



**CHRISTIAN MALFORD**  
Church of England Primary School

Challenge Motivate Succeed

# **CHRISTIAN MALFORD, SEAGRY AND SOMERFORDS' WALTER POWELL PRIMARY SCHOOLS**

## **Complaints Policy & Procedure (DBAT Model Policy)**

**Approved by:** Joint Local Board

**Adopted:** 10<sup>th</sup> July 2017

**Due for review:** July 2019

### History of most recent Policy changes (must be completed)

Date	Page	Change	Origin of Change e.g. TU request, Change in legislation
July 2017	7	Addition of section on Monitoring and Review to make clear the role played by the LB in this.	Request by Chair of Committee responsible for the policy.
July 2017	3	Clarified the section on which complaints are dealt with by other policies	In response to email from DBAT.
July 2017	5	Clarified where to send complaints addressed to Chair or VC, where appropriate	Suggestion made during review process
July 2017	15	Added appendix bringing together the timescales set out throughout the document	For clarity (suggestion made by committee member during review process)
July 2017	16	Added appendix setting out the postal addresses for the three schools	Required following changes to p5 (these have been put in an appendix to avoid cluttering the main policy).

---

Christian Malford, Seagry and Somerfords' Walter Powell Primary Schools have adopted this procedure to allow parents/carers of pupils attending the schools to raise a concern or complaint relating to the relevant school. We will also usually follow this procedure when dealing with complaints from others but reserve the right to substitute this procedure for an alternative process where it is appropriate to do so.

This procedure does not apply to concerns and complaints relating to the following, which are dealt with under separate policies:

- staff grievances or disciplinary procedures
- admissions
- exclusions
- some issues relating to child protection; for example any complaints about the behaviour of someone which was thought by the complainant to put a child at risk would be handled through the Safeguarding and Child Protection Policy. For clarity, other types of complaints relating to child protection - for example a referral to social services, will be handled through this Complaints Policy.

### **Overriding principles**

We are fully committed to dealing with all concerns and complaints fairly and impartially, in a friendly, respectful and professional way as it is in everyone's best interest to help ensure the matter can be resolved as quickly and informally as possible.

Our Christian ethos and our schools' core values play an important part in the way we deal with and resolve concerns and complaints: these include respect, forgiveness, trust, kindness, truth and patience.

We celebrate the diversity within our schools and want all people to feel they have had the chance to be heard.

### **Understanding this procedure**

In order to investigate your complaint as fully as possible, we have implemented a staged approach. We anticipate that almost all complaints that arise will be resolved at Stage 1 or Stage 2 below.

We expect our members of staff to be addressed in a respectful manner and for communication to remain calm at all times. The procedure under Part 2 will only be used on very rare occasions to deal with unreasonably persistent complainants or unreasonable complainant behaviour.

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.

An anonymous concern or complaint will not be investigated under this procedure unless there are exceptional circumstances.

If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly and given an explanation as to why this has been the case and provided with revised timescales.

In this procedure:

- 'School days' excludes weekends and school holidays.
- 'Parent' means a parent, carer or anyone with legal responsibility for a child

## **PART 1: Complaints Procedure**

---

### **Stage 1: Informal concerns**

- 1.1. Parents/carers are always welcome to raise concerns with their child's class teacher or an appropriate member of staff in writing (including email), by telephone or in person. It is helpful if you can explain the nature of your concerns and identify the outcome you are looking for.
- 1.2. Where you wish to discuss the matter in person, you may need to make an appointment, which can be arranged via the school office. If the member of staff cannot immediately deal with the matter, s/he will make a clear note of your name and contact details and arrange for someone to contact you to discuss your concerns as soon as practicable. A degree of patience may be required as not all matters can be settled immediately.
- 1.3. If the matter is brought to the attention of the Head of School or Executive Principal, s/he may decide to deal with your concerns directly at this stage. If the concerns are about the Executive Principal, these should be referred directly to the Chair of the Local Board under Stage 2.
- 1.5. The member of staff dealing with the concern will make sure that you are clear on what action (if any) has been agreed. This may be put in writing if appropriate.
- 1.6. Where no satisfactory solution has been found within 15 school days, you will be advised that if you wish your concerns to be considered further you should write to the Executive Principal under Stage 2.

