



## **Complaints Procedures Policy**

### **Introduction.**

The school complaints procedure policy was developed from Local Authority and Department for Education guidelines by the Ambleside policy group and agreed by the whole staff. The policy was approved and ratified by the Ambleside policy group in the Spring Term 2017 and has the full agreement of the governing body.

### **Aims**

At Ambleside Primary School, we aim to maintain a caring, supportive and disciplined learning environment where children benefit from the best possible education. All staff are committed to this aim.

### **Summary of the policy**

Ambleside Primary school's complaints policy includes 6 levels of the complaints procedure and guidance:

- Level 1 - informal appointment with class teacher
- Level 2 - informal appointment with the year group leader
- Level 3 - informal appointment with one of the assistant head teachers
- Level 4 – informal appointment with the deputy head teacher
- Level 5 - formal complaint letter to the head teacher
- Level 6 - formal complaint to the chair of governors
- Level 7 - formal referral to a governors' complaints panel.

Please note: The complaints procedure also addresses the process to follow when concerns or complaints are raised about a specific governor(s).

### **Procedure for handling concerns and complaints at Ambleside Primary School**

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

#### **Level 1 – Informal**

Parents, carers or guardians should, in the first instance, make an appointment to speak to the class teacher about the concern. It is best to resolve issues at this point.

Guidance on informal level 1:

- Concerns should initially be handled informally in a manner that offers the best way of resolving issues.
- A class teacher should offer an appointment to discuss the issue as quickly as possible, as this will give both parties time to talk about it calmly and politely without being interrupted. This can allow parties to remain calm. It will also show a commitment to resolving issues.
- It is important for parents to recognise that schools are busy organisations and that it may not be possible to offer an appointment straight away.
- The parties involved should be encouraged to offer their view of what would be a realistic resolution to the problem.

### **Level 2 – Informal**

Parents, carers or guardians dissatisfied with the result of the discussions with the class teacher should ask for an appointment to meet with the year group leader. If a resolution to the issue is proving difficult to find, the year group leader can speak to the assistant head teachers about the issue, who may be willing to offer informal intervention. If everyone involved is unable to resolve the issue, then it may be necessary to ask for independent information from Nottingham City Council.

Guidance on informal level 2:

- It is always best to resolve issues informally at the earliest possible time but if the person is not satisfied with the result of the appointment with the teacher or phase leader then he/she can ask for an appointment to meet with one of the deputies.
- It is in everyone's interest, particularly the child or children, for concerns and complaints to be sorted out quickly and smoothly.
- The aim should be that discussions end on a positive note with no bad feeling.

It is hoped that most problems will have been resolved by now.

### **Level 3 – informal complaint to one of the assistant head teachers**

Parents, carers or guardians dissatisfied with the result of the discussions with the class teacher and year group leader, an appointment is made to meet with the assistant head teachers. If a resolution to the issue is proving difficult to find, the assistant head teachers can speak to the deputy head teacher about the issue who may be willing to offer informal intervention.

### **Level 4 – informal complaint to the deputy head teacher**

Parents, carers or guardians dissatisfied with the result of the discussions with the class teacher, year group leader and assistant head teachers, an appointment is made to meet with the deputy head teacher. If a resolution to the issue is proving difficult to find, the deputy head teacher can speak to the head teacher about the issue who may be willing to offer informal intervention.

### **Level 5 – formal complaint letter to head teacher**

An issue that has not been resolved through the informal levels 1, 2, 3 and 4, can become an official complaint. Parents, carers or guardians wishing to move to level 4 must write a formal letter of complaint to the head teacher. The letter will need to set out clearly the issues which have previously been discussed and why the parent, carer or guardian considers the issue still to be unresolved. The

head teacher will acknowledge the written complaint within five working days, consider the complaint and discuss a resolution with the complainant. The head teacher will respond to the complainant in writing within 15 school days of receipt of the letter.

