



Adopted by the Governing Body of Dunkirk Primary School

Approval:	Head Teacher: Feb 2019
Review:	In accordance with LA
To be reviewed by:	Heidi Hollis
Committee responsible:	P&PC

Information

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 defined as *‘an expression of dissatisfaction however made, about actions taken or a lack of action’*.

Under Section 29 of the Education Act 2002, the governing body of all maintained schools and nursery schools in England are required to have in place a procedure to deal with complaints relating to the school and to any community facilities or services the school provides. The law also requires the complaint procedure to be publicised (see appendix B).

The exceptions to this requirement are complaints relating to the Curriculum, Collective Worship and Religious Education, some Special Educational Needs issues And Admission, where Local Authorities have statutory responsibilities. The Headteacher or Deputy Headteacher can give information about this, and advice on who to contact in Nottingham City Council.

There are certain other complaints which fall outside the remit of the governing body’s complaints procedure, for example, staff grievances or disciplinary procedures.

Allegations of abuse against a member of the school staff must be reported to the Headteacher immediately. Allegations of abuse against the Headteacher must be reported to the Chair of Governors immediately. Immediate contact must be made by the Headteacher or Chair of Governors with the Local Authority Child Protection Officer.

For complaints which do not fall within the definition of curriculum complaints, the responsibility for dealing with them falls entirely on the governing body. Nottingham City Council may not take over this responsibility, and appeals against governing body decisions and procedures would be heard by the Secretary of State.

Any complaints concerning the conduct of school staff will be handled in accordance with the schools internal disciplinary procedures. The details of such an investigation will remain confidential.



Childcare Provision (Fun Club): the governing body and childcare Management Committee have ensured that Fun Club have their own complaints procedure in place. If a third party provider’s complaints process is exhausted and the matter is not resolved, it will initially be referred to the Fun Club Management Committee which includes governor representatives. Governors will be kept aware of any complaints about provision.

Dunkirk Primary School’s Complaints Procedure

Each level of the procedure set offers the opportunity for concerns and complaints to be resolved as quickly as possible which is in everyone’s best interests. A complaint covers concerns raised about the teaching and learning as well as concerns about any other aspect of the school or an individual within the school.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Dunkirk Primary School, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals 	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Nottingham City Local Authority.
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	Complaints about child protection matters are handled under our child protection and safeguarding policy and in



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	<p>accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</p>
<ul style="list-style-type: none"> Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> Staff grievances 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> National Curriculum - content 	<p>Please contact the Department for Education at: www.education.gov.uk/contactus</p>



If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Dunkirk Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, Dunkirk Primary School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Level 1 – Informal Meeting with Teacher

Parents, carers or guardians should, in the first instance, make an appointment to speak to the class teacher about the concern. It is best to resolve issues at this point. We welcome the opportunity to talk about concerns that can then help us to identify areas where we could improve. Very often, school staff can resolve the concerns of parents, carers or guardians with a single informal discussion.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.



Level 2 – Informal Meeting with Deputy Head Teacher / Head Teacher

Parents, carers or guardians dissatisfied with the result of the discussions with the class teacher should ask for an appointment to meet with the Deputy Headteacher.

1. Parent contacts the school office to arrange a meeting with deputy head teacher
2. Deputy Head meets with parent/carer to hear complaint and agrees feedback date/time
3. Deputy Head investigates complaint
4. Deputy Head feeds back to parent/carer and identifies next steps.

If a resolution to the issue continues to prove difficult to find, then an appointment will be made with the Headteacher. The Headteacher can speak to one member of the governing body about the issue who may be willing to offer informal intervention. However, there is no obligation on any governor to become involved at this level.

If everyone involved is unable to resolve the issue then it may be necessary to ask for information or support from Nottingham City Council. The issue that is the focus of the complaint will determine the person contacted. The Headteacher or Deputy Headteacher should advise on who the complainant should contact.

Level 3 – Formal Complaint Letter to Head Teacher

An issue that has not been resolved through the informal levels 1 and 2 can become an official complaint.

Parents, carers or guardians wishing to move to level 3 must make a formal of complaint to the Headteacher to clearly set out the issues which have previously been discussed and why the parent, carer or guardian considers the issue to be unresolved. This can be via a letter, email, verbal or via a third party.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure.

The Headteacher will consider the complaint and discuss a resolution with the complainant. The Headteacher will respond to the complainant in writing within 10 school days of receipt of the official letter of complaint.

Concerns or complaints specifically about the Headteacher



The decision that the Headteacher has made as a result of the level 3 complaint does not become a complaint about the Headteacher. If the complainant feels the complaint has not been resolved he/she should proceed to Level 4, a Governors' Complaints Panel.

If the concern or complaint is specifically about the Headteacher and is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Chair of Governors. The school will provide the Chair of Governor's name and the complainant should write to him or her at the school address marking the envelope 'urgent, private and confidential'. The Chair of Governors should acknowledge the complainant's letter in writing within 5 school days of receipt and contact a Governor Support Service Officer for advice.

Concerns or complaints specifically about the Chair of Governors

In the event of a formal complaint being made against the Chair of Governors, which is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Vice-Chair of Governors. The school will provide the Vice-Chair of Governor's name and the complainant should write to him or her at the school address marking the envelope 'urgent, private and confidential'. The Vice-Chair of Governors should acknowledge the complainant's letter in writing within 5 school days of receipt.