### **Stage 2: Formal complaint to the Head of School or Executive Principal**

- 2.1 If your concerns are not resolved under Stage 1 or you wish your concerns to be dealt with immediately as a formal complaint, you should put your complaint in writing and send this to the Head of School or Executive Principal.
- 2.2 Your written complaint should include details which might assist the investigation, such as the nature of the complaint, details of how the matter has been dealt with so far, the names of potential witnesses, dates and times of events and copies of all relevant documents. It is very important that you include a clear statement of the actions that you would like the school to take to resolve your complaint. You may wish to use the Complaint Form provided in Appendix A.
- 2.3 Your complaint will be acknowledged in writing within 3 school days of receipt. The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This will normally be within 15 school days.
- 2.4 The Executive Principal (or someone appointed by the Executive Principal) will usually invite you to a meeting to clarify your complaints and to explore possible resolutions. If you accept that invitation, you may be accompanied by one other person, such as a friend, relative, advocate or interpreter, to assist you. Where possible, this meeting will take place within 10 school days of receipt of the written complaint.
- 2.5 If necessary, witnesses will be interviewed and statements taken from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. Pupils should normally be interviewed with parents/carers present, but if this would seriously delay the investigation of a serious or urgent complaint or if the pupil has specifically said that s/he would prefer that parents/carers were not involved, another member of staff with whom the pupil feels

comfortable should be present. If a member of staff is complained against, they must have the opportunity to present their case.

- 2.6 Once all the relevant facts have been established as far as possible, you will be provided with a written response to the complaint, including a full explanation of the decision and the reasons for it. This will include what action the school will take to resolve the complaint (if any). You will be advised that if you are dissatisfied with the outcome of the complaint, you may request that your complaint be heard by the Local Board Complaints Panel.
- 2.7 If, in the course of an investigation, a fault is identified, the Head of School or Executive Principal should take immediate action to put matters right so that any potential injustice does not continue or risk happening to somebody else.

#### What if the complaint is about the Head of School or Executive Principal?

If the complaint is against the Head of School or Executive Principal, or if the relevant one of these people has been closely involved at Stage 1, your complaint should be sent to the Chair of the Local Board who will carry out all the Stage 2 procedures. In such a case, please address your written complaint to the Chair of the Local Board and send it to the relevant school office. Please see Appendix E for school postal addresses.

#### What if the complaint is about a Member of the Local Board?

In this case, you should contact the Chair of the Local Board who will investigate the concerns in accordance with Stage 2. If the complaint is about the Chair of the Local Board you should contact the Vice Chair. In both cases, the written complaint should be addressed to relevant person (Chair or Vice Chair) and sent to your local school office.

If the complaint is about the Local Board as a whole, you should send your complaint to the Chair of the Main Board c/o Diocese of Bristol Academies Trust, Hillside House, 1500 Parkway North, Stoke Gifford, Bristol, BS34 8YU.

#### **Stage 3: Referral to Local Board Complaints Panel**

- 3.1 If you are dissatisfied with the decision under Stage 2, you may request that a Local Board Complaints Panel be convened to consider your complaint. Your request will only be considered if you have completed the relevant procedures at Stages 1 and 2.
- 3.2 To request a hearing before the Complaints Panel, you should write to the Chair of the Local Board c/o school's address within 10 school days of receiving notice of the outcome of Stage 2. You should ensure that you provide copies of all relevant documents and state all the grounds for your complaint and the outcome that you desire. You may wish to use the Complaints Panel Request Form provided in Appendix B.
- 3.3 Your written request will be acknowledged within 3 school days of receipt.
- 3.4 The Chair of the Local Board will arrange for a Complaints Panel to be convened, made up of three Local Board Members or additional independent members, with no prior involvement in the matter. The Clerk shall appoint one of these members to be the Chair of the Complaints Panel. The Chair of the Local Board may sit on or chair the Complaints Panel if appropriate. When deciding on the make-up of the panel, we will bear in mind the advantages of including a parent member of the Local Board. It will not normally be appropriate for the Executive Principal to sit on the panel. Careful consideration will be given as to whether it is appropriate for staff members of the Local Board to be appointed as panel members as, in many instances, this may lead to a conflict of interest.

- 3.5 The Chair will also notify the Main Board of the Diocese of Bristol Academies Trust (DBAT) that a Complaints Panel has been convened and the date of the hearing.
- 3.6 Every effort will be made to enable the hearing to take place within 20 school days of the receipt of your request. As soon as reasonably practicable and in any event at least 5 school days before the hearing, you will be sent written notification of the date, time and place of the hearing, together with brief details of the Complaints Panel members who will be present. Fair consideration will be given to any bona fide objection to a particular member of the panel. The notification will also inform you of your right to be accompanied to the meeting by a friend, relative, advocate or interpreter and explain how the meeting will be conducted.
- 3.7 A copy of the complaint and any other documents provided by you in support of your complaint or by the school in defence of the complaint shall be provided to the Complaints Panel as soon as practicable upon receipt. Copies of these documents shall also be provided to you or Principal/Chair of the Local Board (as applicable). The Complaints Panel reserves the right not to consider any documentation presented by either you or the school less than 3 school days prior to the hearing. The Complaints Panel is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.
- 3.8 The hearing will be conducted in such a way as to ensure that all those present have the opportunity to present their case, ask questions and make comments in an appropriate manner. The Clerk to the Local Board or a nominated deputy will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken or actions agreed.
- 3.9 The meeting will allow for:
- the complainant to explain their complaint and the Principal to explain the school's response
  - the opportunity for both parties to ask questions of each other about the complaint
  - panel members to have an opportunity to question both the complainant and the Principal
  - any party to call witnesses (subject to approval of the Panel) and all parties having the right to question any witnesses
  - final statements by both the complainant and the Principal.
- 3.10 After the hearing, the Complaints Panel will consider their decision and inform you of their decision in writing within 5 school days. The Panel can (by a majority if necessary):
- 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 systems or procedures to ensure that problems of a similar nature do not happen again.

