



Blue Hills Federation



COMPLAINTS POLICY

SEPTEMBER 2023

The Blue Hills Federation

The Blue Hills Federation is a collective of three primary schools – Clunbury CE Primary School, Newcastle CE Primary School and St Mary’s Bucknell CE Primary School. All three schools share one Executive Headteacher and one Governing Body. When using the term ‘Blue Hills Federation’ within this policy, it is in reference to all three schools. When policy only applies to one school that school will be named specifically. Newcastle CE Primary School does not have a nursery or a preschool, therefore any references to nursery or pre-school do not apply to Newcastle CE Primary School.

Our Vision

Proverbs 22:6 - Good News Bible

‘Teach children how they should live, and they will remember it all their lives.’

We are a caring Church Federation bringing together and serving many communities. We provide nurturing environments that facilitates learning for all. We encourage everybody to become confident, sociable and responsible citizens who achieve to the best of their ability in preparation for a fulfilling future.

Our Values

Trust and Truth; Joy and Happiness; Love and Respect; Thankfulness;
Friendship and Family; Perseverance and Resilience

Review Date: September 2026

Overview

In accordance Section 29 of the Education Act 2002, all local authority (LA) maintained schools must have and make available a procedure to deal with all complaints relating to the school and to any community facilities or services that the school provides.

Publicising the Procedure

There is a legal requirement for the Complaints Procedures to be publicised.

Details of the Complaints Procedures are, where appropriate / relevant, included in:

- the school prospectus;
- the governors' report to parents;
- the information given to new students and their parents when they join the school;
- home school newsletters;
- information displayed in the reception area of the schools and on the schools' website.

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).

At the Blue Hills Federation we aim to provide a happy, caring, family environment and encourage children to develop into well behaved, confident, independent people. We are committed to encouraging the involvement of parents in the communities of the schools and in their children's education.

Aims of the Policy:

- To provide clear and understandable procedures for dealing with complaints
- To resolve concerns through informal discussions at the earliest stage
- To facilitate good communications between parents and school
- To provide fair and transparent investigative process for the whole school community

This policy should be used for:

- Complaints relating to the schooling of your child
- Complaints about the education and care provided to pupils at the school
- Complaints about the school's operational arrangements

This policy is limited to matters which can reasonably be investigated and therefore complaints should relate to matters which have occurred within the last 3 months.

Complaints not in scope of the procedure

A complaints procedure should cover all complaints about any provision of facilities or services that a school provides with the **exceptions** listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
<ul style="list-style-type: none">• Admissions to schools• Statutory assessments of Special Educational Needs (SEN)• School re-organisation proposals• Matters likely to require a Child Protection Investigation	Concerns should be raised direct with the local authority (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.
<ul style="list-style-type: none">• Exclusion of children from school	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions .

<ul style="list-style-type: none"> Whistleblowing 	Schools have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.
<ul style="list-style-type: none"> 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.
<ul style="list-style-type: none"> 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 direct.

Purpose

The schools' values are concerned with meeting the needs of pupils, parents and other stakeholders. The governing body believes that feedback is an important ingredient in self-evaluation and raising standards. All stakeholders should feel that their concerns or complaints can be voiced and will be considered seriously.

The requirement to have a complaints procedure will not in any way undermine efforts to resolve the concern informally.

Applicability

The policy shall apply to all employees and governors of the schools. It is the shared responsibility of the Executive Headteacher and the Chairman of the Governing Body to ensure that these groups are made aware of the policy and procedure.

Part 1: General Principles of complaints

Dealing with Complaints – initial concerns

The Federation takes informal concerns seriously and aims to resolve them at the earliest stage in order to reduce the numbers that develop into formal complaints.

The underlying principle is that concerns will be handled, if at all possible, without the need for formal procedures. However formal complaints should always follow the complaints procedure.

It is important to be clear about 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. Schools should take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

In most cases the class teacher or the Executive Headteacher will receive the first approach and will endeavour to resolve issues on the spot.

Conflict between estranged parents over the application of parental responsibility is a common cause of complaints made to schools. The DoE publication '*Understanding and Dealing with Issues Relating to Parental Responsibility*' contains specific advice about how to properly approach issues concerning parental responsibility.

Dealing with Complaints – Formal procedures

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

At the Blue Hills Federation the nominated person with responsibility for the operation and management of the school complaints procedure is Anna Cook (Executive Headteacher). In Miss Cook's absence all complaints can be referred straight to Kathryn Jones (Deputy Headteacher).

