The Federation of Boskenwyn & Germoe Schools

COMPLAINTS POLICY

School Complaints Officer Name: Mrs Paula Blackburn
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School Complaints Officer Contact Details: Germoe C P School (01736 763310)
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Introduction.
1.1. The school welcomes feedback on the services it provides. Should anyone be unhappy with any aspect of the school, it is important that the school learns about this.

1.2. As schools have legal responsibilities to deal with many general complaints, this policy outlines how such complaints will be dealt with by the school. Some issues should not be dealt with by the school and these are listed in Appendix 2. The Local Authority (LA) can only get involved with general complaints after all the school stages have been tried (see Stage 4 below).

1.3. Children as well as parents have legitimate rights to express concerns or to make complaints, but maturity and understanding will vary from child to child. Therefore, the school will consider a complaint on its merits. Please note that a person does not have to be a parent or a pupil of the school to make a complaint. Please also note that anonymous complaints cannot be examined under a complaints procedure.

1.4. Governors have an important role to play in considering complaints. However, it is important for parents to understand that individual governors must not investigate complaints outside this procedure. All complaints should be addressed to the school complaints officer in the first instance whose details are recorded above.

1.5. Please note that should a complaint, informal or formal, reveal an issue for which other procedures exist (for example, child protection) then it will be dealt with under those procedures rather than as a complaint.

Stage 1. - Informal Resolution.
2.1. Many enquiries and concerns can be dealt with satisfactorily by the class teacher, the head teacher or other members of staff without the need to resort to a formal procedure. The school values informal meetings and discussions.

2.2. There is no suggested time-scale for resolution at this stage given the importance of dialogue through informal discussion although it would be expected that most issues would be resolved within 10 school days. Should this informal stage require more time then the school will inform the complainant of this in writing as soon as this is known.

2.3. Please note that "in writing" means a letter or an email although formal complaints should be started by completing the complaints form in Appendix 1. The final report of any formal investigation will also be sent in paper form.

2.4. Should the face to face discussions appear unlikely to resolve matters, either party may initiate a move to the next stage (Stage 2 below) of the procedure. A copy of the school's complaints policy

will be forwarded to the complainant at this stage if it has not been provided as part of Stage 1.

Stage 2 - Formal Written Complaints.

3.1. The complainant should set out the precise nature of the complaint on the form provided and return this to the complaints officer. The complainant should keep a copy of this form and all other relevant correspondence.

3.2. Should a complaint be about a general matter, the complaints officer may be able to respond immediately, e.g. if it only requires an explanation of school policy. For complaints that relate to specific actions or events, there is likely to be a need for further investigation in order to clarify the facts. The complaints officer or their nominee will normally undertake this investigation.

3.3. However, if in the early stages of the investigation, the complaints officer considers that the complaint is best dealt with at Stage 3, it will be passed to the chair of governors (or to the clerk to the governing body for the chair's attention) and the complainant informed of this action without delay.

3.4. Should the complaints officer, the head teacher or a governor be the subject of a complaint, these will be dealt with under Stage 3 below. The complainant should send the form directly to the chair of governors (or to the clerk to the governing body for the chair's attention) c/o the school marking the envelope "private and confidential".

3.5. Should the chair of governors be the subject of a complaint, the complainant should send the form directly to the vice-chair of governors (or to the clerk to the governing body for the vice-chair's attention) c/o the school marking the envelope "private and confidential".

3.6. All formal complaints will be acknowledged within 5 school days of receipt.

3.7. Investigations at this stage should normally be completed within 20 school days of receipt of the complaint, unless there are circumstances that require a longer investigatory period. The complainant will be informed in writing should more time be required.

3.8. The school will aim to send a formal written response within 5 school days of the completion of the investigation. This gives a target of 5 school weeks for the completion of this stage of the procedure.

3.9. Following the stage 2 investigation, the complaints officer will decide on one of two outcomes:-

1. Recommend that appropriate remedial action necessary to resolve the complaint be undertaken, or

2. Confirm that all internal investigative measures have been exhausted and uphold the original informal response if this had occurred.