#### Guidance on level 4 - formal:

- An unresolved issue can now move to a formal complaint. This is a serious step to be taken. In consideration of future home/school relationships everyone concerned will need to negotiate an agreement and concentrate on finding a resolution to the issue.

### **Level 6 – Formal complaint to chair of governors**

An issue that has not been resolved through the informal levels 1, 2 and 3 and formal level 4 can be referred in writing to the chair of governors. The chair of governors will acknowledge the written complaint within five working days and consider the complaint alongside evidence collected by the school on the matter. The chair of governors will respond to the complainant in writing within 15 school days of receipt of the letter and convene a meeting as appropriate.

### **Level 7 - formal referral to a governors' complaints panel**

Where an issue has not been resolved through the earlier levels of the process, the chair of governors will convene a governors' complaints panel. One member of the panel shall be independent of the management and running of the academy. It is a matter for the school to identify suitably independent individuals who can fulfil the role and responsibility of being the independent member. The role of this panel shall be to review all of the evidence objectively and the procedure as followed. The recommendation of this panel will be final.

### **Concerns or complaints specifically about the head teacher**

If the concern or complaint is specifically about the head teacher and is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the chair of governors. The school will provide the chair of governor's name and the complainant should write to him or her at the school address marking the envelope 'urgent, private and confidential'. The chair of governors should acknowledge the complainant's letter in writing within five school days of receipt.

### **Concerns or complaints specifically about a governor**

A formal complaint against a governor other than the chair should be referred to the chair, who will seek to resolve it. The school will provide chair of governor's name and the complainant should write to him or her at the school address marking the envelope 'urgent, private and confidential'. The chair of governors should acknowledge the complainant's letter in writing within five school days of receipt. A governor who is the subject of the complaint will normally be advised of the situation immediately. If it cannot be resolved by the chair, the complaint will be considered to be a Level 6 – formal complaint and therefore will be considered by a governors' complaints panel. Complainants will be informed of the limited powers of such a committee in these circumstances. If the complaint is upheld or upheld in part, the committee may make recommendations to the governing body. If necessary, the complaints panel may be composed of governors from another school within Nottingham City.

However, if the complaint involves a child protection issue, child protection arrangements will come into force.

## **Complaints against the chair of governors**

In the event of a formal complaint being made against the chair of governors, which is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the vice-chair of governors. The school will provide the vice-chair of governor's name and the complainant should write to him or her at the school address marking the envelope 'urgent, private and confidential'. The vice-chair of governors should acknowledge the complainant's letter in writing within five school days of receipt.

A governor who is the subject of the complaint will normally be advised of the situation immediately. The complaint will be considered to be a Level 7 – formal complaint and therefore will be considered by a governors' complaints panel. Complainants will be informed of the limited powers of such a committee in these circumstances. If the complaint is upheld or upheld in part, the committee may make recommendations to the governing body. If necessary, the complaints panel may be composed of governors from another school within Nottingham City.

However, if the complaint involves a child protection issue, child protection arrangements will come into force.

Complainants wishing to move to level 7 of the formal complaints procedure will need to write a letter to the clerk of the governors to request that a governors' complaints panel be convened. This formal complaint letter must be received within 15 school days of the last meeting with the head teacher concerning the issue. The complainant should write to the chair of governors at the school address marking the envelope 'urgent and confidential'. The letter will need to set out the complaint that has previously been formally discussed with the head teacher and show why the matter is not resolved. Additionally, it should detail what actions would resolve the complaint.

### **Before the meeting:**

The chair of governors should:

- appoint a clerk to the governors' complaints panel who will take the minutes
- acknowledge the complainant's letter in writing within 10 school days of receipt
- arrange for a panel of governors to meet within fifteen school days of receipt
- provide the head teacher with a copy of the complainant's letter, and request written documentation relevant to the complaint from the school.

The clerk should send both the complainant's letter and the school documentation to the governors' complaints panel members, complainant and head teacher (and anyone else involved in the meeting) at least 10 school days before the date of the meeting.

The complainant and head teacher will be invited to attend the governor's complaints panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.