Framework of Principles

An effective Complaints Procedure will:

- encourage resolution of problems by **informal** means wherever possible;
- be easily **accessible** and **publicised**;
- be **simple** to understand and use;
- be **impartial**;
- be **non-adversarial**;
- allow **swift** handling with established **time-limits** for action and keeping people informed of the progress;
- ensure a full and **fair** investigation by an independent person where necessary;
- respect people's desire for **confidentiality**;
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
- provide **information** to the school's senior management team so that services can be improved.

Investigating Complaints

At each stage, the person investigating the complaint, will endeavour 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
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview

Resolving Complaints

At each stage in the procedure, we will endeavour to keep in mind ways in which a complaint can be resolved. It might 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

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the federation could have handled the situation better is not the same as an admission of negligence.

Our effective procedure aims to identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Vexatious Complaints

If properly followed, this complaints procedure should limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the GB is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant contacts the Federation again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the Federation may choose not to respond. Care must be taken that a complaint is not marked as 'serial' before the complainant has completed the procedure.

Is it time to stop responding?

The decision to stop responding is never taken lightly. Our Federation needs to be able to say yes to all of the following:

- The federation has taken every reasonable step to address the complainant's needs
- The complainant has been given a clear statement of the federation's position and their options
- They are contacting the federation repeatedly but making substantially the same points each time

The case is stronger if the federation agrees with one or more of these statements:

- The federation has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience - have they actually said as much in a letter, email or telephone call?
- Their letters/emails/telephone calls are often or always abusive or aggressive
- They make insulting personal comments about or threats towards staff

Schools should not stop responding just because an individual is difficult to deal with or asks complex questions. In most circumstances the subject matter is what you can refuse to respond to, not the correspondent.

Schools must provide parents with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005.

However, where an individual's behaviour is causing a significant level of disruption, schools may wish to implement a tailored communications strategy such as restricting them to a single point of contact via an email address or by limiting the number of times they make contact; e.g. a fixed number of contacts per term.

Complainants have a right to have any new complaint heard and failure to respond at all to a complainant could mean that the school is failing to comply with its legal obligations. A school needs to ensure that they are acting reasonably and that any genuine complaint can still be heard.

Time-Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. The person with responsibility for the application of this complaints procedure will set realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

Part 2: The Formal Complaints Procedure

The Stages of Complaints

At each stage the person with responsibility for the application of this complaints procedure or the Headteacher, will clarify exactly who will be involved, what will happen, and how long it will take.

There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the Executive Headteacher after a meeting with the complainant.

In our procedure we have four school-based stages:

- Stage one: complaint heard by staff member (though not the subject of the complaint)
- Stage two: complaint heard by Executive Headteacher
- Stage three: complaint heard by the Chair of Governors
- Stage four: complaint heard by Governing Body's complaints appeal panel

On occasions, due to the relatively small size of our schools, it may be necessary to go straight to stage 2. An unsatisfied complainant can always take a complaint to the next stage.

If the complaint directly concerns the conduct of the Executive Headteacher or a Governor, or where the Executive Headteacher or Governor has been involved in the issue previously, then a complaint can be made directly to the Chair of Governors.

If the complaint concerns the conduct of the Chair of Governors, or where the Chairman of Governors has been involved in the issue previously then a complaint can be directed towards Shropshire Local Education Authority.

Where a complaint involves a Governor and is then investigated by the Chair of Governors, the Chair of Governors will determine if it is most appropriate to try to resolve this at the informal stage or if it requires more formal investigation. Where it is decided that it should be investigated formally, this will be deemed to be at Stage 2 of the Complaints process. If an appeal is then made against the Chair of Governor's investigation outcome, then this would be held in accordance with Stage 3 of the standard process as outlined in this policy.

Stage One: Complaint Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they know what to do when they receive a complaint.

It would assist the procedure if the school respected the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In this case we advise the complainant to approach the Executive Headteacher. Where the complaint concerns the Executive Headteacher, we advise the complainant to approach another senior member of staff. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. Governors should not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure. The Executive Headteacher will respond to the issues raised within 15 school working days of receiving the complaint. If it is not possible to meet these timescales, then the Executive Headteacher will contact the complainant to discuss reviewing these.

