



## St Mary Magdalene CE Primary School Complaints Policy and Procedure

The Complaints Procedure will deal with all matters relating to the actions of staff and application of school procedures where they affect the individual pupils concerned, except matters which are subject to separate procedures.

### General Principles:

- An anonymous complaint will not be investigated under this procedure unless the Head Teacher and/or the Chair of Governors considers that there are exceptional circumstances making it appropriate to do so.
- To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event, being complained of, will not be considered.
- Investigation of any complaint or review request will begin as soon as is reasonably practicable and generally within 5 school days of receipt of the same. The investigation will be completed as soon as reasonably practicable.

### Part A Complaining about the actions of a member of staff other than the Head Teacher.

#### 1) Informal Stage

If you wish to make a complaint, you are normally expected to arrange to communicate directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be successfully resolved by this informal stage. In the case of serious concerns it may be appropriate for you to address them directly to the Head Teacher (or any other designated member of staff on behalf of the Head Teacher). An unreasonable refusal to attempt an informal resolution may result in the procedure being terminated forthwith. (Any dispute in relation to the "reasonableness" may be determined through the review process).

#### 2) Formal Stage

If your complaint is not resolved at the informal stage you are required to put the complaint in writing and pass it to the Head Teacher (or other designative member of staff on behalf of the Head Teacher) who will be responsible for its investigation. Alternatively, you may be referred back to the informal stage of the procedure if the Head Teacher considers this is reasonably likely to be helpful in finding a resolution. If the complaint is judged to be vexatious, then the complainant will be informed that their complaints will not be accepted and will not be investigated.

A Complaint Form is provided to assist you.

In your complaint letter you should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. In addition the Head Teacher (or other designated member of staff on behalf of the Head Teacher) may invite you to a meeting if they consider that it is necessary, or would be helpful, to clarify your complaint.

The Head Teacher (or other designated member of staff on behalf of the Head Teacher) will collect such other evidence as he/she considers necessary. Where this involves an interview with a member of staff, who is the subject of the complaint, that member of staff may be accompanied by a friend or Trade Union representative if they wish.

The investigation will begin as soon as is reasonably practicable and when it has been concluded, you, and the member of staff concerned, will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- The concern is not substantiated by the evidence
- The concern was substantiated in part or in full. Some details may then be given of action the school may be taking to review procedures etc... but details of the investigation or of any disciplinary procedures will not be released
- The matter has been fully investigated and that appropriate procedures are being followed, which are strictly confidential (e.g. where staff disciplinary procedures are being followed).

**You will be informed that consideration of your complaint by the Head Teacher is now concluded.**

**If you are not satisfied with the manner in which the process has been followed, you may request that the Governing Body review the process followed by the Head Teacher (or other designated member of staff on behalf of the Head Teacher), in handling the complaint. You are required to make any such request in writing within 2 weeks of receiving notice of the outcome from the Head Teacher, and you are required to include a statement specifying any perceived failures to follow the procedure. The procedure described in Part C will be followed. If you consider that the decision of the Head Teacher is perverse, or that the Head Teacher has acted unreasonably in considering the complaint, then you may bring a complaint against the Head Teacher under part B of this procedure. This will provide an opportunity for the evidence to support such a complaint to be investigated.**

## **Part B Complaining about the actions of the Head Teacher**

### **1) Informal stage**

You are usually expected to arrange to speak directly with the Head Teacher. In the case of serious concerns you may consider it appropriate to raise them directly with the Chair of the Governing Body (or designated Governor responsible for investigating complaints). Many concerns can be resolved by simple clarification or the provision of information. If the matter is not resolved, if both parties agree, then a third party may be invited to act as a mediator at a further meeting. A refusal, unreasonably, to attempt an informal resolution may result in the procedure being terminated forthwith.

### **2) Formal Stage**

If your complaint is not successfully resolved at the informal stage you are required to put the complaint in writing and pass it to the Chair of the Governing Body who may pass the complaint to a designated governor appointed by the Chair being responsible for investigating complaints. The designated governor will determine which of the agreed procedures to invoke. If it is determined that the complaint is "General", the Chair will arrange for its investigation and may delegate the investigation to the Vice Chair or other designated governor.

In your letter, you should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, copies of relevant documents etc...In addition you will

be invited to meet with the Chair or other designated governor to present oral evidence or to clarify the complaint.

The Chair or other designated governor will collect such other evidence as is deemed necessary. This may include the interviewing of witnesses and others who may provide relevant information.

The Head Teacher will be provided with a copy of the complaint and any additional evidence presented by you or collected by the Chair or designated governor. Once there has been an opportunity for the Head Teacher to consider this, he/she will be invited to meet separately with the Chair or designated governor in order to present written and oral evidence in response. The Head Teacher may be accompanied at this meeting by a friend or Trade Union representative if they wish.

When the investigation has been concluded, you and the Head Teacher will be informed in writing of the outcome. You will not be informed of any disciplinary/capability action.