3.10. The decision is confidential to the complainant and to the governing body.

3.11. The complainant may take the complaint further if they are unhappy with the Stage 2 outcome by giving notice of their intention within 10 school days of their receipt of the formal outcome. This notice should be made in writing to the chair of governors (or to the clerk to the governing body for the chair's attention) c/o the school marking the envelope "private and confidential".

Stage 3 - The Governing Body.

4.1. Where the complaints officer is unable to resolve a complaint to the satisfaction of the complainant or where there is a complaint against the complaints officer, the head teacher or a governor, the complainant should write to the chair of governors (or to the clerk to the governing body for the chair's attention) c/o the school marking the envelope "private and confidential"

including copies of all relevant documents.

4.2. Should the chair of governors be the subject of a complaint, the complainant should send the form directly to the vice-chair of governors (or to the clerk to the governing body for the vice-chair's attention) c/o the school marking the envelope "private and confidential".

4.3. A panel of three governors must be convened by the chair (or vice-chair) of governors to investigate the complaint.

4.4. All formal complaints will be acknowledged within 5 school days of receipt.

4.5. Investigations at this stage should normally be completed within 20 school days of receipt of the complaint, unless there are circumstances that require a longer investigatory period. The complainant will be informed in writing should more time be required.

4.6. The school will aim to send a formal written response within 5 school days of the completion of the investigation.

4.7. This gives a target of 5 school weeks for the completion of this stage of the procedure.

4.8. Following the stage 3 investigation, the panel will decide on one of two outcomes:-

1. Recommend that appropriate remedial action necessary to resolve the complaint be undertaken, or

2. Confirm that all internal investigative measures have been exhausted and uphold the original response.

4.9. The decision is confidential to the complainant and to the governing body.

4.10. Complainants who have exhausted all school-based stages and consider that the school has not investigated the complaint in a fair and reasonable matter, may request, in writing, that the LA reviews how the school handled the complaint. Please note that this review will not investigate the original complaint.

Stage 4 - Referral to the Local Authority (LA)

5.1. The LA monitor those school complaints that they receive. Whilst they do not investigate individual complaints, notes are kept of these and the information is shared with senior managers. As part of this school's complaints policy, they will review how the school handled the complaint after all the above stages have been completed but only if the complainant requests this in writing.

5.2. The LA will acknowledge this request within five school days and will normally complete the review within 20 school days. The addresses for correspondence are:

School Effectiveness
New County Hall,
Truro,
Cornwall TR1 3AY

Stage 5 - Appeals to the Secretary of State or the Ombudsman.

6.1. Finally, complainants have a right of appeal to the Secretary of State for Education. In such cases, the Department of Education and Skills (DfES) will examine the complaint and adjudicate. The DfES has the power to require the LA to take certain actions, including the issuing of instructions to the school governing body. It should be pointed out that the members of staff also have the same right of appeal.

6.2. Should a complainant feel that there has been maladministration in the manner in which a

complaint has been dealt with, this can be referred to the Local Government Ombudsman.

6.3. Please note that the Ombudsman can look into complaints about how something has been done, but she/he cannot question what has been done simply because the complainant does not agree with it. The relevant addresses are:

The Secretary of State for Education Sanctuary Buildings Great Smith Street, Westminster, London SW1P 3BT Tel: 0171 925 5000	Local Government Ombudsman The Oaks, Westwood Way, Coventry CV4 8JB Tel: 01203 695999

Complaints Form. **APPENDIX 1**

Your name:
Pupil's name (if applicable):
Your relationship to the pupil:
Address:

Postcode:
Day time telephone number:
Evening telephone number:

Please give details of your complaint.

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

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

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

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Areas Where the LA or Others have Responsibility. Appendix 2.

I. Complaints about the curriculum and the provision of collective worship and religious education.
II. Complaints about the LA's assessment of a child's special educational needs.
III. Appeals against refusal to admit a child to the parent's preferred school.
IV. Appeals against exclusion (although an appeal to the governing body will be involved in the earlier stages).

