Stockport Complaints Procedure

VALLEY SCHOOL

Produced by	Stockport
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Date Amended	Further clarity provided November 26

This or any policy can be made available in a range of formats, large print or translation.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to the school about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures, such as appeals relating to exclusions or admissions, we will use this complaints procedure.

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 concerns and 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. We would like to reassure you that the school takes concerns seriously and will make 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, you will be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, you will be referred to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, we will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. This has been made clearer throughout the policy See green tables inserted at different points. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

General concerns should be raised in the first instance with the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at a later stage in the procedure.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with Equality legislation, we will consider making reasonable adjustments if required, to enable you to access and complete this complaints procedure: for instance, providing information in alternative formats, assisting you in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the headteacher or chair of governors, if appropriate, will determine whether the complaint warrants an investigation.

Timescales

Complaints should be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Complaints made outside of this time frame will only be considered if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period. If a complaint is received within 10 school days before a school holiday, the school will endeavour to respond before the commencement of the holiday. If this is not possible the school will advise you of the revised date of the response.

Scope of this Complaint Procedure

This procedure covers all complaints about any provision of community facilities or services by the school other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	**Who to contact**
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the relevant service within the local authority.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. 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 (MASSH).

• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. **complaints about the application of the behaviour policy can be made through the school's complaint procedure. The Positive Behaviour policy can be found on the school website.*
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaint procedure. You may also be able to complain direct to the local authority or the Department for Education, depending on the substance of your complaint.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. You will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, you will be notified that the matter is being addressed.
• Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaint procedure to deal with complaints about service. Please contact them direct.
• 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 legal action is commenced against the school in relation to the complaint, we will consider whether to suspend the complaints procedure in relation to the complaint until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, we want to work with you to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an acknowledgement that the situation could have been handled differently (this is not the same as an admission of unlawful or negligent action)
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again, and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology

Withdrawal of a Complaint

If you wish to withdraw a complaint, we will ask you to confirm this in writing.

Stages of the complaint procedure

Stage 1

Formal complaints about school staff must be made to the headteacher via the school office. This may be done in person, in writing (preferably using the complaint form), or by telephone. Please mark them as Private and Confidential. (If they are about the headteacher they go straight to Stage 2- see more information later in the policy).

	Stage 1 **In the first instance, complaints against school staff (except the headteacher)**
Letter	Mark envelope **FAO Headteacher** Private and Confidential and deliver or send it to school
Email	Subject: Complaint and email to headteacher@valley.stockport.sch.uk

In person - phone or meet the head	Ring school and speak to the headteacher or meet with the headteacher. Do not discuss the complaint with the admin team or any other member of staff.

The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

Within this acknowledgement, the headteacher may seek to clarify the nature of the complaint, ask what remains unresolved and what outcome you would like to see. The headteacher will consider whether a face-to-face meeting is the most appropriate way of doing this and record their decision and rationale.

Please note:
The headteacher may delegate the investigation to another member of the school's senior leadership team, but not the decision to be taken.

During the investigation, the headteacher (or investigator) will:

- if necessary, interview those involved in the matter and / or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings / interviews in relation to their investigation.

At the conclusion of the investigation, the headteacher will provide a formal written response within 10 school days of the date of receipt of the complaint. If the headteacher is unable to meet this deadline, they will provide you with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the school will take to resolve the complaint.

The headteacher will advise you how to escalate your complaint should you remain dissatisfied with the outcome of stage 1.

Please note:
Formal complaints involving the head teacher or a member of the governing body (including the chair or vice-chair) progress straight to stage 2.

Stage 2

Option 1 Complaint about the headteacher

If you want to complain about the headteacher put your complaint in writing to the Chair of Governors. Please mark as Private and Confidential. The school will forward the letter to the chair of governors within 3 school days.

The chair will acknowledge the complaint within 3 school days from receipt. Within this acknowledgement, the chair may seek to clarify the nature of the complaint and what

outcome you would like to see. The chair will consider whether a face-to-face meeting is the most appropriate way of doing this.