**You will be told that consideration of your complaint by the Chair or designated governor is now concluded.**

**If you are not satisfied with the manner in which the process has been followed, or you consider that the decision of the Chair or designated governor is perverse, or that the Chair/designated governor has acted unreasonably in considering the complaint, then you may request that the Governing Body review the handling of the complaint by the appropriate governor. You are required to make any such request in writing within 2 weeks of receiving notice of the outcome from the Chair, and include a statement specifying any perceived failures.**

### **Part C Review Process**

Any review of the process followed by the Head Teacher or the Chair shall be conducted by a panel of 3 members of the Governing Body.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations will be considered sympathetically.

The panel will first receive written evidence from you as the complainant.

The panel will then invite the Head Teacher or the Chair, as they consider appropriate, to make a response to the complaint.

The panel may also have access to the records kept of the process followed.

You, and the Head Teacher or the Chair, as appropriate, will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- The concern is not substantiated by the evidence
- The concern was substantiated in part or in full but that the procedural failure did not affect the outcome significantly so the matter is now closed.
- The concern was substantiated in part or in full and the Governing Body will take steps to prevent a recurrence or to rectify the situation where this is practicable.

**Notes**

**You are not entitled to access to any details of the investigation except for any statements that may have been provided by your child. Any information relating to the application of disciplinary procedures is strictly confidential.**

**If you believe that the Governing Body has acted illegally or arbitrarily in handling the complaint, then you may make representations to the Secretary of State for Education and Skills.**

**St Mary Magdalene CE Primary School  
Meeting Request Form**

I wish to meet [*name of teacher*] to discuss the following matter:

Brief details of topic to be discussed:

Dates/times when it would be most convenient for a meeting:

Your name:

Relationship with school (e.g. parent of a pupil on the school roll):

Pupil's name (if relevant to the matter to be discussed)

Your Address:

Telephone numbers

Daytime:

Evening:

e-mail address:

**Signed** .....

**Date** .....

[Please complete this form and return it to the school office]

**School use:**

Date Form received:

Date response sent:

Received by:

Response sent by:

### St Mary Magdalene CE Primary School Complaint Form

Please complete this form and return it to Head Teacher / Clerk to Governing Body, who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name: .....

Relationship with school [e.g. parent of a pupil on the school's roll]:  
.....

Pupil's name [if relevant to your complaint]:  
.....

Your Address:

Daytime telephone number: .....

Evening telephone number: .....

Please give concise details of your complaint, (including dates, names of witnesses etc...), to allow the matter to be fully investigated.

You may continue on separate paper, or attach additional paperwork, if you wish.

Number of additional pages attached =

What action, if any, have you already taken to try to resolve your complaint? [I.e. 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?

Signature:

Date:

School use:  
 Date Form received:  
 Received by:  
 Date acknowledgement sent:  
 Acknowledgement sent by:

School use:  
 Date Form received:  
 Received by:  
 Date acknowledgement sent:  
 Acknowledgement sent by:

|                        |  |  |  |
|------------------------|--|--|--|
| Complaint referred to: |  |  |  |
| Date:                  |  |  |  |

**St Mary Magdalene CE Primary School  
Complaint Review Request Form**

Please complete this form and return it to Head Teacher (or Clerk to the governing body), who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name: .....

Your Address:

Telephone numbers:

Daytime:

Evening:

E-mail address:

Dear Sir

I submitted a formal complaint to the school on ..... and am dissatisfied by the procedure that has been followed.

My complaint was submitted to ..... and I received a response from ..... on .....

I have attached copies of my formal complaint and of the response(s) from the school.

I am dissatisfied with the way in which the procedure was carried out, because:

You may continue on separate paper, or attach additional documents, if you wish.

Number of Additional pages attached =

What actions do you feel might resolve the problem at this stage?

Date:

**School use**

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

|                      |  |  |  |
|----------------------|--|--|--|
| Request referred to: |  |  |  |
| Date:                |  |  |  |

**St Mary Magdalene CE Primary School  
Model Response to a complaint which it is unable to pursue further**

Dear

Following receipt of your communications and careful consideration of the same, I regret that I am unable to deal with this matter under the governing body's General Complaints Procedure as:  
[Please select appropriate wording from the following]

- You have not identified any specific actions of which you might complain
- Your concerns are presented as conclusions rather than specific actions of which you complain.
- The concerns that you identify relate to historical actions and any evidence which might have enabled an objective investigation of your complaint is no longer available.
- The substance of your complaint has been addressed under this procedure already.
- The concerns that you raise do not fall within the scope of this procedure.  
(suggest alternative for example: admissions policy, behaviour policy)
- You have not identified any potential sources of evidence which might allow the matter to be investigated.
- The school offered to resolve the matter informally and in my judgement you refused unreasonably to take advantage of this.

If you wish my decision to be reviewed then you may take advantage of the procedure outlined in Annex 3 of the complaints procedure, by writing to the Clerk to the Governing Body.

