



**MANLEY PARK**  
PRIMARY SCHOOL

G R O W I N G   T O G E T H E R

## **Complaints Policy**

Document Control	
Title	Complaints Policy
Date	July 2022
Supersedes	November 2019
Author	Robert Jones
Approved by Governing Body	July 2022
Date Adopted by School	July 2022
Review Date	July 2025

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## INTRODUCTION

At Manley Park our values drive our ethos, curriculum and behaviour. We encourage our whole school community to model these values in all that we do, setting an example through our actions and our communications.

We want the way in which we communicate with each other to be a positive experience for everybody. We support this by having a clear way for families to get in touch and talk to us about issues that might come up for them at school.

The school will do all it can to resolve concerns and complaints. This policy is one way to make sure that families are happy with the education that their child receives. The school takes all concerns and complaints seriously. We will deal with both informal and formal complaints confidentially. We will be sensitive and impartial. We will work with families to resolve issues by being open and transparent. We understand that complaints can foster opportunities for development and improvement. If the school receives serial or malicious complaints, we will take appropriate action.

When we use this policy we will make sure that we meet our statutory duties under the Equality Act 2010. We will make reasonable adjustments for Disabled people. If we identify that there are particular barriers to communication, then we will offer reasonable adjustments.

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## **PURPOSE OF THE POLICY**

This policy is designed to provide families and the school with clear processes at times when concerns may arise. This policy can be used by parents and carers of current pupils, former pupils and members of the public.

### **Main aims:**

- To encourage resolution of issues by informal means wherever possible.
- To establish time-limits for action and keep people informed of the progress.
- To ensure a full and fair investigation where necessary.
- To address points of concern and provide an effective response. To take action, where necessary
- To improve services by providing information to the school's senior leadership team
- To be easily accessible and publicised.
- To be simple to understand and use.
- To be impartial.
- To respect people's desire for confidentiality.

This policy does not cover complaints about:

- Admissions
- School reorganisation proposals
- statutory assessments of SEND
- safeguarding matters
- school exclusions
- whistle-blowing
- staff grievances
- staff discipline
- curriculum
- collective Worship
- external providers who work in our school.

Please read the section of this policy called **WHEN THIS POLICY IS NOT THE CORRECT COURSE** for more information.

## STAGES OF THE POLICY

The policy has two main stages:

Raising an **informal** concern with the Class Teacher or relevant member of the staff team.

Raising a **formal** complaint. This happens in 2 stages. First a Formal complaint to the Headteacher. Finally a **formal** complaint to the School Governors via the Complaints Panel.

*We will give all complaints fair and proper consideration and a timely response. A complaint must be made within 3 months of the incident/issue occurring. If a complaint is older than 3 months it will only be investigated in exceptional circumstances.*

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The process of each stage is explained below:

**Informal Complaint** – Concern is raised informally with the Class Teacher or relevant member of the staff team.

*We expect that the majority of issues or questions that you have to be resolved by getting in touch with us in this way.*

**How to report:** Please send an email to [communication@manleypark.com](mailto:communication@manleypark.com). Our administration team will forward the information to the correct class teacher.

In this email, please provide as much detail about the issue you would like to talk to us about as you can.

**When we receive the complaint:** The class teacher will contact the family within 2 working days. They will either discuss the issue over the phone or arrange a meeting to talk at a time that suits both parties. If the Class Teacher feels unable to deal with the issue then the family will be referred to another member of staff. Similarly, if the family has concerns about discussing the issue with the Class Teacher then they can ask to speak to another member of staff.

The meeting or phone call is an opportunity for the family to discuss the issues that they want to raise. The family can let us know what they would like the outcome to be. Together we will agree on next steps.

**What will happen next:** We will send the family a brief overview of the meeting and the agreed next steps.

**How long will it take:** Usually within 10 working days of receiving the complaint.

If you are not satisfied with the outcome or the matter has not been resolved you will be advised to proceed to stage two of the policy.

The complainant has 10 working days from the date of receiving the school's written response to proceed to stage two of the policy.

