



Respect

Creation

Fellowship

Wisdom

Hope

ARCHBISHOP BENSON C of E SCHOOL

Complaints Policy

Chair of Governors

Mandy Hoare

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1.0 Introduction

At Archbishop Benson School, we are proud to be a Church of England school rooted in our local community. In keeping with our inclusive vision and values, we are committed to being the school of first choice for all local families providing an excellent education for all our pupils. Our policies and procedures are focused on ensuring that we all enjoy and achieve within a nurturing and enriching school community.

Vision:

With **fun and learning**, hand in hand, **all things are possible**.

“**I can** do **all things** through **Him** who strengthens me. (Philippians 4:13)

Values:

RESPECT **CREATION** **FELLOWSHIP** **WISDOM** **HOPE**

Aims:

To help fulfil this vision the school has the following aims:

- To enable each child to achieve his or her full potential in levels of academic maturity, creativity, spirituality, physical development and independence
- To educate pupils in the principles of the Christian faith, promoting respect for moral values, differing races, religions and ways of life
- To awaken and develop every child's sense of self worth
- To develop respect, commitment and responsibility for others, to equip children to be able to make a positive contribution to the community in which they live
- To provide a wide variety of activities, visits and special events which enrich children's learning

Background

Archbishop Benson Church of England Primary School is a standalone academy school run by an academy trust company. All academies must have a complaints procedure. This must meet the standards set out in the Education (Independent School Standards (England) Regulations 2014 Schedule 1, Part 7. The Regulations set out how complaints procedures should be drawn up and used effectively to handle complaints from parents of pupils.

This does not limit complainants to parents or carers of pupils registered at a school, a complainant could be a member of the wider community or representing an ex-pupil. The law also requires the procedure to be publicised.

Complaints are not always easy to define. It is therefore important to keep in mind a distinction between concerns, problems and complaints. They can often arise from the consequences or perceived consequences of resource allocations, operational difficulties, working practices or individual actions.

Underlying Principles

Complainants will be treated seriously and courteously and given the time they require to be heard. It is important to the school that the complainants have confidence in these procedures and know that their cases will be impartially investigated.

Complainants should be advised at the earliest possible stage of:

- The scope, if any, for pursuing their complaint and the extent of the procedure for dealing with it;
- The way in which the complaint is likely to be handled.

Where there are established statutory or other procedures for the dealing with a complaint, these will be followed. These guidelines do not cover those matters already provided for such as:

- Admissions to schools;
- Exclusions;
- Special Educational Provision (SEN Tribunal);
- School re-organisation;
- Matters concerned with the curriculum;

- Serious complaints against staff;
- Child Protection issues;
- Public examinations.

It may be that action under the complaints procedure may lead to action being initiated under other (e.g. statutory) procedures. In these cases the investigations under the complaints procedure will be suspended until action under the procedure (including appeals) has been concluded. The complainant should be advised that alternative action is being taken, but will have to remain confidential until that procedure has been completed. They should also be told the likely delay in the final resolution of their complaint which will result.

Definition of a Complaint

(For the purpose of this policy, “face-to-face” communication means meeting in person. The school will consider extenuating circumstances where an in-person meeting would not be reasonably possible)

There is a difference between raising a **concern** and making a formal **complaint**.

A concern is an expression of worry or doubt or a request for further information or clarification about an issue considered to be important, for which reassurances are sought. **Concerns** are usually settled quickly and easily through informal, day-to-day channels of communication with the class teacher via Class Dojo, a telephone call, email or a face-to-face conversation at the end of the school day. If the school deems the nature of the concern to be more complex, those raising the concern will be invited in to school for a face-to-face meeting to discuss and clarify the issue with the relevant staff members.

If a parent/carer or other user of the school feels **a concern** has not been resolved appropriately, they can notify the school that they now wish their concern to be dealt with as **a complaint**. The school intends to resolve such complaints at the earliest point possible through an informal face-to-face meeting with the relevant parties.