Details of the procedures for these complaints are available from the LA:

Director of Education
Education Department
New County Hall,
Truro,
Cornwall
TR1 3AY

Please note that should a complaint, informal or formal, reveal an issue for which the above applies or where other internal procedures exist (for example, child protection) then it will be dealt with under these procedures rather than as a complaint.

Guidance and other Notes for Schools. Appendix 3 (For school use only).

General.

1. Please note that a complaint is a complaint if the person making it thinks it is a complaint.

2. The DfE has also produced a complaints toolkit which schools are free to use. It can be seen at http://www.governornet.co.uk/linkAttachments/School%20Complaints%20Procedure.doc

3. There is some evidence that some schools immediately refer a complainant to the LA. Schools should not refer people with a general complaint to the LA (unless the subject of the complaint falls within the procedures outlined in Appendix 2) until all school-based stages have been exhausted. After this stage the complainant should be advised to follow the policy by requesting the LA to review how the school handled their complaint.

4. Should the LA receive a complaint about a school, it will log the complaint and refer the complainant back to the school advising that a copy of the school's complaints policy is obtained and followed. A summary of the LA's complaints log is shared with the senior management team on a quarterly basis.

5. Should the LA receive a request to review a complaint, the school will be contacted to ensure that local procedures have been exhausted. The LA will not reinvestigate the original complaint. We do record all the complaints we receive about schools and we share this information amongst our senior managers. This is to identify areas of concern where we could improve our general support to all schools and, rarely, to identify an individual school that may need specific support.

4. Should there be any suggestion at any stage that the complaint relates to a **child protection** issue then it has to be dealt with immediately under the child protection procedures which can be seen at: http://eal.cornwall.gov.uk/school-support/support/childproyellowbook)/menu.asp .

5. It is recommended that schools appoint a complaints officer (this can be the head teacher) to ensure that the complaints procedures are delivered and monitored satisfactorily. The revised model policy refers to this title throughout.

6. It is suggested that all complaints, informal or formal, are logged at the school and the number and nature of the complaints are reported to the governing body in summary form on a regular basis and at least annually. It is suggested that the complaint is dealt with in writing (emails and/or letters) as far as possible as this will protect the accuracy of the complaint record. Meetings should have notes taken by the school as it is likely that the complainant will take their own notes.

7. Individual governors must not investigate complaints outside this procedure.

8. It is recommended that the school's complaints policy is publicised as widely as possible. Knowledge of this policy will aid complainants to make a complaint in the proper manner and prevent unfocussed complaints which could build up frustrations and exacerbate the situation.

9. It is important to note that any complaint that relates to a **diversity** issue has to be also recorded on the **diversity incident report form** (see http://eal.cornwall.gov.uk/Information/archive/2002/May/ie-01642.htm for further information). Please remember that a "diversity" complaint is one if the person making it thinks it is one and it includes race, disability, gender, sexual orientation, etc. The diversity incident report form must be completed in all cases and returned to the LA (as stated on the form) without delay.

10. In addition to this diversity guidance, the LA has produced a flowchart covering the stages that need to be followed when dealing with a diversity issue. This can be seen in Appendix 5 at: http://eal.cornwall.gov.uk/school-support/governors/guidetothelaw/chapters1-5/chapter4/diversityflow.pdf . Please note that this flowchart details how to support the pupil or member of staff subject to the diversity incident. The actual complaint still requires to be dealt with under the complaints procedures.

11. Should a governor make a complaint against the school or another governor, it is suggested that the same 3 Stage process is followed. Here there could be two additional outcomes – the suspension of a governor (separate procedures to be followed if this is recommended) or the dismissal of a governor (separate procedures to be followed if this is recommend N.B. Elected governors cannot be dismissed).

12. Finally, take control of the situation otherwise it will only get worse.

Stage 1. - Informal Resolution.

