



# Odessa Infant School

## Complaints Policy

Summer 2021

### **Odessa Infant School Complaints Policy**

#### **Introduction**

This policy is based upon the DfE document "Best Practice Advice for School Complaints Procedures 2020" In accordance with Section 29(1) of the Education Act 2002 schools and nurseries must have and publish procedures to deal with complaints.

The complaints policy for Odessa Infant school is the responsibility of the Governing Body and the Local Authority.

#### **Who can make a complaint?**

Any person, including members of the public, may make a complaint about any provision of facilities or services that Odessa provides, unless separate statutory procedures apply (such as exclusions or admissions).

#### **The difference between a concern and a complaint**

*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'.*

*It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Odessa takes concerns seriously and makes every effort to resolve the matter as quickly as possible.*

*If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, Mrs Barber, Head teacher, will either refer you to another staff member or discuss your concern with you. Similarly, if the member of staff directly involved feels unable to deal with a concern, Mrs Barber will refer you to another staff member.*

*The ability to consider the concern objectively and impartially is more important. There are occasions when complainants would like to raise their concerns formally. In these cases, Odessa's formal procedure should be invoked through the stages outlined in this policy.*

### **How to raise a concern or complaint**

A complaint may be made in person, by telephone or in writing. If a complaint is made by a third party on behalf of the complainant, written consent from the complainant must be given before Odessa discloses any information.

### **The Four Stage Complaints Procedure**

#### **Stage 1 - Informal - Talk with the Class Teacher**

Initially make an appointment to see the class teacher. The class teacher will know your child well and may already know the details of any incident about which you may have a concern. Please do not try to see the teacher during the school day when lessons are occurring. If you are unable to see the teacher, you may arrange a telephone conversation or communicate by letter.

In the vast majority of cases concerns are resolved during this stage. In some instances, the concern raised may require investigation, or discussion with a senior teacher, in which case the complainant should allow at least 5 days for a response.

If following this stage there is no resolution, please see stage 2.

#### **Stage 2 - Formal - Complaint goes to Head Teacher**

If the complainant is dissatisfied with the response from the member of staff at Stage 1 they should be advised to put their complaint in writing to the Head Teacher who will deal with it formally at Stage 2. Where the Head Teacher is the subject of the complaint, the complainant should address the complaint to the Chair of Governors. If the Chair of Governors is the subject of the complaint, the complainant should be advised to address it to the local authority. The complainant must ensure that they include details of why they are still dissatisfied and what action they would like taken in order to resolve the complaint. They can also attach any evidence to support their concerns.

The Head Teacher must acknowledge the complaint within 5 days by writing to the complainant. The acknowledgement should state that a further communication will follow within 20 school days that will set out the actions taken to investigate the complaint and the findings.

The Head Teacher can delegate another senior member of staff to carry out the investigation and report their findings to them. The investigating officer may feel it necessary to meet with the complainant. If this happens, then notes should be taken at this meeting. The investigating officer will then compile a report detailing their findings. Any recommendations or actions proposed must be considered by the Head Teacher. The Head Teacher will then reach a conclusion based on the investigation. All notes relating to the investigation should be kept on file.

Once satisfied that the investigation has been concluded and a decision has been reached, the Head Teacher must notify the complainant in writing of the conclusion and any actions that will be taken as a result. The decision can be communicated by the Head Teacher to the complainant

in writing or, if they may feel it appropriate, meet with them first to communicate their findings and then confirm in writing afterwards.

The complainant is to be informed that should they continue to be dissatisfied with the outcome, they can write to the *Chair of Governors* outlining why they are still unhappy.

### **Stage 3 - Formal (if not resolved at Stage 2)**

If the complainant is dissatisfied with the response from the Head Teacher at Stage 2 they should be advised to put their complaint in writing to the *Chair of the Governing Body (GB)* for consideration at Stage 3 of the procedure.

The *Chair or Vice Chair of Governors* hears the complaint (where this is not possible it will be delegated to another member of the *GB*).