*Please note: if a complaint concerns a member of the Senior Leadership Team it should be addressed to the Headteacher. This can be an informal or formal complaint. If a complaint concerns the Headteacher it should be addressed to the Chair of Governors. This would be*

*a formal complaint. If a complaint concerns a Governor or the Chair of the Governors it should be addressed to the Clerk of the Governors. This would be a formal complaint. A complaint will only come straight to the School Governors if it is about the Headteacher or a member of the governing body.*

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## **Formal Complaint**

### **Stage One – Formal complaint investigated by the Headteacher**

**How to report** - if the complaint is not resolved with your class teacher you can contact the Headteacher. You can also raise a formal complaint with the Headteacher if you feel that it is not appropriate to raise the complaint with the Class Teacher or the relevant member of the staff team first.

There are two ways to do this:

1. Follow the link on our school website (complaints - formal complaint) and complete the online form.
2. Call in to school and request a copy of our formal complaints form. Complete this and return it to the school.

In the form, set out the issue in detail. Tell us what steps have already been taken. Also tell us what change you want to see or how you would like to resolve the matter.

#### **When we receive the complaint:**

The Headteacher will record the date that the complaint is received. They will write to the family (by letter or email) within 2 working days. They will set out the nature of the complaint, check what remains unresolved and the change that the family would like to see. They will confirm whether a face to face meeting is the best way to resolve the complaint. They will let the family know who will contact them to lead the investigation. If this is not the Headteacher it will be a member of the school leadership team.

The designated person will contact the family within 2 working days of the Headteacher's notification (4 working days after the complaint is received). They will either discuss the issue over the phone or arrange a meeting to talk at a time that suits both parties. The meeting or phone call is an opportunity for the family to discuss the issues they want to raise. The family can let us know what they would like the outcome to be. We will agree on the next steps.

**What happens in the investigation:** If it is necessary, the Headteacher (or the person who is leading the investigation) will speak to everyone involved in the complaint. They will let the person making the complaint know what the process will be and how long the process should take. They will keep a written record of any meeting or conversations. Once the investigation has been completed the Headteacher will make a decision on next steps.

**What will happen next:** At the end of the investigation the Headteacher will provide a formal response to the family within 10 working days. If this timeframe cannot be met, the Headteacher will let the family know and provide an updated response date. The formal response will note the actions that were taken during the investigation. It will state whether the complaint was upheld (in part or in full). It will include a summary of actions that the school will take as a result of the complaint.

**How long will it take:** We will attempt to deal with the issue at stage 2 within 4 weeks of receiving the written complaint.

If you are not satisfied with the outcome, or the matter has not been resolved, you will have 3 months from the date of the incident - or the last series of incidents to make a Stage Two Formal Complaint\*. If you do this, you must let us know that you want to pursue the complaint and take it to the Complaints Appeal Panel.

*\*We will only consider complaints made outside of this timeframe in exceptional circumstances*

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## **Formal Complaint**

### **Stage Two – Formal Complaint investigated by the Complaints Appeal Panel (the School Governors)**

**How to report:** Complete a stage 3 (complaints panel) form. This is available to download via the school website. Paper copies are available from the school office.

If an electronic copy is being used return this to [communication@manleypark.com](mailto:communication@manleypark.com) FAO of the Complaints Clerk.

If a paper copy is being used then deliver this to the school office addressed to the Complaints Clerk.

In the form, set out the details of the appeal. Include the reasons why you believe the complaint was not resolved in the previous two stages. Also tell us what change you want to see or how you would like to resolve the matter.

When we receive the complaint the Clerk to the Complaints Appeal Panel will write to the family within 5 working days of receipt. The letter will acknowledge the family's written request to the complaints panel. It will also set out the steps involved in a Complaints Panel Appeal.

The Clerk will try to convene a Complaints Panel Appeal hearing as soon as possible. This will normally happen no later than 20 working days after receiving the appeal. The amount of time it takes to set up a Complaints Appeal Panel will depend on the availability of the Panel's members.

Sometimes it is not reasonably practical for the Panel hearing to happen within 20 working days after the receipt of the appeal. If this is the case, the family will be told the likely timescale for the Panel hearing. The Panel hearing must always happen as soon as it is reasonably possible.

Sometimes the Complaints Appeal Panel will request further information on the appeal. This needs to be supplied in advance of the Panel hearing meeting. If this happens, everyone involved will have the opportunity to submit written evidence to support their position. This can include:

- (a) Documents in support of complaint,
- (b) chronology and key dates relating to complaint, and
- (c) written submission setting out the complaint in more detail.