There may be occasions where the complainant would like to raise their complaint formally. In these cases, the complaint needs to be submitted in writing using the complaints form attached to this policy. It can either be accessed, completed and submitted electronically, printed off and completed by hand and returned to the school office or a paper copy can be collected from and returned to the school office.

The complaint will be investigated by the relevant senior member of staff and the complainant will be invited to attend a face-to-face meeting as part of that process. If the complainant refuses to attend a face-to-face meeting with the school, it may be necessary, in certain circumstances, to close the complaint.

After initial investigation, a decision might be made to use the discipline, capability (or other appropriate) procedure against a member of staff. Anonymous complaints would not normally be considered under this procedure. This policy outlines the informal and formal stages by which a complaint may be made against the school. At all stages, the aim of the policy is to reach a mutual understanding of the problems so that improvements can be made where necessary.

Where agreement cannot be reached, the aim of the procedure is to ensure that all parties are treated fairly.

Conciliation between school and the parents/carers can be considered at any time, within the informal or formal stages.

Archbishop Benson Church of England Primary School Complaints Procedure

1.0 Introduction

Archbishop Benson Church of England Primary School recognises that all parents want their children to do well and be happy. We recognise that you as a parent or guardian play an important part in making this happen. Therefore, we aim to provide as many opportunities to keep you informed and involved in your child's progress as we possibly can.

Newsletters, correspondence, parents' evenings, regular reports, informal communication with class teachers and phase leaders all help this process. Questions and concerns are usually dealt with quickly and helpfully. However, we recognise there are times when things go wrong, when concerns continue and differences of opinion develop. These can usually be resolved by speaking to the right person.

Most concerns can be settled without too much trouble, but whatever the issue, even where you are seriously concerned about your child's future at the school, it's always important to try to find an answer. Disruption to a child's education would be the most damaging result of all.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement and/or evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

2.0 Investigating complaints

The school may decide to appoint an Investigating Officer. He/she will be supported in their role by the Clerk to the Governing Board in an administrative capacity. The Investigating officer will be appointed by the Headteacher or the Chair of Governors depending on the nature and stage of the complaint

The Investigating Officer will seek to:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right (if unsure or further information is necessary);
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct any interview with an open mind and be prepared to persist in the questioning;
- keep notes of any interview or arrange for an independent note-taker to record minutes of the meeting.
- Compile an investigative report, as requested by the Headteacher or the Chair of the Governing board

After the publication of any report, the investigating officer is then detached from the complaints process. Their involvement would cease unless and until called to give evidence at any future panel hearing.

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage. Stages 1, 2 and 3 should be completed in 15 school days. However, it is recognised that this timeframe may prove challenging where complaints are complex or where circumstances occur beyond the control of the school. In such cases, the Headteacher, the Investigating Officer, Chair of the CAP or the Clerk to the Governing Board should write to the complainant (and the Headteacher if required) to give a revised target.”

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The school expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved

3.0 Resolving complaints

At each stage in the procedure staff will keep in mind ways in which a complaint can be resolved. It may be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

in the event of a perceived breakdown of relationship/communication between the school and the complainant(s), the school will appoint a Nominated Point of Contact (who will be a senior member of staff) who can establish fresh lines of communication with the complainant(s) to seek to bring about reconciliation and closure of the matter. This is to ensure all parties involved are supported and feel heard and represented fairly

4.0 Informal Stage

4.1 All staff will make every effort to resolve your problem promptly at this informal stage. Most concerns and potential complaints can best be resolved through informal discussion with the relevant member of staff.

4.2 If you have a concern about your child's care or overall progress:

- Any problem or concern should be raised promptly with the class teacher
- The Phase Leader is also available to meet with parents to help resolve matters quickly
- If you are not satisfied with their response or your concern is more serious you may prefer to make an appointment to discuss it with the Assistant Headteacher, Deputy Headteacher or Headteacher.
- To fully explore the issues at hand, ensure clarity and avoid misunderstandings, meetings between school and the complainant will be face-to-face unless both parties agree otherwise.