Stage Two: Complaint Heard by Executive Headteacher

The Executive Headteacher's influence will already have shaped the way complaints are handled in the school. At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The Executive Headteacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

Stage Two: Complaint Heard by Chair of Governors

If the complainant is not satisfied with the response of the Executive Headteacher or the complaint is about the Executive Headteacher, the complainant should write to the Chair of Governors to request that their complaint is considered further. The Chair of Governors will acknowledge the complaint within five school working days and arrange a panel of governors to be formed to hear the complaint (within agreed timescales of 15 working days).

Stage Four: Complaint Heard by Governing Bodies Complaints Appeal Panel

The complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a GB complaints panel.

The governors' appeal hearing is the last school-based stage of the complaints process and is not convened to merely rubber-stamp previous decisions.

Individual complaints would not be heard by the whole GB at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

Part 3: Managing and Recording Complaints

Recording Complaints

Schools must ensure that they comply with their obligations under the Equality Act 2010. It is common practice to ask for complaints to be made by using a complaint form or in writing, however the complainant may have communication preferences due to disability or learning difficulties and schools must allow alternative methods of contact:

- A complaint may be made in person, by telephone, or in writing
- A record will be kept of the progress of all formal complaints including the final outcomes
- At the end of a meeting or telephone call, the member of staff concerned should ensure the complainant and the school have the same understanding of what was discussed and agreed. In order to prevent any later challenge or disagreement over what was said, a brief note of meetings and telephone calls should be kept and a copy of any written response added to the record
- Where there are communication difficulties, schools may wish to use recording devices to ensure the complainant is able to access and review the discussions at a later point
- Schools should record the progress of the complaint and the final outcome. The Executive Headteacher or complaints co-ordinator should be responsible for these records and hold them centrally
- Schools should be aware that complainants have a right to copies of these records under the Freedom of Information and Data Protection Acts

Governing Body Review

The GB can monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Preferably, complaints information shared with the whole GB will not name individuals.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, the school will attempt to identify any underlying issues that need to be addressed. The monitoring and review of complaints by the school and the GB may be used as a useful tool in evaluating the school's performance.

Roles & Responsibilities of Governing Body

The governing body will nominate a number of members with delegated powers to hear complaints, and set out its terms of reference. These can include:

- drawing up its procedures
- hearing individual appeals
- making recommendations on policy as a result of complaints

The procedure adopted by the panel for hearing appeals would be part of the schools' complaints procedure. The panel may consist of three or five of the nominated governors. The panel may choose their own chair.

The Remit of the Complaints Appeal Panel

The panel can:

- dismiss the complaint in whole or in part
- uphold 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 procedures to ensure that problems of a similar nature do not recur

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

- a. It is important that the appeal hearing 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.
- b. The aim of the hearing, 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 hearing 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.
- c. 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.
- d. 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 hearing, if any, the child needs to attend.
- e. The governors sitting on the panel need to be aware of the complaints procedure.

The Role of the Clerk

All governor panels / meetings considering complaints will be clerked. The clerk will be the contact point for the complainant 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

The Role of the Chair of the Governing Body or the Nominated Governor

The nominated governor role:

- check that the correct procedure has been followed
- if a hearing is appropriate, notify the clerk to arrange the panel

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 hearing are put at ease
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- the panel is open minded and acting independently
- no member of the panel 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

Notification of the Panel's Decision

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed. This may be the LA or Diocesan Board.