Evidence gets sent to the Clerk. The Clerk must receive all written evidence no later than 10 days before the Panel hearing. They circulate the documents to everyone involved in the complaint and the Panel members. They will also send an order of proceedings. The Clerk must send this information to everyone involved in the Panel hearing no later than 5 working days before the hearing.

The Complaints Appeal Panel will consider all evidence as part of the appeal process. The Complaints Appeal Panel will decide how to conduct the appeal. It should be reasonably informal so that everyone can present their case effectively.

**Who will be involved:** The Complaints Appeal Panel is usually made up of 3 Governors. They must not have been involved in the complaint and must be impartial. Other people who can attend the Panel hearing are:

- The complainant (including parents/carer if appropriate);
- the Headteacher and Deputy Headteacher if this is appropriate. It is not always necessary, or desirable, to have this person attending the panel at the same time as the family
- the Chair of Governors if appropriate;
- any other interested person that the Complaints Appeal Panel considers has a reasonable interest in the appeal. Their contribution should assist the Complaints Appeal Panel in their decision-making.
- Everyone who is part of the Panel Hearing can also submit written representation and address the Complaints Panel if the panel feels this is relevant and useful. This would be agreed with the Chair of the Panel in advance.

**What will happen next:** The Complaints Appeal Panel will consider all the relevant evidence.

The Panel will send its findings to the Clerk, the people making the complaint and the Governors. If it is relevant, they will also send their findings to the person that the complaint was about. They will do this within 10 working days of the Panel Hearing. The letter will give the reasons for the decision reached. It will list recommendations made by the Complaints Appeal Panel. The panel may offer to meet with the person making the complaint to discuss their findings. This would happen after the findings had been sent to everyone involved in the complaint.

Receiving the Panel's findings is the end of the formal complaints process.

If any of the recommendations have a financial implication for the school they will need Governor approval. The approval must be compatible with the decision made by the Panel.

**If you are not satisfied with the outcome:** The Complaints Appeal Panel is the final stage of the complaints process in school.

You can contact the Department for Education if you believe that:

- the school did not handle your complaint by following this policy
- the school did not follow the law when it handled your complaint
- the school acted unreasonably when handling your complaint

The Department of Education will not usually reinvestigate the complaint. They will not usually overturn any decision made by the school. They will consider:

- whether the school has adhered to education legislation.
- whether the school has adhered to any statutory policies connected with the complaint.

You can refer your complaint to the Department for Education:

**online:** [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus)

**by telephone:** 0370 000 2288

**in writing:** Department for Education Piccadilly Gate, Store Street, Manchester, M1 2WD.

Once a complaint is heard by a Complaints Appeal Panel the matter is closed by the school. It is not possible to reopen a complaint at this point. If the person complaining tries to do this the Chair of the Governors will inform them that the process is complete and the matter is closed.

*Please note that if a stage 1 or 2 complaint is received within the school holidays or within 2 days of a new half term the school has 2 days from the start of school opening to respond.*

*If a stage 3 complaint is received within the school holidays it will be referred to the Clerk when school reopens. The Clerk then has 5 working days to begin the Complaints Appeal Panel Process.*

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## **ROLES AND RESPONSIBILITIES**

**The Complainant:** the person who makes the complaint

### **Responsibilities:**

- communicates in line with the school's values.
- adheres to the complaints policy / process.
- expresses the complaint in full as early as possible.
- provides all relevant information at the start for the complaints process.
- cooperates with the school in seeking a solution to the complaint
- responds promptly to requests for information or meetings or in agreeing the details of the complaint.
- asks for help when needed.
- respects the timings as set out in the complaints policy.
- is clear about what they want as an outcome.
- does not bring the school into disrepute within the community and/or online

**The Complaints Co-ordinator:** the headteacher or person acting on behalf of the headteacher.

### **Responsibilities:**

- ensures that all communication is in line with the school's values.
- ensures that the complaints policy is followed.
- ensures that the complainant is updated at each stage of the procedure.
- ensures that everyone involved in the complaint is aware of current legislation including; the Equality Act 2010, Data Protection Act 1998, Freedom of Information Act 2000 and the General Data Protection Regulation
- liaises with those involved to ensure the smooth running of the complaints procedure.
- keeps records.
- is aware of issues about sharing third party information.
- Is aware of extra support that complainants may need when making a complaint. For example interpretation.