### **At the meeting:**

The complainant and head teacher (or his/her representative) should provide all the relevant information they wish and the governors' complaints panel members should ask for any points to be

clarified. After the complainant and head teacher (or his/her representative) has provided all the information they wish, the chair will ask all parties to leave except the panel members and the clerk.

### **After the meeting:**

The governors' complaints panel will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate. The decision of the governor's complaints panel is final.

A complaint may be made to the Secretary of State for Education if a person believes that the governing body is acting 'unreasonably' or is failing to carry out its statutory duties properly (see sections 496 and 497 of the Education Act 1996). However, intervention can only occur if the governing body has failed to carry out a legal duty or has acted unreasonably in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State could instruct either party to do to put matters right. The Secretary of State must be satisfied that a decision is unreasonable in the sense that no reasonable authority or governing body, acting with due regard to its statutory responsibilities, would have reached that decision.

### **Guidance on level 7 - formal:**

#### **Before the meeting:**

The Complaints Panel must be made up of at least three governors and a clerk. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

#### **At the meeting:**

The aim of the meeting, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

- Although this is a formal meeting, every effort should be made to make it as informal as possible for all concerned.
- Everyone attending should be in the room at the same time
- Consideration may need to be given to the seating arrangements to make everyone feel equal and comfortable.
- The clerk should take notes of the meeting, including listing who is present:
  - governors, stating who is the chair of the governors' complaints panel
  - head teacher (or his/her representative) and any other members of school staff
  - parents and anyone accompanying them e.g. friend
  - clerk
- These minutes will remain confidential and this needs to be stated as such at the meeting.
- The chair of the governors' complaints panel should open the meeting stating the purpose and the format of the meeting to clarify this to all in attendance.
- People present should introduce themselves stating their reason for being at the meeting.
- The chair of the governors' complaints panel should request a verbal statement from the complainant in support of his or her written letter of complaint and why she/he feels the issue has not been resolved. The governors' complaints panel members can ask questions to make sure they understand the issue from the complainant's point of view.

- The chair of the governors' complaints panel should request a verbal statement from the head teacher (or his/her representative) in support of his/her written account of the complaint and the steps taken to resolve the issue. The governors' complaints panel members can ask questions to make sure they understand the issue from the head teacher's point of view.
- The members of the governors' complaints panel should make sure they fully understand the issues and ask any further questions to clarify any points that are still not clear to them.
- The chair of the governors' complaints panel must ask the complainant and the head teacher (or his/her representative) if they are satisfied that they have provided all the information they wanted or if there is something they wish to add and if they feel they have had a fair hearing.
- When the governors' complaints panel members understand all the issues, the chair will ask all parties to leave except the panel members and the clerk.

#### After the meeting:

- The governors' complaints panel members then discuss the issues in private and the clerk remains to record the decision.
- The panel members will need to consider the information, come to a decision and suggest a way to resolve the issue taking into account the best interests of the child or children.
- The panel can:
  - dismiss the complaint in whole or in part;
  - uphold the complaint in whole or in part;
  - decide on the appropriate action to be taken to resolve the complaint;
  - recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.
- When the panel have reached a decision the clerk will inform everyone concerned in writing as soon as possible, but in any event, within 10 school days of the panel meeting. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

The decision of the governor's complaints panel is final.

Once a governor's complaints panel has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the chair of governors should inform the complainant that the matter is closed.

#### **Vexatious Complainants:**

It is important to distinguish between people who make a number of complaints because they really think things have gone wrong, and people who are being difficult. Complainants can be frustrated and aggrieved and it is therefore important to consider the merits of the case rather than their attitude. Even though someone has made vexatious complaints in the past, it cannot be assumed that the next complaint is also vexatious. Each complaint must be considered as to whether it is vexatious or genuine and followed through thoroughly.

#### **Exceptions to the Policy**

The exceptions to this requirement are complaints relating to the collective worship and religious education, some Special Educational Needs issues and admission, where the Local Authorities have statutory responsibilities. The head teacher or deputies can give information about this and advice on whom to contact in Nottingham City Council.