4.3 If the complaint is about the Headteacher - proceed to Formal Stage 2 (6.2)

4.4 There will normally be an initial response by letter, email or phone call within 5 working days to acknowledge receipt of your concern. If the matter requires further investigation the school will endeavour to answer your concern within 15 school days.

5.0 Roles and Responsibilities within the Formal Stage

If you are dis-satisfied with the responses from the informal stage you can proceed to the formal stage

5.1 Roles and Responsibilities within the Governing Board or Complaints Panel

There are several points which any governor sitting on a complaints panel will need to remember:

- It is important that the panel is independent and impartial and that it is seen to be so.

- No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- The panel must include at least one person who is not an employee, Member or Governor of the academy trust company.
- The aim of the complaints panel, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the panel does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults.
- Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the panel, if any, the child needs to attend.
- The governors sitting on the panel need to be aware of the complaints procedure.

5.2 The Role of the Clerk

The clerk is the contact point for the complainant (clerk@archbishop-benson.cornwall.sch.uk) and be required to:

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- Collate any written material and send it to the parties in advance of the hearing;
- Meet and welcome the parties as they arrive at the hearing;
- Record the proceedings;
- Notify all parties of the panel's decision.

5.3 The Role of the Chair of Governors or the Nominated Governor

This role is to:

- Check that the correct procedure has been followed;
- If a panel hearing is appropriate, notify the clerk to arrange it.

5.4 The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;
- Key findings of fact are made;
- Parents and others who may not be used to speaking at such a meeting are put at ease;
- The panel hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- The panel hearing is open minded and acting independently, and at least one member of the panel is not an employee, Member or Governor of the academy trust company.
- No member of the panel hearing has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.
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5.5 The Remit of the Complaints Panel

The panel can:

- Uphold the complaint in whole or in part;
- Dismiss the complaint in whole or in part;
- Decide on the appropriate action to be taken to resolve the complaint;
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

6.0 Formal Stage

Conciliation and resolution between school and the parents/carers will be sought at each phase of the formal stage

6.1 Formal Stage One - Complaint heard by the Headteacher

If you are dis-satisfied with the responses from the informal stage you can make a complaint to the Headteacher. This could be made in writing or by making an appointment to discuss the problem. The Headteacher may ask to meet you in person for a face to face discussion of the problem. You may bring a friend or someone else with you if you wish.

The Headteacher will seek conciliation and resolution between school and the parents/carers. If the parent/carer decides to continue with the formal complaint, then the Headteacher will conduct a full investigation of the complaint and may interview any members of staff or pupils involved. The Headteacher may appoint an investigating officer to assist with any investigative work and with the compilation of any report. The Headteacher may delegate such tasks to another staff member but not the decision on the action to be taken.

You will then receive a written response to your complaint which you may wish to discuss with the Headteacher.

The timescales should be as for the informal stage.

6.2 Formal Stage Two - Complaint heard by Chair of Governors

If the complainant is not satisfied with the response of the Headteacher or the complaint is about the Headteacher, the complainant should write to the Chair of Governors to request that their complaint is considered further.

The complainant can ask for a review of their complaint by writing to the Chair of Governors, making it clear why they are complaining, who they have already spoken to and what they want to happen as a result of their complaint.

Complaints made to the Chair should be acknowledged within 5 school days with a substantive response within 15 school days. The Chair may seek conciliation and resolution between school and the parents/carers. If the parent/carer decides to continue with the formal complaint, then the Chair may need to hold interviews with the Headteacher and possibly other members of staff and notes should be kept of those meetings. The Chair of Governors may appoint an investigating officer to assist with any investigative work and the compilation of any report. The Chair may delegate such tasks to a staff member but not the decision on the action to be taken.

The letter conveying the Chair's findings should include details of the next stage of the procedure.

The Chair may need to explain the power of the Governing Board in the matter in question and the extent it may be possible to achieve the outcome desired by the complainant.