**The Investigator:** lead member of staff assigned at stages 1 and 2

**Responsibilities:**

- ensures that all communication is inline with the school's values.
- is comprehensive, open, transparent and fair when dealing with the complaint. Is sensitive and thorough in interviews to establish what has happened. Is considerate of everyone involved. Arranges for an independent note taker for meetings. Keeps appropriate records and analyses information.
- liaises with everyone involved to resolve the complaint to clarify what the complainant feels would put things right.
- identifies solutions and recommends courses of action to resolve problems.
- is mindful of the timescales to respond.
- responds to the complainant in plain and clear language.

**The Panel Clerk:** This could be the Clerk to the Governors, the Complaints Co-ordinator or an Independent Clerk.

**Responsibilities:**

- is the contact point for the complainant
- sets the date, time and venue of the hearing. Make sure that the dates are convenient to everyone and that the venue and meeting is accessible.
- collates any written material and sends it to the parties in advance of the hearing.
- meets and welcomes the parties as they arrive at the hearing.
- records the proceedings.
- circulates the minutes of the panel hearing.
- notifies all parties of the panel's decision.
- liaises with the complaints co-ordinator.

**The Panel Chair:**

**Responsibilities:**

- makes sure that the layout of the room will set the tone – care is needed to ensure the setting is not adversarial.
- makes sure that the panel is open-minded and independent. Make sure that panel members do not have an external interest in the outcome of the hearing. Make sure that panel members have not had involvement in an earlier stage of the complaint.
- makes sure written material is seen by everyone in attendance. If a new issue arises, give everyone the opportunity to consider and comment on it. This may mean providing a short adjournment of the hearing.
- makes sure that the meeting is minuted.
- conducts the hearing in an informal way. Makes sure that everyone is treated with respect and courtesy.
- Explains the remit of the panel.
- makes sure that the Panel hears factual evidence.
- makes sure the hearing is accessible and that everyone is at ease. This is particularly important if the complainant is a child/young person.
- Makes sure that the complainant and the school have the opportunity of putting their case without undue interruption.
- makes sure that the panel addresses the issues raised.
- works with everyone involved to resolve the complaint and find reconciliation. Asks the complainant what practical outcome they are looking for.
- liaises with the Clerk and complaints coordinator.

**Panel Member  
Responsibilities:**

- is independent and impartial.
- Has had no prior involvement in the complaint (particularly school staff or governors).
- takes the complaint seriously. Aims to resolve the complaint and achieve reconciliation. Understands that this might not be possible and that the person complaining may not be satisfied with the outcome.
- Understands that many complainants will feel nervous and inhibited in a formal setting.
- Understand how extra care is needed when the complainant is a child/young person and present during all or part of the hearing. Respects the views of the child/young person. Gives them equal consideration to adults. Asks if the child needs any support to help them present their complaint in advance of the meeting. If the child/young person's parent is the complainant, ask which parts of the hearing, if any, the child/young person needs to attend. Advises the parent that agreement might not always be possible if the Panel considers it not to be in the child/young person's best interest to attend. The welfare of the child/young person is paramount.

## DOCUMENTATION AT EACH STAGE

### Stage 1 - Informal Resolution (To be completed by the school)

Thank you for raising your concern with the school. We want to work with you to find solutions and endeavour to resolve most concerns at this stage. We hope the meeting was successful in achieving a positive outcome. Below is an overview of your meeting with the class teacher at stage 1 of our complaints policy.

Child' Name:	Year Group:	Date complaint received:  Date of meeting:	Complainant's name and relationship:
Overview of the meeting:			
Agreed next steps (school):		Agreed next steps (home):	
Complainant's response at the close of the meeting:			
<p>We want to work with you to find solutions and endeavour to resolve most concerns at this stage.</p> <p>You have 10 working days from the date of receiving the school's written response to proceed to stage two of the policy.</p>			

## Stage 2 - Formal Complaint to the Headteacher

Child' Name:	Year Group:	Date complaint received:  Date of meeting:	Complainant's name and relationship:
Please give concise details of your complaint. School will use these to investigate the matter. Include dates, names of people involved, witnesses, etc			
What action, if any, have you already taken to try and resolve your complaint? (ie. who have you spoken with or written to and what was the outcome?)			
What actions do you feel might resolve the problem at this stage?			
Are you attaching any additional paperwork? If so please provide details.			