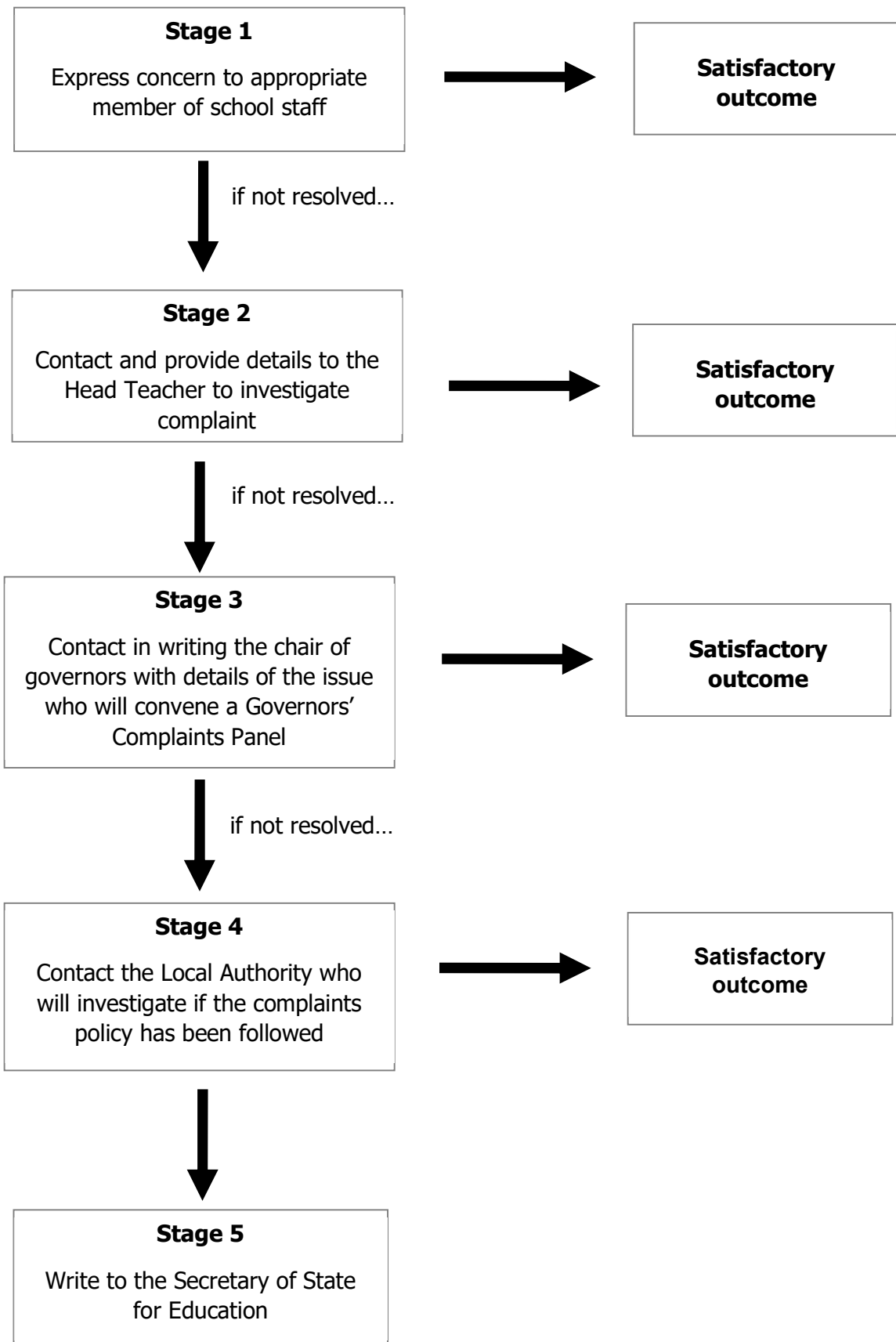
The final stage of appeal is to the Secretary of State for Education.

Checklist for a Governor Panel Hearing

The panel needs to take the following points into account, however if the complaint is about the Executive Headteacher the hearing can be led by the Chair of The Panel Hearing.

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Executive Headteacher / Chair of the Panel Hearing may question both the complainant and the witnesses after each has spoken.
- The Executive Headteacher / Chair of the Panel Hearing is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Executive Headteacher / Chair of the Panel Hearing and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Executive Headteacher / Chair of the Panel Hearing is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

Complaints Procedure Flowchart



The Blue Hills Federation Complaint Procedure

Please complete and return to the Executive Headteacher who will acknowledge receipt and explain what action will be taken.



The Blue Hills Federation Complaint Procedure Form



Your name:

Student's name:

Your relationship to the student:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Name of school student attends:

Please give details of your complaint:

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 whom:

Complaint referred to:

Date:

Annex A – Section 29 of the Education Act 2002 requires that:

- (1) The governing body of a maintained school in England shall:
 - establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27, other than complaints falling to be dealt with in accordance with any procedures required to be established in relation to the school by virtue of a statutory provision other than this section, and
 - publicise the procedures so established
- (2) In establishing or publicising procedures under subsection (1), the governing body shall have regard to any guidance given from time to time by the Secretary of State.

Section 39 of the Education Act 2002 provides the following definitions:

- “maintained school” means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school;
- “maintained nursery school” means a nursery school which is maintained by a local authority and is not a special school.