6.3 Formal Stage Three - Complaint heard by Governing Board's Complaints Panel

6.3.1 If the complainant decides to take the matter further, the Chair of the Governing Board should write to the complainant to acknowledge the complaint within 5 days of receipt of the complaint. A copy of the acknowledgement and the complaint form should be sent to the Headteacher and to the Clerk of the Governing Board.

If the complaint has been investigated at Stage 1 and/or 2, the result of the investigation must be made available to Clerk/Chair by the Headteacher.

However, where the complaint is against the Headteacher and the complainant is referred to Stage 2, the Chair of the Governing Board must decide how the complaint should be investigated. The Chair of the Governing Board may seek conciliation and resolution between school and the parents/carers. Where the parent/carer decides to continue with the formal complaint and where the facts of the complaint are clearly established, it is unlikely for the Chair of the Governing Board to order an investigation. The matter may instead be escalated directly to the Complaints Appeal Panel (CAP).

6.3.2 The Governing Board will establish a CAP drawing on up to 3 people with no prior, direct involvement with the complaint. In deciding the make-up of the CAP, where possible the governing board will try and ensure that is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation. At least one member of the CAP should not be an employee, Member or Governor of the academy trust company.

Where all (or a majority of the governors) are aware of the substance of the complaint before the final stage has been completed, the Governing Board may choose to arrange for the panel hearing the complaint to be made up entirely (or include a number) of independent panel members. In this case, independent panel members may be drawn from another school's Governing Board or from the Local Authority.

The Headteacher should not serve on the CAP. If the Chair of the Governing Board has had prior involvement in the complaint, then the Chair must not sit on the CAP.

6.3.3 The CAP should consider the complaint on the basis of the written evidence and set up a hearing to hear both parties. The CAP should reconsider the issues raised in the original complaint and be able to give it fresh assessment, and not confine themselves to consideration of procedural issues

6.3.4 The Chair of the CAP should take a decision at the beginning of Stage 3 on whether to seek the services of the Clerk to:

- Deal with the administration of the procedure
- Provide independent advice on procedure and evidence
- Ensure that the relevant facts are established
- Minute the meeting; and
- Draft the decision letter

6.3.5 In advance of the meeting:

- The Chair of the CAP should write to the complainant to explain how the review will be conducted. The letter should be copied to the Headteacher.
- The Clerk/Chair of the CAP should confirm the date of the meeting with the other people on the CAP.
- The complainant and the Headteacher should be invited to attend the meeting. The date and time of the meeting should be convenient to both parties, within reason. The notification should inform the complainant of his/her right to be accompanied by a friend/representative. It should also explain how the meeting will be conducted and of the complainant's right to submit further written evidence to the committee.
- The Headteacher should also be invited to prepare a written report for the CAP in response to the complaint.
- All relevant correspondence regarding the complaint should be circulated to the CAP, the complainant and the Headteacher in advance of the meeting.
- If the Headteacher and/or the complainant wish to call witnesses, the agreement of the Chair of the CAP should be obtained in advance of the meeting.
- It is the responsibility of the Chair of the CAP to ensure that the meeting is properly conducted. However, the proceedings should be as informal as possible

6.3.6 At the meeting:

The meeting should allow for:

- The complainant to explain his or her complaint and for the Headteacher to explain his or her decision
- The Headteacher to question the complainant and the complainant to question the Headteacher.

- The CAP to have an opportunity to question both the complainant and the Headteacher.
- Any party to have the right to bring witnesses (subject to the approval of the Chair of the CAP) and all parties have the right to question all the witnesses;
- A final statement by the Headteacher and the complainant, and
- The Chair of the CAP to explain to the complainant and the Headteacher that the CAP will consider its decision and a written response will be sent to both parties as soon as possible. The complainant, the Headteacher and any witnesses will leave.