Stage 2 **Complaints about the headteacher**
Mark envelope FAO **Chair of Governors,** Private and Confidential and deliver or send it to school
Subject: Complaint FAO Chair of Governors and email to admin@valley.stockport.sch.uk

Option 2 Complaint about the headteachers response to a Stage 1 complaint.

If you want to complain about the headteacher's response to a Stage 1 complaint, you can request the matter be progressed to Stage 2. Put your complaint in writing to the Chair of Governors, via the school office within 15 school days of receipt of the Stage 1 response. Please mark as Private and Confidential. Requests received outside of this time frame will only be considered if exceptional circumstances apply. The school will forward the letter to the chair of governors within 3 school days.

The chair will acknowledge the complaint within 3 school days from receipt. Within this acknowledgement, the chair may seek to clarify the nature of the complaint and what outcome you would like to see. The chair will consider whether a face-to-face meeting is the most appropriate way of doing this.

Stage 2 **Complaints about the headteacher in response to a Stage 1 complaint.**
Mark envelope FAO Chair of Governors, Private and Confidential and deliver or send it to school
Subject: Complaint FAO Chair of Governors and email to admin@valley.stockport.sch.uk

During a Stage 2 investigation, the chair of governors will:

- where appropriate, interview those involved in the matter and / or those complained of, allowing them to be accompanied if they wish. Interviews with pupils will not be carried out by the chair: these will be designated to an appropriate member of staff with no previous involvement, such as the deputy head or other senior member of staff.

- keep a written record of any meetings / interviews in relation to their investigation.

At the conclusion of the investigation, the chair of governors will provide a formal written response within 15 school days of the date of receipt of the complaint. The response will outline their decision, any actions that have, or will be taken as a result of the complaint, and any recommendations to the school or governing body.

If the chair of governors is unable to meet the deadline, they will provide you with an update and revised response date.

If you are unhappy with the outcome at Stage 2, the chair of governors' response will include guidance on how to escalate the complaint to Stage 3.

Option 3 Complaints involving member/s of the governing body (but not the chair)

Stage 2 **Complaints that involve governors but not the chair of governors**
Mark envelope FAO Chair of Governors, Private and Confidential and deliver or send it to school
Subject: Complaint FAO Chair of Governors and email to admin@valley.stockport.sch.uk

If you want to complain about governors but not the chair of governors, put your complaint in writing to the Chair of Governors. Please mark as Private and Confidential. The school will forward the letter to the chair of governors within 3 school days.

The chair will acknowledge the complaint within 3 school days from receipt. Within this acknowledgement, the chair may seek to clarify the nature of the complaint and what outcome you would like to see. The chair will consider whether a face-to-face meeting is the most appropriate way of doing this.

Option 4 Complaints about the chair of governors or most or all of the governors.

Stage 2 **Complaints that involve the chair of governors or most or all of the governors**
Mark envelope FAO **Clerk to Governors**, Private and Confidential and deliver or send it to school
Subject: Complaint re: Chair of Governors and email to admin@valley.stockport.sch.uk

If you want to complain about the chair of governors, or most or all of the governors, put your complaint in writing to the Clerk to Governors. Please mark as Private and Confidential. The school will forward the letter to the clerk within 3 school days.

The complaint will be acknowledged within 3 school days from receipt. Within this acknowledgement, they may seek to clarify the nature of the complaint and what outcome you would like to see. They will consider whether a face-to-face meeting is the most appropriate way of doing this.

Stage 2 will be heard by a committee of governors who are independent of the school and its governing board.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Valley School will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Stage 3

If you remain dissatisfied with the response from Stage 2 and wish to take the matter further, you can ask for the matter to be escalated to Stage 3. This involves a meeting of members of the governing body complaints panel, formed of three impartial governors or if needed external governors. This is the final stage of the complaint's procedure.

A request to escalate to stage 3 must be made in writing to the Clerk via the school office, within a maximum of 15 school days of receipt of the Stage 2 response letter from the chairperson or external governors. Requests received outside of this time frame will only be considered in exceptional circumstances.