You will be advised that if you are dissatisfied with the outcome of the complaint, you may request a review of the Local Board Complaints Panel decision under Stage 4.

#### **Stage 4: Review of the Local Board Complaints Panel decision**

- 4.1 If you are dissatisfied with the decision made by the Local Board Complaint's Panel, you may request a review of the decision by the Diocese of Bristol Academies Trust (DBAT) Main Board. To request a review, you should write to the Chair of the Main Board within 10 school days of receiving notice of the Local Board's decision. You should ensure that you provide copies of

all relevant documents and state the reasons why you wish the decision of the Local Board Complaints Panel to be reviewed. You may wish to use the Board Review Request Form provided in [Appendix C].

- 4.2 All correspondence should be sent to: Chair of the Main Board, Diocese of Bristol Academies Trust, Hillside House, 1500 Parkway North, Stoke Gifford, Bristol, BS34 8YU.
- 4.3 Your request for a review will be acknowledged within 3 school days of receipt. The Chair of the Main Board will arrange for a Board Review Panel to be convened, made up of two Directors of DBAT and one other person who is independent of the management and running of DBAT and the school. The Chair of the Panel shall be appointed by the Chair of the Main Board. The Chair of the Main Board may sit on or chair the Board Review Panel if appropriate.
- 4.4 Every effort will be made to enable the hearing to take place within 20 school days of the receipt of your request. As soon as reasonably practicable and in any event at least 5 school days before the hearing, you will be sent written notification of the date, time and place of the hearing, together with brief details of the Board Review Panel members who will be present. Fair consideration will be given to any bona fide objection to a particular member of the panel. The notification will also inform you of your right to be accompanied to the meeting by a friend, relative, advocate or interpreter and explain how the meeting will be conducted.
- 4.5 A copy of your request and any other documents provided by you in support of your request or by the school in their defence shall be provided to the Board Review Panel as soon as practicable upon receipt. Copies of these documents shall also be provided to you or Principal/Chair of the Local Board (as applicable). The Board Review Panel reserves the right not to consider any documentation presented by either you or the school less than 3 school days prior to the hearing. The Board Review Panel is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.
- 4.6 The hearing will be conducted in such a way as to ensure that all those present have the opportunity to present their case, ask questions and make comments in an appropriate manner. The Clerk to the Main Board or a nominated deputy will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken or actions agreed.
- 4.7 After the hearing, the Board Review Panel will consider their decision and inform you of their decision in writing within 5 school days. The Panel can:
  - Dismiss the request in whole or in part
  - Uphold the request in whole or in part
  - Decide on the appropriate action to be taken
  - Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not reoccur

You will be advised that if you are dissatisfied with the outcome of the complaint, you may refer the complaint to the Education Funding Agency.

#### **Stage 5 Referral of complaint to Education Funding Agency (EFA)**

- 5.1 If you are dissatisfied with the decision of the Main Board Review Panel, you are entitled to refer your complaint to the Education Funding Agency (EFA) who have limited powers to review the handling of the complaint in accordance with EFA's 'Procedure for dealing with complaints about Academies'. At the time of writing this procedure, the EFA procedure and the EFA school complaints form are available at <http://www.education.gov.uk/schools/leadership/schoolperformance/b00212240/making-complaint-school>

## Records of complaints

---

A written record will be kept of all complaints, including at what stage they were resolved. Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of a school inspection or under other legal authority.

### **PART 2: Unreasonably persistent complainants and unreasonable complainant behaviour**

There are rare circumstances where the schools will deviate from the Complaints Procedure set out in Part 1. These include, but are not necessarily limited to:

- Where the complainant's behaviour towards staff, Local Board Members and/or Directors is unacceptable, for example, is abusive, offensive or threatening;
- Where, because of the frequency of their contact with the school, the complainant is hindering the consideration of their or other people's complaints and/or the proper running of the school;
- Where the complainant's complaint is clearly vexatious and/or has patently insufficient grounds;
- Where the complainant's complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full by the school.