6.3.7 After the meeting

- The CAP will consider the complaint and all the evidence presented and reach a unanimous, or at least a majority, decision regarding the complaint. Where appropriate the CAP can decide on the action to be taken to resolve the complaint and/or suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not occur again.
- The CAP will not pay financial compensation as a result of the complaint, though it may make recommendations to the school in terms of its educational provision.
- The Clerk/Chair of the CAP will send a written statement outlining the decision with the reason to both the complainant and the Headteacher within 5 school days. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed
- Stage 3 should be completed in 15 school days. However, it is recognised that this timetable may prove challenging where complaints are complex. In such cases, the Chair of the CAP should write to the complainant and the Headteacher to give a revised target date.

7.0 Final Stage of the Appeal

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the Education & Skills Funding Agency (ESFA). The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint.

However, it will look into:

Whether there was undue delay, or the school did not comply with its own complaints procedure

Whether the school was in breach of its funding agreement with the secretary of state

Whether the school has failed to comply with any other legal obligation

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's 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>

8.0 Persistent complaints

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the Chair of Governing Board (or other appropriate person in the case of a complaint about the Chair) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the school's position and their options (if any), *and*
- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school staff

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint. The school will seek professional advice where needed, on a case by case basis, as to whether unreasonable behaviour has become abusive, offensive or threatening to others.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

9.0 Unreasonable Complainants

9.1 Archbishop Benson Church of England Primary School is 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 the school. However, we do not expect our school to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

We define unreasonable complainants as those who, because of the excessive frequency or nature of their contacts with the school,

- hinder our consideration of their or other people's complaints
- cause unacceptable disruption to the school as an organisation

The school will seek professional advice where needed, on a case by case basis, as to whether a complainant has become unreasonable in their interaction with the school

A complaint may be considered unreasonable when the person making the complaint:

- Refuses to articulate their complaint or specify the grounds of the complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Refuses to cooperate with the complaint investigation process whilst still wishing their complaint to be resolved
- Refuses to accept that certain issues are not within the scope of a complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the adopted procedure or with good practice
- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to make 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 continues
- 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 into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department of Education
- Seeks an unrealistic outcome

- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with

9.2 A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically

- Maliciously
- Aggressively
- Using threats, intimidation or violence
- Using abusive offensive or discriminatory language
- Knowing it to be false
- Using falsified information
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers

Complainants should limit the number of communications with the school while a complaint is being processed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Where possible, the Headteacher or the Chair of Governors will discuss any concerns with the complainant informally before applying an “unreasonable” judgement.

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Archbishop Benson Church of England Primary School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan.

This will usually be reviewed every 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the Archbishop Benson Church of England Primary School site.

10.0 Barring from the school premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent’s behaviour is a cause for concern, a school can ask him/her leave the school premises. In serious cases, the Headteacher can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representation that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed, the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so by letter, or email to the Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school’s own complaints policy has been completed, the only remaining avenue of appeal is through the courts, independent legal advice must therefore be sought.

11.0 Record-keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the Secretary of State (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept for 7 years.

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

Where the Governing Board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Governing Board, who will not unreasonably withhold consent.

12.0 Learning lessons

The Governing Board will review from time to time any underlying issues raised by complaints with the Headteacher and/or Senior Leadership Team, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

13.0. Monitoring arrangements

The Governing Board will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Governing Board will track the number and nature of complaints, and review underlying issues as stated in section 12.

The complaints records are logged and managed by the Complaints Officer (Mrs Power)

This policy will be reviewed by the Governing Board every three years.

At each review, the policy will be approved by the Governing Board..

14.0 Links with other policies

Policies dealing with other forms of complaints include:

- Child Protection and Safeguarding Policy and procedures
- Admissions Policy
- Exclusions Policy
- Staff Grievance Procedures
- Staff Disciplinary Procedures
- SEN Policy
- Behaviour for Learning Policy
- Home-School Communication Protocol

CHECKLIST FOR A COMPLAINTS PANEL

1	The hearing is as informal as possible
2	Witnesses are only allowed to attend with the prior agreement of the Chair of the Panel and are only required to attend for the part of the hearing in which they give their evidence
3	After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses
4	The Headteacher may question both the complainant and the witnesses after each has spoken
5	The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
6	The complainant may question both the Headteacher and the witnesses after each has spoken
7	The panel may ask questions at any point
8	The complainant is then invited to sum up their complaint
9	The Headteacher is then invited to sum up the school's actions and response to the complaint.
10	Both parties leave together while the panel decides on the issues
11	The Chair explains that both parties will hear from the panel within a set time scale.