Stage 3 **Escalation from Stage 2**	
Letter	Mark envelope FAO of Clerk to Governors, Private and Confidential and deliver or send it to school.
Email	**Subject:** Complaint Private and Confidential - forward to the Clerk to the governors and email it to admin@valley.stockport.sch.uk

Your letter should outline the elements of the chair's Stage 2 response you remain dissatisfied with and your preferred outcome. The Complaints Service will then liaise with the clerk of the governing body and commence arrangements for the meeting of the governing body complaints panel.

The Clerk will record the date the request is received and acknowledge its receipt in writing (either by letter or email) within 3 school days.

The Clerk will write to inform you of the date of the meeting of the complaint panel. They will aim to convene the meeting within 20 school days of receipt of the Stage 3 request. If this is not possible, the Clerk will inform you of an anticipated date and keep you informed. If there is insufficient time for the meeting to be held before the end of a term, the earliest most convenient date will be arranged following the commencement of the new term and you will be advised accordingly.

The complaints panel will consist of three school governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the chairperson. If there are fewer than three governors from the school available, the clerk will source any additional, independent governors through another local school or through the local authority's governor services team, in order to make up the panel. Alternatively, an entirely independent committee will be convened to hear the complaint at Stage 3.

The committee will decide whether to deal with the complaint by inviting parties to the meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs. Their decision and rationale will be recorded by the panel.

The following criteria apply if you are invited to attend the meeting:

- If the offer of three proposed dates is rejected by you, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in your absence on the basis of written submissions from both parties.

- you may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Please note:
Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Complaints Service / Clerk will:

- confirm and notify you of the date, time and venue of the meeting, ensuring that, if you are invited, the dates are convenient to all parties and that the venue and proceedings are accessible

- request copies of any further written material to be submitted to the panel at least five school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting.

Please note:
The panel will not normally accept as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The panel will also not review any new complaints at this Stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private, and no formal minutes will be taken. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any notes taken.

The panel will consider the complaint and all the evidence presented. The panel can:

- uphold the complaint in whole or in part

- not uphold the complaint in whole or in part.

If the complaint is upheld in whole or in part, the panel will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The chair of the panel will provide you and the school with a full written explanation of their decision and the reason(s) for it within 15 school days. The response will include details of how to contact the Department for Education if you are dissatisfied with the way the complaint has been handled by the school.

Please note:
There may be occasions when it's necessary or reasonable to deviate from the published complaints procedure. This includes not doing something the procedure states you will, should or may do. Any deviation from the published procedure will be documented and reasons given.

Next Steps

If you believe the school has not handled your complaint in accordance with the published complaints procedure or has acted unlawfully or unreasonably in the exercise of its duties under education law, you can contact the Department for Education after Stage 3 has been completed.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. It will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

You can refer your complaint to the Department for Education after Stage 3 has been completed by going 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.

Managing serial and unreasonable complaints

As a school we are committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will act to protect them from that behaviour, including that which is abusive, offensive or threatening.

We define unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contacts with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint despite previous investigations or responses concluding that the complaint is groundless or has been addressed
- refuses to accept the findings of the investigation where the school's complaint procedure has been fully and properly implemented and completed, including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides false or falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint while the complaint is being progressed. It is not helpful if repeated

correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the headteacher or chair of governors will discuss any concerns with the complainant informally before applying any restriction on contact.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the school or individual staff, causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed at the end of the school term following the term during which the plan was put in place, but no later than 6 months after the date of the plan.

In response to any serious incident of aggression or violence, we will immediately inform the police and local authority and communicate our actions in writing. This may include barring an individual from the school premises.