In these circumstances, the school may:

- Inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it
- Restrict the complainant's access to the school e.g. requesting contact in a particular form (for example, letters only), requiring contact to take place with a named person only, restricting telephone calls to specified days and times or banning the complainant from the school's premises
- Conduct the Local Board Complaints Panel and/or the Board Review Panel on the papers only i.e. not hold a hearing
- Refuse to consider the complaint and refer the complainant directly to either Stage 4 or Stage 5 (as appropriate)

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, Local Board Members and/or Directors, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

### **Monitoring and review**

The Executive Principal will update the Local Board at each meeting on any complaints that have been received and how they have been resolved. The Resources Committee has responsibility for this policy and will review the complaints file from time to time to monitor adherence to procedures. The Committee will also review any particularly difficult cases or persistent complaints and give a steer on their resolution, where appropriate.

This policy was approved by the Joint Local Board on 10 July 2017. It is reviewed on a two-year cycle, with the next review due by July 2019.

Signed:

Chair of Joint Local Board



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:

Complaint referred to:			
Date:			

## Complaints Panel Request Form

Please complete this form and return it to the school office, together with any accompanying pages or documents, in a sealed envelope marked 'For the Attention of the Chair of the Local Board'.

You should ensure that your request is received within 10 school days of receipt of the decision letter from the Principal/Chair of the Local Board.

Your name: .....

Your address:

Telephone numbers:

Daytime:

Evening:

E-mail address:

Dear Sir/Madam

I submitted a formal complaint to the school on ..... and I received a response from ..... on .....

I am dissatisfied by the [decision that was made][procedure that has been followed] (*delete as appropriate*). I therefore wish for a Local Board Complaints Panel to be convened to hear my complaint.

I have attached copies of my formal complaint and of the response(s) from the school. I am dissatisfied with the [decision that was made][procedure that has been followed] (*delete as appropriate*), 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?

Signature:

Date:

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

Request referred to:			
Date:			

Please complete this form and send it, together with any accompanying pages or documents, to: Chair of the Main Board, Diocese of Bristol Academies Trust, **First Floor, Hillside House**, 1500 Parkway North, Stoke Gifford, Bristol, BS34 8YU.

You should ensure that your request is received within 10 school days of receipt of the decision letter from the Chair of the Local Board Complaints Panel.

Your name: .....

Name of school to which your complaint relates:  
.....

Your address:

Telephone numbers  
Daytime: Evening:

E-mail address:

Dear Sir/Madam

My complaint was heard by the Local Board of ..... on ..... and I received a response from ..... on .....

I am dissatisfied by the [decision that was made][procedure that has been followed] (*delete as appropriate*). I therefore wish for a Board Review Panel to be convened to review the Local Board's decision.

I have attached copies of my original formal complaint, my request for a Local Board Complaint Panel to be convened and the response(s) from the school. I am dissatisfied with the [decision that was made][procedure that has been followed] (*delete as appropriate*), 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?

Signature:

Date:

School use

Date form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Request referred to:			
Date:			

## Timescales at a glance

### Stage 1: Informal concerns

Action	Response and timescale
Initial complaint by parent made to the school	15 school days to find a mutually satisfactory solution

### Stage 2: Formal complaint to the Head of School or Executive Principal

Action	Response and timescale
Formal complaint made to Head of School or Exec Principal (or to Local Board if about Exec Principal)	Acknowledged by the school within 3 school days
Meeting to clarify complaints with Exec Principal	Within 10 school days of complaint
Target date to respond	Within 15 school days of complaint

### Stage 3: referral to Local Board Complaints Panel

Action	Response and timescale
Request a hearing by writing to Chair	Within 10 school days of outcome of stage 2 Acknowledged by the LB within 3 school days
Complaints Panel convened and DBAT Main Board notified	Within 20 school days of request
Written notification of date sent to complainant	At least 5 days prior to Complaints Panel
Documentation must be presented	Not less than 3 school days prior to Complaints Panel
Complaints Panel written decision	Within 5 school days

### Stage 4: review of Local Board Complaints Panel decision

Action	Response and timescale
Request a review by writing to the Chair of the Main Board	Within 10 school days of decision of LB Complaints Panel
Acknowledged by the Main Board	Within 3 school days
Board Review Panel convened	Date of panel hearing within 20 school days of request
Written notification of date sent to complainant	At least 5 days prior to Board Review Panel
Documentation must be presented	Not less than 3 school days prior to Board Review Panel
Board Review Panel written decision	Within 5 school days

### Stage 5: referral of complaint to Education Funding Agency / Department for Education

<http://www.education.gov.uk/schools/leadership/schoolperformance/b00212240/making-complaint-school>

**School postal addresses (for formal complaints)**

Christian Malford CofE Primary School, Church Road, Christian Malford, SN15 4BW.

Seagry CE Primary School, Upper Seagry, SN15 5EX.

Somerfords' Walter Powell Primary School, Dauntsey Road, Great Somerford, SN15 5HS.