The complainant must ensure that they include details of why they are still dissatisfied with the decision, the recommendations and actions of the Stage 2 complaint and what they require to resolve the matter. They may also attach any evidence to support their concerns that can be additional to that submitted at Stages 1 and 2.

On receipt of a complaint at Stage 3 the Head Teacher must also be informed, and if necessary, work with the *Chair/Vice Chair* to help to resolve the complaint.

The *Chair/Vice Chair* must write to the complainant within 5 days of receipt of the complaint to acknowledge this. The letter should state that another letter will follow within 20 school days setting out the actions taken to investigate the complaint and the findings.

The *Chair/Vice Chair* will look at all the information pertaining to the complaint submitted by the complainant and the investigatory evidence by the school at Stages 1 and 2. The *Chair/Vice Chair* may want to talk with the complainant or investigating staff members to establish facts and obtain further information.

Once satisfied that the investigation has been concluded and a decision has been reached on the complaint, the *Chair/vice Chair* will notify the complainant in writing of the conclusion.

The conclusion could be:

- The evidence indicates that the complaint was substantiated and therefore upheld
- The complaint was substantiated in part and then state what action will be taken
- The complaint is not substantiated by the evidence and therefore not upheld

The complainant is to be informed that should they remain dissatisfied they may write to the *Governing Body or School Management Support* via the school. They should outline why they feel the complaint is unresolved and how they feel it could be resolved.

### **Stage 4 - Formal (if not resolved at Stage 3)**

The complaint is heard by the *Governing Body*.

If the complainant is dissatisfied with the response from the *Chair/vice Chair* at Stage 3 they should be advised that the next stage is to put their complaint in writing to the *Governing Body* at Stage 4.

The complainant must ensure that they include details of why they are still dissatisfied with the decision of the Chair/vice Chair, recommendations and actions of the Stage 3 complaint and what they feel would resolve the complaint. They can also attach any evidence to support their concerns in addition to that submitted at Stages 1, 2 and 3.

The complaint will be acknowledged within 10 school days.

The complaint will then be considered by a panel of Governing Body members who form a complaints appeal panel. The panel must be independent and impartial. No governor may sit on the panel if they have had prior involvement in the complaint or in the circumstances surrounding it. The panel must have a cross-section of categories of governors who are sensitive to the issues of race, gender and religious affiliation.

The panel must convene a meeting to discuss the complaint and to look at all of the investigation evidence to make a final decision on how to progress. A clerk should be appointed to take notes of the meeting and records must be kept.

The Head Teacher has a statutory duty for the internal organisation and management of the school, which they must carry out in accordance with any rules, regulations or policies laid down by the Governing Body. The remit for this panel is to consider the complaint with regard to whether the Head Teacher has followed the relevant school policies; it is not to substitute its own operational judgement for that of the Head Teacher.

The panel can decide:

- To convene a meeting with the complainant. If a meeting is to be convened, the person chairing the meeting will write to the complainant to acknowledge the complaint within 10 school days. The letter would also include the date, time and venue of the convened meeting to hear the complaint.
- Decide on the appropriate action to be taken to resolve the complaint
- For non-complex complaints, not to meet with the complainant, but to use all the information available to them and make a decision on the complaint as there is enough information to allow a decision to be made.

Possible outcomes for the Panel

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Recommend changes to school systems or procedures to ensure that similar incidents do not occur.

An outcome letter will be sent to the complainant within 20 school days of the meeting. The letter will inform them of Stage 5.

#### **Stage 5 - (once the school complaints procedure has been exhausted)**

The outcome letter from the School Complaints Panel exhausts the 4 Stage procedures.

If the complainant is dissatisfied with the process, they are able to contact:

Department for Education  
Piccadilly Gate, Store Street  
Manchester, M1 2WD

Helpline: 0370 000 2288

The DfE will examine if the school complaints policy and any other relevant processes were followed. The DfE will also examine policies to determine if they adhere to education legislation. The DfE's role is to review the complaints and look at the handling of the complaints at the earlier stage and the procedure applied. Schools must ensure that they follow their procedure correctly, and keep accurate recording of communication with the complainant at every