A governor who is the subject of the complaint would normally be advised of the situation immediately. However, if the complaint involves a child protection issue, child protection arrangements will come into force. The complaint will be considered to be a Level 4 – formal complaint and therefore will be considered by Governors' Complaints Panel. Complainants will be informed of the limited powers of such a committee in these circumstances. If the complaint is upheld or upheld in part, the committee may make recommendations to the Governing Body. If necessary the complaints panel may be composed of governors from another school within Nottingham City.

Concerns or complaints specifically about a governor

A formal complaint against a governor other than the Chair should be referred to the Chair, who will investigate and seek to resolve it. The school will provide the Chair of Governor's name and the complainant should write to him or her at the school address marking the envelope 'urgent, private and confidential'. The Chair of Governors should acknowledge the complainant's letter in writing within 5 school days of receipt. A governor who is the subject of the complaint would normally be advised of the situation immediately. However, if the complaint involves a child protection issue, child protection arrangements will come into force. If it cannot be resolved by the Chair, the complaint will be considered to be a Level 4 – formal complaint and therefore will be considered by Governors' Complaints Panel. Complainants will be informed of the limited powers of such a committee in these circumstances. If the complaint is upheld or upheld in part, the committee may make recommendations to the Governing Body. If necessary the complaints panel may be composed of governors from another school within Nottingham City.



Governors co-opted or elected on to the governing body can be suspended for a period of up to six months. Governors appointed by the Local Authority can be suspended or removed from the governing body.

Level 4 – formal complaint requesting a Governors’ Complaints Panel.

Time Scales:

Receipt of complainant’s letter	Acknowledgement within 5 school days
Receipt of complainant’s letter	Governors’ Panel meeting within 15 school days (unless this goes into school holidays)
Written documentation sent to Governors’ Panel Members and complainant and Headteacher	5 school days before meeting.
Governors’ Panel members decision communicated to all concerned	As soon as possible but within 10 school days of meeting.

Complainants wishing to move to level 4 of the formal complaints procedure will need to write a letter to the Chair of Governors to request that a Governors’ Complaints Panel meets to hear the complaint. This formal complaint letter must be received within 20 school days of the last meeting with the Headteacher concerning the issue. The complainant should write to the Chair of Governors at the school address marking the envelope ‘urgent and confidential’. The letter will need to set out the complaint that has previously been formally discussed with the Headteacher and show why the matter is not resolved. Additionally it should detail what actions would resolve the complaint. A template letter is included as **appendix A** to this complaints procedure.

Before the meeting:

The Chair of Governors should:

- appoint a clerk to the Governors’ Complaints Panel
- acknowledge the complainant’s letter in writing within 5 school days of receipt
- arrange for a panel of governors to meet within 15 school days of receipt
- provide the Headteacher with a copy of the complainant’s letter, and request written documentation relevant to the complaint from the school.

The clerk should send both the complainant’s letter and the school documentation to the Governors’ Complaints Panel members, complainant and Headteacher (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.



The complainant and Headteacher will be invited to attend the Governor's Complaints Panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.

At the meeting:

The complainant and Headteacher (or his/her representative) should provide all the relevant information they wish and the Governors' Complaints Panel members should clarify any points. After the complainant and Headteacher (or his/her representative) have provided all the information they wish, the Chair will ask all parties to leave except the panel members and the clerk.

After the meeting:

The Governors' Complaints Panel will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate. The decision of the Governor's Complaints Panel is final.

The decision of the Governors' Complaints Panel will not be investigated. If, however, the complainant feels that the school and governors have not followed the school's complaints procedure correctly, he/she can contact Nottingham city Council for assistance. In this case he/she should ring Governor Services on 0115 8764589, who will arrange for an officer to contact him/her.

A complaint may be made to the Secretary of State for Education if a person believes that a governing body or LA is acting 'unreasonably' or is failing to carry out its statutory duties properly (see sections 496 and 497 of the Education Act 1996). However, intervention can only occur if the governing body or the LA has failed to carry out a legal duty or has acted unreasonably in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State could instruct either party to do to put matters right. The Secretary of State must be satisfied that a decision is unreasonable in the sense that no reasonable authority or governing body, acting with due regard to its statutory responsibilities, would have reached that decision.

Once a Governor's Complaints Panel has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the Chair of Governors should inform the complainant that the matter is closed.

Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 4.



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The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Dunkirk Primary School. They will consider whether Dunkirk Primary School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.



APPENDIX A

Complaint letter template for Dunkirk Primary School

Please complete or use this as a template and return to the Chair of the Governing Body who will acknowledge receipt and explain what action will be taken.

<p>Your name:</p> <p>Pupil's name:</p> <p>Your relationship to the pupil:</p> <p>Address:</p> <p>Telephone number(s):</p>
<p>Details of the complaint</p>
<p>What action, if any, have you already taken to try and resolve your complaint</p>
<p>What actions do you feel might resolve the problem at this stage?</p>
<p>Are you attaching any paperwork? If so, please give details.</p>
<p>Signature:</p> <p>Date:</p>