There are certain other complaints which fall outside the remit of the governing body's complaints procedure, for example, staff grievances or disciplinary procedures.

Allegations of abuse against a member of the school staff must be reported to the head teacher immediately. Allegations of abuse against the head teacher must be reported to the chair of governors immediately. Immediate contact must be made by the head teacher or chair of governors with the Local Authority child protection officer.

For complaints that do not fall within the definition of curriculum complaints, the responsibility for dealing with them falls entirely on the governing body. Nottingham City Council may not take over this responsibility, and appeals against governing body decision and procedures would be heard by the Secretary of State.

Any complaints concerning the conduct of school staff will be handled in accordance with the school's internal disciplinary procedures. The details of such an investigation will remain confidential.

### **Staff not employed directly by the school**

The governing body will ensure that any third party provider offering activities and services such as Place2Be, Premier Sport or supply agencies have their own complaints procedure in place. If a third party provider's complaints process is exhausted and the matter is not resolved and it will be referred to the head teacher.

### **Racial & Equality Statement**

All children have equal access and inclusive rights to the curriculum regardless of their age, gender, sexual orientation, race, ethnicity, religion, belief, disability or ability. We plan work that is differentiated for the performance of all groups and individuals. Ambleside Primary School is committed to creating a positive climate that will enable everyone to work free from racial intimidation and harassment and to achieve their full potential. Policies are available on each of these that expand on this further.

All staff have equal access and inclusive rights to their work regardless of their age, gender, sexual orientation, race, ethnicity, religion, belief, disability or ability. Ambleside Primary School is committed to creating a positive climate that will enable everyone to work free from racial intimidation and harassment and to achieve their full potential. Policies are available on each of these that expand on this further.

### **Accessibility of policy documents**

Parents and carers are welcome to ask for further information about any policy matter. Copies of all current school policies are available for parents and carers to read. A copy of each policy is displayed in the school lobby and all policies can also be consulted online via the School website at [www.amblesideprimaryschool.co.uk](http://www.amblesideprimaryschool.co.uk). The school will try to arrange for the translation or summary of a document when this is requested by a parent or carer whose first language is not English. The school will try to make a document available in an alternative format when specifically requested.

### **Review**

This policy will be reviewed in the Spring term 2019.



APPENDIX A  
**COMPLAINT FORM**



**Ambleside Primary School**

Minver Crescent  
Aspley  
Nottingham  
NG8 5PN

Telephone: (0115) 900 3610

Fax: (0115) 900 3620

Email:

admin@ambleside.nottingham.sch.uk

www.amblesideprimaryschool.co.uk

Head Teacher – Mrs Karen. L. Hannon

<b>Your name: (adult)</b> <b>Pupil's name:</b> <b>Address:</b> <b>Telephone number(s):</b>	
<b>Details of the complaint</b>	
<b>What action, if any, have you already taken to try and resolve your complaint?</b>	
<b>'What actions does the school feel might resolve the problem at this stage?'</b> <b>Action already taken by the school</b> <b>Proposed action</b> ▪	
<b>Attached</b>	
<b>Signature:</b>	<b>Date:</b>

<b>Outcome: Resolved / To be taken further / Needs to be re-visited in future</b> <i>(delete as appropriate)</i>	
<b>Parent Signature:</b>	<b>Date:</b>





## **Ambleside Primary School**

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Aspley  
Nottingham  
NG8 5PN

Telephone: (0115) 900 3610

Fax: (0115) 900 3620

Email:

[admin@ambleside.nottingham.sch.uk](mailto:admin@ambleside.nottingham.sch.uk)

[www.amblesideprimaryschool.co.uk](http://www.amblesideprimaryschool.co.uk)

Head Teacher – Mrs Karen. L. Hannon

## APPENDIX B

### **Complaints Procedure: Information For Parents**

Ambleside Primary School wants pupils to be healthy, happy, safe, and achieve.