1. The best approach to resolving complaints is in an informal manner that prevents matters getting too complicated with the risk of a loss of control. It is important that a meeting is held between the appropriate person within the school and the complainant at the earliest possible stage. Notes of this meeting should be kept.

2. Experience indicates that a complainant being dealt with under this stage is often unaware that the matter is being dealt with informally – they usually think they are making a formal complaint. Experience also suggests that this informal stage can become too protracted. This can lead to a deterioration of relationships exacerbated when the complaint becomes formal. In the light of this, the model policy suggests that most informal complaints should be resolved within 10 school days. Should the informal stage require more than 10 school days but the complaint is still best dealt with informally, this should be made known to the complainant in writing immediately this becomes clear.

3. It is further suggested that any complaint that obviously is better dealt with formally via the first written stage (Stage 2) should be moved to this stage immediately unless there are exceptional or particular circumstances when a move direct to Stage 3 could be invoked. These decisions should be conveyed to the complainant in writing. Moreover, it would be quite appropriate for the school to take the initiative and invoke the formal procedure explaining why this step is deemed necessary and enclosing a copy of the school complaints policy.

4. Schools may want to issue the school complaints policy at this informal stage as the LEA's model policy has this as an integral part of the process. There are benefits of doing this as both parties will know the details of the process a complaint could go through from the start.

5. It is suggested that, before setting out to look at the complaint, the school's or LEA's policy/guidance documents covering the subject matter are checked to ensure that these have been or will be followed e.g., there is guidance on dispensing medicines in school. Should a complaint be about this subject, it would be useful to know what should have happened before even discussing the matter with the complainant.

6. It is important that detailed records are kept in case the LA is asked to review the complaint (Stage 4). It is recommended that paper and/or emails are the preferred communication method at all stages as phone calls can be misremembered (on both sides). All phone calls relating to a complaint should be logged.

Stage 2 - Formal Written Complaints.

1. Depending on the nature of the complaint, the complaints officer may decide that the informal stage should be bypassed and move it direct to Stage 2. Other complaints would have reached this stage via Stage 1. In both cases, the school's complaints policy and complaints form should have been sent out to the complainant if not sent out previously.

2. Should the complaint involve an allegation of a potentially serious criminal nature, the complaints officer, the head teacher or the chair of governors will immediately inform the Director of Education, Arts and Libraries so that the allegation can be recorded and the school advised about

further action. Should there be any suggestion at any stage that the complaint relates to a child protection issue then it has to be dealt with immediately under the child protection procedures.

3. Complaints with respect to the conduct of a member of staff will be dealt with in accordance with the additional guidance laid out in Appendix 4 which should not form part of the public school complaints policy. A meeting will be arranged between the complainant and the complaints officer, head teacher or relevant person but this will not automatically include any member of staff named in the complaint.

4. All complaints that reach this stage will be recorded on the complaints log to maintain a complete record of the issue.

5. At any stage where the investigation is likely to exceed the published time scale, it is important to let the complainant know of this fact at the earliest possible date.

6. Where both parties indicate a willingness to meet, the onus lies with the complaints officer to take the initiative and arrange this meeting.

7. The complaints officer should report all outcomes of these investigations to the governing body.

Stage 3 - The Governing Body.

1. All complaints that reach this stage will be recorded on the complaints log to maintain a complete record of the issue.

2. A panel of three governors must be convened by the chair (or vice-chair if the chair is the subject of the complaint) of governors. It is advisable that this panel's membership has already been selected to save time should a complaint be received.

3. The panel will normally review the investigations carried out under stage 2 and may decide only to consider the evidence already presented. It is a matter of judgement and may depend on any additional information provided by the complainant. Where complaints have been referred directly to stage 3 (relating to the complaints officer, head teacher or a governor), the panel will undertake the initial investigation.

4. Once more, should the complaint involve an allegation of a potentially serious criminal nature, complaints officer, the head teacher or the chair of governors will immediately inform the Director of Education, Arts and Libraries so that the allegation can be recorded and the school advised about further action. Should there be any suggestion at any stage that the complaint relates to a child protection issue then it has to be dealt with immediately under the child protection procedures.

