

## Woodmancote School and Little Chestnuts Complaints Policy

Designated Member of Staff	G Tucker
Committee with responsibility	Safeguarding
Date of Issue	October 2017
Frequency of Review	Annual

Issue Number	Issue Date	Summary of Changes
1	October 2017	New Policy Format
2	October 2018	No changes
3	October 2019	No changes
4	February 2020	Little Chestnuts added
5	April 2021	No changes
6	June 2022	No changes
7	September 2023	Inclusion of references to legislation and EY Listing of what is not covered by policy Details of how to complain to DfE
8	September 2024	Reviewed-No changes

This document meets the requirements of section 29 of the [Education Act 2002](#), which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on [guidance for schools on complaints procedures](#) from the Department for Education (DfE), including the model procedure, and model procedure for dealing with serial and unreasonable complaints.

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](#) with regards to dealing with complaints about the school's fulfilment of Early Years Foundation Stage requirements.

Woodmancote School and Little Chestnuts are welcoming and relationships with parents, neighbours and the community are good and we receive very few complaints. However, problems sometimes arise from misunderstandings which are easily addressed. Most concerns and complaints can be sorted out quickly by speaking with your child's class teacher or key worker. When parents and teachers treat each other with mutual respect and support, this provides a very good role model for all our children.

### **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 generally 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 invoke formal procedures. Woodmancote School and Little Chestnuts take informal concerns seriously and makes every effort to resolve the matter as quickly as possible.

There are occasions when complainants would like to raise their concerns formally.

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Suspension and permanent exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline
- School re-organisation proposals
- Curriculum
- Collective worship

Please see our separate policies for procedures relating to these types of complaint.

## Who can make a complaint?

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

In the first instance parents (or anyone with a concern) should speak to the class teacher or key worker. If, having spoken to them, parents still have concerns, they should see the Headteacher. He will investigate the problem and discuss his findings with them so that everyone can find a way forward together which serves the best interest of both the school and the child. In the unlikely event of the problem remaining unresolved parents can put their complaint in writing and, if necessary, could subsequently refer it to the Chair of Governors.

Ref: *Section 29: Additional functions of governing body (Education Act 2002)*

*95. The section re-enacts section 39 of the SSFA. It requires governing bodies to establish a procedure to deal with complaints not covered by existing statutory requirements in relation to delivery of the National Curriculum, provision of collective worship and religious education (RE), SEN assessments, admissions and exclusions.*

The procedure to be followed in the event of a complaint being made is summarised in the following stages. Confidentiality will be maintained by all school staff.

## Complaints about our fulfilment of early years requirements

We will investigate all written complaints relating to the school's fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 10) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4666, or by emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular

## Stage 1: Informal Action

- Parents discuss concerns with the class teacher or key worker
- If they are unable to deal immediately with the matter, a clear note is made, including complainant's name, phone number and date, and the parent is contacted as soon as the matter has been investigated. The teacher or key worker will also consult the Headteacher or Pre-school leader at this stage.

- The teacher or key worker ensures that the parent is clear what action or monitoring of the situation has been agreed.
- If, for whatever reason, the parents prefer to talk to the Headteacher, or Pre-school leader then they can contact them via the office.
- If no satisfactory solution has been found, parents are asked if they wish their concern to be considered further.

### **Stage 2: Referral to the Headteacher**

- The Headteacher acknowledges the complaint, orally or in writing, within 3 school days
- A meeting is arranged with the complainant to clarify and supplement any information given.
- The Headteacher investigates further, interviewing witnesses as appropriate. If the complaint centres on a pupil, the pupil would normally be interviewed with a parent present or, if this is not possible, with a member of staff who is not directly involved. This may not be appropriate in the case of pre-school children
- The Headteacher keeps written records of meetings, telephone conversations and other documentation.
- Once all relevant facts have been established, the Headteacher responds. If the complaint was in writing, a written response will be sent.
- If the complainant is not satisfied, they are advised to write to the governing body.

If the complaint is against the Headteacher, the Stage 2 procedures are carried out by the Chair of the Governing Body.

If the complaint is against the Chair of Governors or any individual governor, the complainant needs to write to the Clerk.

### **Stage 3: Review by the Governing Body**

- The Chair acknowledges receipt of the written complaint, informing the complainant that the complaint is to be heard by a Committee of three members of the School's Governing Body within 20 school days.
- The Chair arranges to convene a Complaints Panel elected from members of the Governing Body. The members should have no prior involvement with the complaint and they should elect a Chair for the committee. All relevant documentation regarding the complaint should be given to the members of the committee as soon as possible. The complainant has the right to request an independent panel, if they believe there is likely to be bias in the proceedings. This request will be made to the Chair. The School will consider the request, but the Chair have the final decision.
- The Chair of the Committee will write and inform all concerned of the date, time and place of the meeting at least 5 school days in advance. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend and the right to submit further written evidence.
- It is the responsibility of the Chair of the Committee to ensure that the meeting is properly minuted.

- After the meeting, the Committee will consider the evidence and a written decision will be sent to the Headteacher and the complainant within 15 school days.

#### **Stage 4: Beyond the Governing Body**

- If, having pursued the complaint through the Headteacher and The Governing Body, the complainant still feels the issue is not resolved their complaint can be taken to the Secretary of State for Education under Education Act 1996 on the grounds that a Governing Body is acting or proposing to act unreasonably or has failed to discharge its duties under the Act.

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the DfE.

The DfE will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The DfE also looks at whether the school's statutory policies adhere to education legislation.

The DfE will intervene where a school has:

Failed to act in line with its duties under education law

Acted (or is proposing to act) unreasonably when exercising its functions

If the complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

#### **Serial and Persistent Complainants (Appendix B)**

Woodmancote School and Little Chestnuts will do their best to be helpful to people who contact us with a complaint or concern or a request for information. However, in cases where the school is contacted repeatedly by an individual making the same points, or who asks us to reconsider their position, we will act appropriately.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is a poor use of the schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Governors will inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond. However, the school will not mark a complaint as 'serial' before the complainant has completed the procedure.



An individual will not be marked as serial for exercising their democratic right to refer their complaint to their local MP regardless of which stage the complaint has reached. The application of a 'serial or persistent' marking will be against the subject or complaint itself rather than the complainant.

Signed: ..... Chair of Safeguarding Committee

Safeguarding Policies	Policies currently allocated to Premises-December 2017 which have a Safeguarding element
Acceptable Use	Accessibility Policy, Audit and Plan
Allegations against Staff	Anaphylaxis Awareness and Monitoring
Anti-Bullying	Disability Discrimination Policy and Plan
Attendance	Business Continuity Plan
Children in Care	Emergency Asthma Inhaler Policy
Children with Health Needs Who Cannot Attend School	
Code of Conduct	Fire Risk Policy and Risk Assessments
Complaints	Health and Safety Policy
Cyber Security	Lone Working Policy
Educational Visits	Lettings Policy
Equality	Security Policy
Flexi-Schooling policy	Records Management Policy
Governor's Behaviour Statement	
Intimate Care	
Lockdown	
Online Safety	
Preventing Radicalisation	
Recruitment and Selection	
Recruitment of Ex-Offenders	
Relationship and Behaviour	
Restrictive Physical Intervention	
Safeguarding and Child Protection	
SEN	
Supporting children with medical needs	
Volunteers in School	