**Stage 2 - Formal Resolution** (To be completed by the school)

Your formal complaint has been investigated by our investigator. We hope that your meeting brought positive solutions. Below is an overview of your meeting.

Child' Name:	Year Group:	Date complaint received:  Date of meeting:	Complainant's name and relationship:
Overview of the meeting:			
Agreed next steps (school):		Agreed next steps (home):	
Complainant's response at the close of the meeting:			
If we have not been able to resolve your concerns through Step 2 then you have 10 working days to write to us and let us know that you want to pursue the matter at stage 3 and take your complaint to the Complaints Appeal Panel.			

### Stage 3 - Formal Complaint heard by the Complaints Panel

Child' Name:	Year Group:	Date complaint received:  Date of meeting:	Complainant's name and relationship:
Please give concise details of your complaint. School will use these to investigate the matter. Include dates, names of people involved, witnesses, etc			
Please provide reasons why you believe your complaint(s) have not been resolved satisfactorily under the previous two stages of the policy.			
Please state the resolution that you are seeking.			
Are you attaching any additional paperwork? If so please provide details.			

## MONITORING COMPLIANCE WITH THE POLICY

An annual report will be presented by the headteacher at the last FGB (Full Governing Board) meeting of the academic year.

Information to be monitored:

- Formal complaints dealt with within 10 working days
- Number of formal complaints
- Trends of complaints
- Any developments required

The details of the complaint, including the names of people involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

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## WHEN THIS POLICY IS NOT THE CORRECT COURSE

**Admissions to schools; Statutory assessments of Special Educational Needs (SEN); School reorganisation proposals; Matters likely to require Child Protection Investigation** Concerns should be raised directly with local authorities (LA). For school admissions, it will depend on who is the admission authority (either the school or the LA). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.

**Exclusion of children from school** - Further information about raising concerns about exclusion can be found at: <https://www.gov.uk/school-discipline-exclusions>

**Whistleblowing** – The school has an internal whistleblowing procedure for employees and voluntary staff.

**Staff grievances and disciplinary procedures** - These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.

**Complaints about services provided by other providers who may use school premises or facilities** - Providers should have their own complaints procedure to deal with complaints about service. They should be contacted directly.

**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.

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## **SERIAL COMPLAINTS**

If a complainant tries to re-open the same issue, the school can 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, the correspondence may then be viewed as 'serial' and the school may choose not to respond. However, we will not mark a complaint as 'serial' before the complainant has completed the procedure.

Under no circumstances will a complainant be marked as 'serial' for exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.

We will not refuse to accept further correspondence or complaints from an individual that we have had repeat or excessive contact with. The application of a 'serial' marking should be against the subject or complaint itself rather than the complainant.

If complainants become unreasonably persistent, abusive, harassing or vexatious the school will follow their unreasonable / unreasonably persistent, abusive, harassing or vexatious policy.

If we become the focus of a campaign and receive large volumes of complaints: all based on the same subject or from complainants unconnected with the school. We will send a template response to all complainants or publish a single response on the school's website. If complainants are dissatisfied with the school response they will be signposted to the Department of education.

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## **RECORD KEEPING**

The school will keep a record on the progress of all complaints. This will include information about the actions taken at each stage, the stage at which the complaint was resolved, and the final outcome. Records of letters, emails, meetings notes and phone calls will also be kept.

The school will treat all of these records as confidential. They will only be viewed by people involved in investigating the complaint or by the complaints Appeal Panel. The only exception to this is where the secretary of state (or someone acting on their behalf) requests access to the records through a freedom of information request or under the terms of the Data Protection Act or where the school has to make the records available during a school inspection.

The school will keep records of complaints for a minimum of 3 years. They will be stored securely and disposed of in accordance with data protection legislation.

The school will seek informed consent before taking, storing, or using any audio or video recordings during a complaint process.

*For more information please refer to the Data Protection area on our school website.*

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