5. At any stage where the investigation is likely to exceed the published time scale, it is important to let the complainant know of this fact at the earliest possible date.

6. Where both parties indicate a willingness to meet, the onus lies with the panel to take the initiative and arrange this meeting.

7. The panel should report all outcomes of their investigations to the governing body.

Additional Guidance on Complaints Regarding Staff or Governors. Appendix 4 (For school use only).

All formal complaints against a member of staff will be dealt with by the head teacher and not the complaints officer unless s/he is the head teacher.

A member of staff who is the subject of the complaint would normally be advised of the situation immediately. However, if the complaint involves a child protection issue, child protection arrangements will come into force involving the Social Services and Police.

The following procedure will be followed to investigate complaints about the conduct of members of staff.

i. If, at any time during the investigation, there is a prima facie case for disciplinary action, the school's disciplinary procedure must be followed and no further action taken under the complaints procedure. This also applies where child protection procedures are being followed.

ii. It may be advisable to meet with the complainant, before the investigation, in order to clarify the precise nature of the complaint and to discuss ways in which the matter might be resolved.

iii. If a formal investigation is required, then the head teacher will adhere to the following principles:-

(a) When a member of staff is the subject of a complaint, he/she will be given a copy and advised to contact their trade union or professional association for advice and support.

(b) The member of staff will be advised that a 'friend' or trades union representative may accompany him/her at any subsequent interview or hearing.

(c) The complaint will be treated only as an allegation during the investigation stage.

(d) The head teacher will invite all parties (including witnesses) to provide written statements as part of the investigation.

Complaints about the Head teacher.
Formal complaints about a head teacher will be referred directly to stage 3 (governors' panel investigation) via the chair of governors. A head teacher who is the subject of the complaint would normally be advised of the situation immediately. However, if the complaint involves a child protection issue, child protection arrangements will come into force involving the Social Services and Police.

The following procedure will be followed by the panel to investigate complaints about the conduct of the head teacher.

i. If, at any time during the investigation, there is a prima facie case for disciplinary action, the school's disciplinary procedure must be followed and no further action taken under the complaints procedure. This also applies where child protection procedures are being followed.

ii. It may be advisable to meet with the complainant, before the investigation, in order to clarify the precise nature of the complaint and to discuss ways in which the matter might be resolved.

iii. If a formal investigation is required, then the panel will adhere to the following principles:-

(a) When a head teacher is the subject of a complaint, he/she will be given a copy and advised to contact their trade union or professional association for advice and support.

(b) The head teacher will be advised that a 'friend' or trades union representative may accompany him/her at any subsequent interview or hearing.

(c) The complaint will be treated only as an allegation during the investigation stage.

(d) The panel will invite all parties (including witnesses) to provide written statements as part of the investigation.

The local authority designated officer will be informed.

Complaints about a Governor.

Formal complaints about a governor will be referred directly to stage 3 (governors' panel investigation) via the chair (or vice-chair) of governors. A governor who is the subject of the complaint would normally be advised of the situation immediately. However, if the complaint involves a child protection issue, child protection arrangements will come into force involving the Social Services and Police.

The following procedure will be followed by the panel to investigate complaints about the conduct of a governor.

i. It may be advisable to meet with the complainant, before the investigation, in order to clarify the precise nature of the complaint and to discuss ways in which the matter might be resolved.

ii. If a formal investigation is required, then the panel will adhere to the following principles:-