Complaint Form

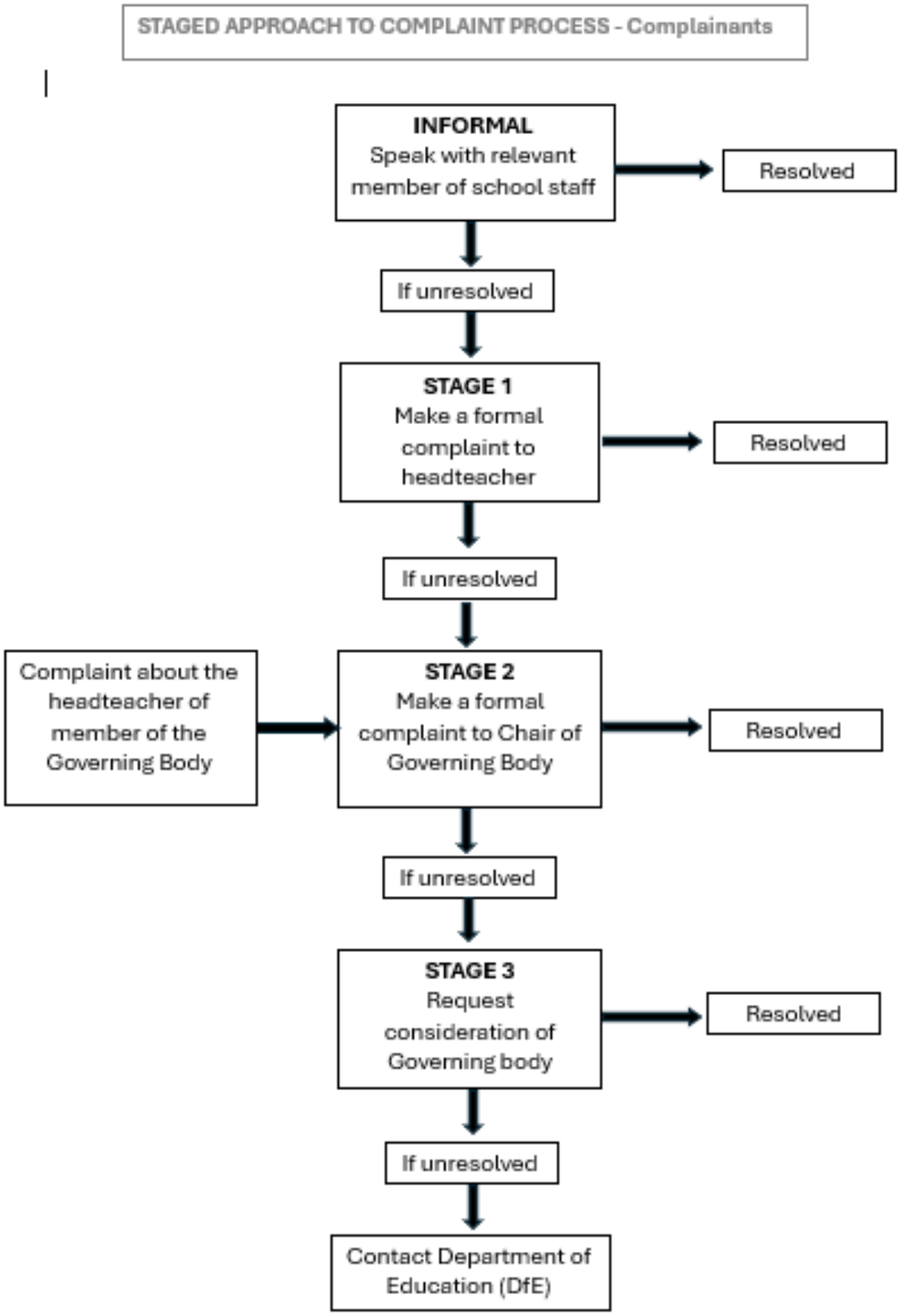
Please complete and return to the school office. Do ensure it is addressed to the correct form – see in the policy for details.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **Day time telephone number:** **Evening telephone number:**

Please give details of your complaint, including whether you have spoken to anybody at the school about it.
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:

If unresolved – make formal


STAGED APPROACH TO COMPLAINT PROCESS - Complainants
INFORMAL
Speak with relevant member of school staff
Resolved
If unresolved
STAGE 1
Make a formal complaint to headteacher
Resolved
If unresolved
Complaint about the headteacher of member of the Governing Body
STAGE 2
Make a formal complaint to Chair of Governing Body
Resolved
If unresolved
STAGE 3
Request consideration of Governing body
Resolved
If unresolved
Contact Department of Education (DfE)