Co-operation between parents, staff and governors leads to a shared sense of purpose and a good atmosphere in the school.

#### ***I have something I would like to discuss with the school...***

Most concerns and complaints can be sorted out quickly by speaking with your child's class teacher. Any teacher, teaching assistant or a member of the office team can help you find the right member of staff. It may be necessary for the class teacher to offer an appointment to discuss the issue in more detail. This also shows a commitment from the school to resolving issues at the earliest opportunity.

It is important for parents to recognise that schools are busy organisations and that it may not be possible to offer an appointment straight away.

#### ***What should I do if I still feel unhappy about the issue?***

If you are unhappy with the outcome of the discussion or appointment with the class teacher you can ask for an appointment to see a phase leader.

#### **The school's year group leaders are:**

Nursery – Mrs Downes

Reception – Miss Matthews

Year 1 – Mr Brown

Year 2 – Miss Towlson

Year 3 – Miss Hyde

Year 4 – Miss Davis

Year 5 – Miss Evans

Year 6 – Miss McCulloch

If you are still not satisfied with the result of the appointment with the teacher or year group leader, then you can ask for an appointment to meet with one of the assistant head teachers

***The school's assistant head teachers are:*** Mr Bird and Miss Evans.

If you are still not satisfied with the result of the appointment with the teacher, year group leader or assistant head teacher, then you can ask for an appointment to meet with the deputy head teacher.

***The school's deputy head teachers is:*** Miss Bromley.

All staff will make every effort to resolve your problem informally. They will make sure that they have an understanding of what you feel is the problem, and they will explain their own actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case your requests can be met but it will help both you and the school to understand the issue. It may also help to prevent a similar problem arising again.

### ***What to do next...***

If you are still dissatisfied with the response you have received, you can make a complaint to the head teacher. This should be made in writing. You may also find it helpful at this stage to have a copy of the full statement of the school's Complaints Procedure Policy as this explains in detail what procedures are followed. This is available from the school office.

### ***What happens if I have a concern specifically about the head teacher?***

If you have a concern specifically about the head teacher (*not the head teacher's decision*) you should write to the chair of governors' at the school address, marking the envelope 'urgent, private and confidential', setting out your concern.

### ***If you are still unhappy***

The problem will normally be solved by this stage. However, if you are still not satisfied you may wish to contact the chair of the governing body to ask for referral or your complaint to a Governors' Complaints Panel. It will then be heard by a group of governors who have no previous knowledge of the problem and so will be able to give it a fresh assessment. You will be invited to attend and speak to the panel at a meeting, which the Head teacher will also attend. The Complaints Procedure policy explains how these meetings operate.

### ***Further action***

Complaints about school problems are almost always settled within schools but in exceptional cases it may be possible to refer the problem to an outside body such as the Local Authority or the Secretary of State for Education and Employment. Again there is more information on this in the Complaints Procedure policy.

#### **Web-links and other useful contact details:**

- Nottingham City Council [www.nottinghamcity.gov.uk](http://www.nottinghamcity.gov.uk)
- Gov.uk <https://www.gov.uk/complain-about-school>
- Education Funding Agency - <https://form.education.gov.uk/>  
[www.kidscape.org.uk](http://www.kidscape.org.uk)
- Parentline Plus Free helpline offering support for parents Tel: 0808 800 2222  
[www.parentlineplus.org.uk](http://www.parentlineplus.org.uk)
- Advisory Centre for Education (ACE) Ltd 0808 800 0327  
or at [www.ace-ed.org.uk](http://www.ace-ed.org.uk).
- Parent Partnership Tel: 0115 948 2888 or 01623 422223.
- Race Equality Council on 0115 958 6515
- Nottingham Black Families in Education on Tel: 0115 841 3896
- Childline free national helpline for children and young people Tel: 0800 1111  
[www.childline.org.uk](http://www.childline.org.uk)
- The Children's Legal Centre National Education Law and Advisory Unit  
free education law advice Tel: 08088 020 008 [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)