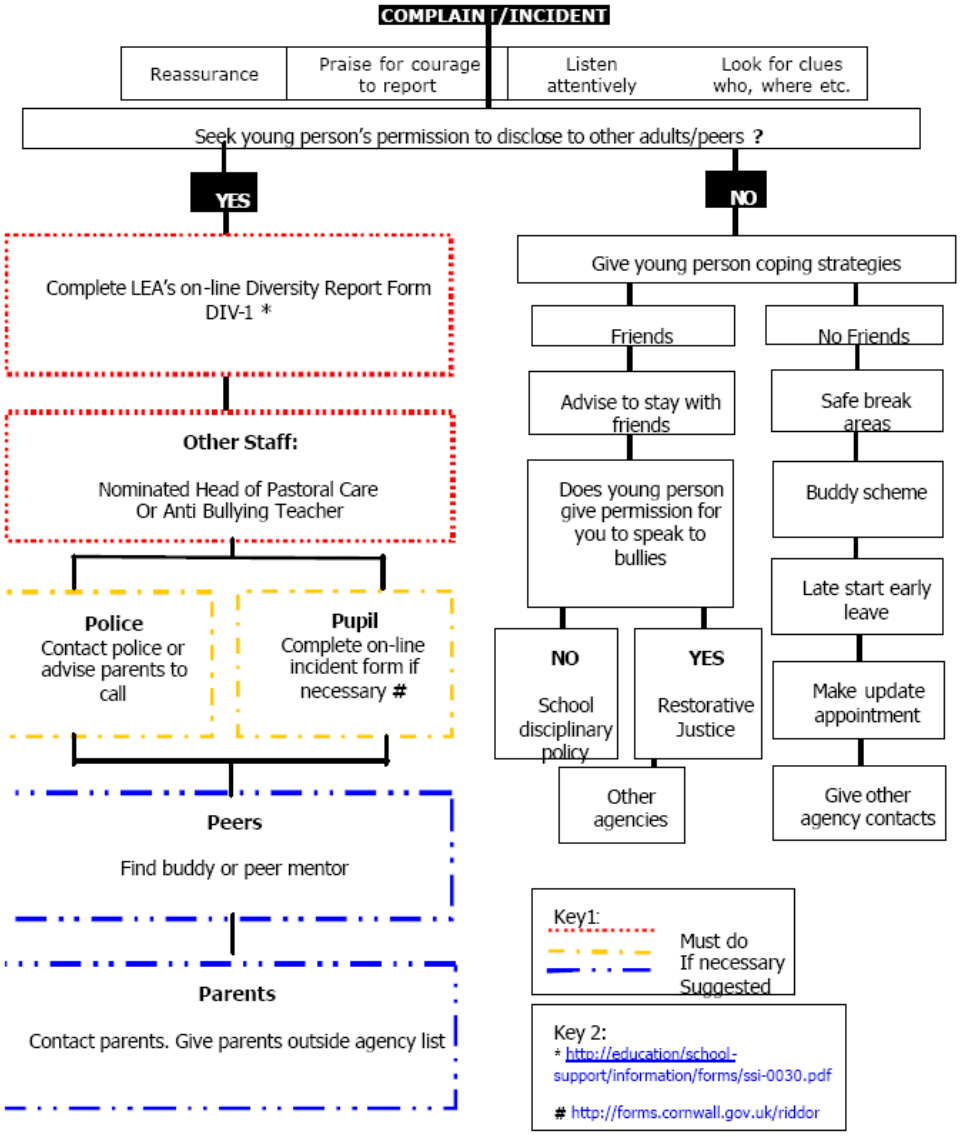
(a) When a governor is the subject of a complaint, he/she will be given a copy and advised to contact another governor for advice and support.

(b) The governor will be advised that another governor or a 'friend' may accompany him/her at any subsequent interview or hearing.

(c) The complaint will be treated only as an allegation during the investigation stage.

(d) The panel will invite all parties (including witnesses) to provide written statements as part of the investigation

REPORTING OF DIVERSITY INCIDENTS IN SCHOOL **APPENDIX 5**



This must take into consideration current Health & Safety legislation and Child Protection procedures which may mean the young person's permission to disclose may not be sought.

Reviewed: November 2026 – No changes, continue to follow LA procedures above.
Next review: November 2028

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P Blackburn, Executive Head **L Yeomans, M Bland (Co-chairs of govs)**