COMPLAINTS FLOWCHART

CONCERN OR COMPLAINT RECEIVED	INFORMAL PROCEDURE SCHOOL ACTION
<p>Informal discussion with the Phase Leader or Assistant/Deputy Headteacher usually resulting in resolution of the issue.</p> <p>If the complaint is about the Headteacher- proceed to Stage 2</p>	<p>The person is informed of the action to be taken to resolve the issue. If they are not satisfied they should be provided with a copy of the school's complaints procedure and information on how to proceed to stage 1</p>

FORMAL PROCEDURE - STAGE 1	SCHOOL ACTION
<p>The complaint is submitted, in writing, to the Headteacher</p>	<p>The Headteacher acknowledges receipt within 5 school days and provides a full written response within 15 school days. Information is provided to the complainant on how to progress the complaint to stage 2.</p>

FORMAL PROCEDURE - STAGE 2	SCHOOL ACTION
<p>A written complaint is submitted to the Chair of Governors</p>	<p>The Chair acknowledges receipt within 5 school days and provides a full written response within 15 school days. Information is provided to the complainant on how to progress the complaint to stage 3.</p>

FORMAL PROCEDURE - STAGE 3	SCHOOL ACTION
<p>Complainant writes to the clerk to the governors requesting that the complaint be heard by the complaints panel.</p>	<p>Clerk arranges for complaints panel to meet between 12 and 20 school days from receipt of letter and informs the complainant of findings within 5 school days of hearing. Information is provided to the complainant on how to progress the complaint to the ESFA.</p>

FURTHER RECOURSE	
<p>Complainant writes to ESFA</p>	<p>The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into: Whether there was undue delay, or the school did not comply with its own complaints procedure Whether the school was in breach of its funding agreement with the secretary of state Whether the school has failed to comply with any other legal obligation</p>

Archbishop Benson CoE Primary School School Complaint Procedure form

Please complete and return this form to Debbie Bullen (Staff & Personnel Administrator) either electronically ((admin@archbishop-benson.cornwall.sch.uk) or hand it into the school office in a sealed envelope marked for her attention.

Your Name	
Date of Complaint Submission:	
Pupil's Name	
Your relationship to the Pupil:	
Address:	
Postcode:	
Daytime Telephone Number:	
Evening Telephone Number:	
Please give the 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 is the outcome that you are seeking from this complaint?	

Summary for Dealing with Complaints

Informal Stage

– Complaint heard by staff member:

- o Complaint investigated
- o Ensure Complaints Officer is informed of outcome
- o Inform complainant of outcomes

If not resolved, then escalate to Formal Stage 1

Formal Stage 1

Complaint heard by the Headteacher:

- o Acknowledge receipt of complaint
- o Further investigation carried out if necessary
- o Review of findings
- o Write to complainant with outcome of investigation
- o Ensure Complaints Officer is informed of outcome
- o Offer escalation to Formal Stage 2 if dissatisfied

If not resolved, then escalate to Formal Stage 2

Formal Stage 2

Complaint heard by Chair of Governors:

- o Acknowledge receipt of complaint
- o Further investigation carried out if necessary
- o Review of findings
- o Write to complainant with outcome of investigation
- o Ensure Complaints Officer is informed of outcome
- o Offer escalation to Stage 3 if dissatisfied

If not resolved, then escalate to Formal Stage 3

Formal Stage 2 -

Governor's complaints panel meeting arranged:

- o Issue letter inviting complainant to meeting
- o Further investigation carried out if necessary
- o Meeting convened
- o Issue letter confirming panel decision
- o Ensure Complaints Officer is informed of outcome
- o Advise of escalation routes to the Education & Skills Funding Agency (ESFA)