Yours sincerely,

Head Teacher  
Or Chair of Governing Body

**St Mary Magdalene CE Primary School  
Notification of Decision Regarding General Parental Complaint**

Dear

Following receipt of your complaint and careful consideration of all the available relevant evidence, I have concluded that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld. If you are able to provide additional evidence forthwith I/we will reconsider this decision.

**OR**

- The concern is not substantiated by the evidence in that .....

**OR**

- The concern was substantiated in part/in full, as ..... The school will review its practices/procedures..... with the intention of avoiding any recurrence. Parents will be informed in due course of any policy changes.

**OR**

- In order to address fully the matters investigated, the school has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, that the circumstances that gave rise to your complaint should not recur.

I hope that we may now put this matter behind us and work together for the benefit of your child's progress.

Yours Sincerely,

Head Teacher / Chair of Governing Body

C.c. Head Teacher

**St Mary Magdalene CE Primary School  
Review Outcome Notification**

Dear

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the General Complaints Procedure was followed appropriately in respect of your complaint in that .....

Therefore, the matter is now closed as far as the school is concerned.

**Or**

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the Head Teacher/ Chair of Governors followed the General Complaints Procedure except .....

Therefore, the following action will be taken .....

Once this action has been completed the school will consider the matter to be closed.

**Or**

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the Head Teacher/ Chair of Governors followed the General Complaints Procedure except that .....

We have determined that this procedural failure did not affect the outcome of the consideration of your complaint so, while we regret this error, we will now consider this matter to be closed as far as the school is concerned.

Yours truly

Chair of Complaints Review Panel

C.c. Head Teacher  
Chair of Governors

**St Mary Magdalene CE Primary School**  
**Acknowledgement of receipt of formal complaint *and* invitation to meet**

Dear (Name of Complainant),

I have received your formal complaint, dated ..... I am grateful that you have brought this to my attention.

The school and governing body take any complaint seriously. Therefore, I would like to meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend, if you would find this helpful. *Please telephone..... in order to arrange an appointment. **OR** I can offer you an appointment at .... on ,..... Please let me know if this is convenient.*

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place.

Yours sincerely,

Head Teacher  
Or Chair of Governing Body

**St Mary Magdalene CE Primary School**  
**Acknowledgement of receipt of formal complaint referred by a third party (e.g. LA,  
Diocese, MP)**

Dear (Name of Complainant)

I have received a copy of the documentation that you sent in to ..... setting out a complaint about ..... . This has been passed to the school as it has responsibility for these matters.

The school and governing body take any complaint seriously. Therefore I would like to meet with you, so that I may understand the details of your concerns more clearly. Please telephone ....., in order to arrange an appointment. **OR** I can offer you an appointment at ..... on ..... Please let me know if this is convenient.

Meanwhile I would be grateful if you would complete and return the Formal Complaint Form that is enclosed, along with details of the school's complaints procedure.

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place.

Yours sincerely,

Head Teacher  
Or Chair of Governing Body

**St Mary Magdalene CE Primary School**  
**Acknowledgements of receipt of formal complaint and advising complainant that the matter is being dealt with under a confidential school procedure**

Dear .....

I have received your formal complaint, dated ..... I am grateful that you have brought this to my attention.

The school and governing body take any complaint seriously. Therefore I have initiated an immediate investigation. It is possible that the investigator will wish to meet with you to clarify the evidence that you have provided so far. If so, he/she will write to you to make suitable arrangements.

As your concerns relate to the conduct/capability of a member of staff, the investigation will be carried out under the school's personnel procedures. This means that the detail of the procedure and its outcome **must** remain confidential to the school and the member of staff concerned.

**OR**

As your concerns relate to the behaviour of a pupil, the investigation will be carried out under the school's pupil conduct and disciplinary procedures. This means that the detail of the procedure and its outcome must remain confidential to the school and the parents of the child concerned.

In due course, I may be able to provide you with some information about the outcomes of the investigation and the processes that have been followed, but in any event will let you know when the matter has been concluded.

If I can be of any further assistance, please do let me know.

Yours sincerely,

Head Teacher  
Or Chair of Governing Body

**St Mary Magdalene CE Primary School  
Notification of Decision Regarding Formal Complaint**

Dear

Following receipt of your complaint and careful consideration of all the available relevant evidence, I/the panel have/has concluded that:

The concern is not substantiated by the evidence in that .....

**OR**

The concern was substantiated in part/in full, as ..... The school will review its practices/procedures..... with the intention of avoiding any reoccurrence. Parents will be informed in due course of any policy changes.

**OR**

In order to address fully the matters investigated, the school has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, that the circumstances that gave rise to your complaint should not recur

**OR**

In order to address fully the matters of concern that you identified, the panel recommended that the governing body should review its ..... policy, as a matter of urgency. We are confident that this should prevent similar concerns arising in future.

I hope that this will now conclude the matter and we can look to the future working together for the benefit of your child's and the school.

Yours sincerely,

Head Teacher/Chair of Governing Body/Chair of Panel