the complaint and fill in any details required. This will help us to ensure that we fully understand your complaint and can investigate appropriately. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
f. The Investigating Officer may be accompanied by an appropriate person if they wish.
g. Following the meeting, the Investigating Officer will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
h. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
i. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
j. The Investigating Officer will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
k. Normally we would expect to respond in full within 20 school days but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
l. Once we have established all the relevant facts, we will send you a written response to your complaint. We may *invite* you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you. The letter will give an explanation of the Investigating Officer's findings and decision and the reasons for it. If follow-up action is needed,

we will indicate what we are proposing to do.

m. The Investigating Officer will indicate if your complaint is up held, partially upheld or not upheld as appropriate.
n. If you are unhappy with the way in which we reached our conclusions, you may wish to proceed to **Formal Appeal Stage** – Consideration by a Governors' Appeal Panel as described below.

3. Formal Appeal Stage - Consideration by a Governors' Appeal Panel

This stage is to review the investigation to ensure that correct procedures have been followed and that the investigating officer made a fair decision. The purpose at Stage 3 is not to reopen the case, unless the procedures were not followed correctly.

a. If the complaint has already been through **2 Formal Stage** and you are not happy with the way in which the complaint has been investigated, you can take it to a Governors' Appeal Panel. This is a formal process, and the ultimate recourse at school level.
b. The purpose of this arrangement is to give you the chance to present your arguments in front of a panel of governors who have no prior knowledge of the details of the case and who can, therefore, consider it without prejudice.
c. If you intend to progress to the Formal Appeal Stage, you are required to notify this within 10 working days of the response received at Formal Stage One.
d. However, the purpose of a panel is **not to rehear** the complaint.
e. The aim of the appeal panel is to:
   - Review how the complaint has been investigated
   - To determine whether this has been conducted fairly.
   - To establish facts *and*
   - Make recommendations, which will reassure you that we have taken the complaint seriously and taken on board any lessons that can be learned following your complaint.
f. The Governors' Appeal Panel operates according to the following formal procedures:
g. The governing board will convene a panel of three governors and will aim to arrange for the panel meeting to take place within **twenty school days.**
h. You will be asked whether you wish to provide any further written documentation in support of your appeal. Any additional documentation should be submitted prior to the review panel meeting. This documentation should **not introduce new material or a new complaint.**
i. Additional documentation must be **received five school days** in advance of the date set for the Appeal Meeting, in order to allow the panel time to read the material.
j. The Investigating Officer, will be asked to prepare a pack of the documentation related to the investigation and the outcome for the panel. The panel can request additional information from other sources if necessary.
k. You will be informed, at least **five school days** in advance, of the date, time and place of the meeting. We hope you will feel comfortable with the meeting-taking place in the school but we will do what we can to make alternative arrangements if you prefer. However, we cannot guarantee that this will be possible.
l. With the letter, you will receive any relevant correspondence or reports regarding **2 Formal Stage**.
m. The letter will explain what will happen at the panel meeting. It will state that you may be accompanied to the meeting. The choice of person to accompany you is your decision. It is usually best to involve someone you have confidence in, but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on

your behalf if you wish. It is not appropriate to bring a solicitor or other legal representative to this meeting.

n. If it is necessary in the interests of ratifying the investigative process, the Investigating Officer may, with the agreement of the Chair of the Appeal Panel, invite relevant witnesses directly involved in matters raised by you to attend the meeting.

o. The Chair of the Appeal panel will bear in mind that the formal nature of the meeting can be intimidating and will do his or her best to put you at your ease.

p. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.

q. The Chair of the Panel will ensure that the meeting is properly minuted. Any decision to share the Minutes with the complainant is a matter for the panel's discretion. The complainant does not have an automatic right to see or receive a copy as the Minutes are the property of the governing board. Since such Minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.

r. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the Clerk can then be asked maintain confidentiality in the minutes.

s. During the meeting, you can expect there to be opportunities for:
   - The panel to hear you explain your case and your argument for why it should be heard at **Stage 3**
   - The panel to hear the complaint investigator's case in response;
   - You to raise questions via the Chair;
   - You to be questioned by the complaint investigator through the Chair;
   - The panel members to be able to question you and the complaint investigator; and
   - You and the Head teacher/complaint investigator to make a final statement.

t. In closing the meeting, the Chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to you and the Head teacher **within five school days**. All participants other than the panel and the Clerk will then leave.

u. The panel will then consider the complaint and all the evidence presented in order to:
   i. Reach a unanimous, or at least a majority, decision on the case;
   ii. Decide on the appropriate action to be taken, if necessary; and
   iii. Recommend, where appropriate, to the governing board changes to the school's systems or procedures to ensure that similar problems do not happen again.

v. The Clerk will send you and the Head teacher a letter outlining the decision of the panel. The letter will also explain that you are entitled to have the handling of the complaint reviewed by the Secretary of State for Education.

w. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

Closure of Complaints

We will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of a complainant's wishes. Sometimes it is simply a case of "agreeing to disagree". If a complainant persists in making representations to the school – to the Head teacher, designated governor, Chair of Governors or anyone else – or to the LA, this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.

If a complainant is persistent, the school leadership team and governing board are able to enact the Persistent Complainants Policy in order to manage the situation and issues, particularly when these are having an adverse effect upon the ability of staff to conduct their day to day roles.
Where you have been through the school's internal complaints procedures (with recourse to a complaints review panel) and are still unhappy with the outcome or decision from the governing board, you can contact the Secretary of State for Education via the DfE website www.education.gov.uk, by telephoning 0370000 2288 or by writing to the address below:

The School Complaints Unit (SCU), Department for Education, Piccadilly Gate, Store Street, MANCHESTER, M1 2WD

Please enclose with your letter to the DfE a copy of our complaint outcome letter. This will save time in that the DfE will not need to ask for our view of what has happened,

MONITORING AND EVALUATING:

This procedure is revised every two years and monitored through the reporting of complaints to the Governing Board by the Headteacher.

SAFEGUARDING STATEMENT

We are committed to safeguarding and promoting the welfare of all pupils in our care. The health, safety and well-being of all our pupils is taken seriously and all staff and volunteers are aware of their responsibilities and will do all they can to provide a safe, caring and positive environment where children feel happy and secure.

Appendix 1 **Sample Form for making a Formal Complaint**

(Please note that a formal complaint can also be made in person and by telephone. Please inform the person you speak to that you are making a formal complaint.)

FORMAL COMPLAINT FORM

Title of Complaint:	
Name of person making the complaint.	
Address:	
Postcode:	
Daytime telephone number:	
Evening telephone number:	
Email address:	
Name of child(ren) and year group (if applicable):	
Your relationship to the school e.g. parent/carer/neighbour/member of the public/student:	

Please give details of your complaint in the box below;

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

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

Signature:	
Date:	

For School Use:

Date Complaint received	
By Whom:	
Complaint referred to:	
Date acknowledgment sent:	