THE ARUN VILLAGES FEDERATION

Enabling every child to thrive and succeed

Arun Villages Federation – Amberley CE Primary School

COMPLAINTS PROCEDURE

Introduction

Arun Villages Federation endeavours to provide the best education possible for all its pupils in an open and transparent environment. We welcome any feedback that we receive from parents, pupils and third parties, and we accept that not all of this will be positive. Where concerns are raised the school intends for these to be dealt with:

- Fairly
- Openly
- Promptly
- Without Prejudice

In order to do so, the Governors of Arun Villages Federation have approved the following procedure which explains what you should do if you have any concerns. All members of staff will be familiar with the procedure and will be able to assist you.

1.1 Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Amberley CE Primary School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

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

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints' procedure. Amberley CE Primary School takes concerns and complaints seriously and will make every effort to resolve the matter as quickly as possible.

We understand, however, that there are occasions when people would like to raise their concerns formally. In this case, Amberley CE Primary School will attempt to resolve the issue internally, through the stages outlined within this complaints' procedure.

1.3 Raising a concern or making a complaint informally

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

In the first instance, the concern or complaint should be raised with the relevant member of staff i.e., the person involved in the complaint. If this does not resolve the issue, or if the complainant is uncomfortable about approaching the member of staff, an informal meeting with the Executive Headteacher should be requested.

If the person raising the concern or complaint remains unhappy with the outcome of the informal procedure, they may then take it forward as a formal complaint.

1.4 How to raise a concern and make a complaint

A concern can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher, a member of staff or the Executive Headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

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.

Complaints against school staff (except the Executive Headteacher) should be made in the first instance, to the headteacher via the School Office. Please mark them as Private and Confidential.

Complaints that involve or are about the Executive Headteacher should be addressed to the Chair of Governors, via the School Office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the full governing board should be addressed to the Clerk to the Governing Body via the School Office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure ***(See Appendix A)***. 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, for instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

1.5 Anonymous complaints

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

1.6 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 only if exceptional circumstances apply.

1.7 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. ***See Appendix B for the Scope of the Complaints Procedure.***

2 Formal complaints procedure

Please see Section 1.4 about how to raise the initial concern or complaint.

Arun Villages Federation operates a two stage formal complaints procedure, outlined below. The Executive Head and/or governors may seek the advice of other members of the Federation during Stage 2 if appropriate.

If the complaint is about the federation itself, it would be handled by the Chair of Governors and the Federation's Governing Board following a similar formal procedure.

2.1`Stage 1

2.11 Formal complaints must be made in writing to the Executive Headteacher (unless they are about the Executive Headteacher), via the School Office. Preferably, the Complaint Form in Appendix A will be used - help in completing the form can be provided by Amberley CE Primary School, if required).

2.12 The Executive Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within FIVE school days and will then open an investigation into the complaint.

Note: The Executive Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

2.13 During the investigation, the investigator will:

- If necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- Keep a written record of any meetings/interviews in relation to their investigation.

2.14 At the conclusion of their investigation, the Executive Headteacher will provide a formal written response within FIFTEEN school days of the date of receipt of the complaint.

2.15 If the Executive Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

2.16 The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Amberley CE Primary School will take to resolve the complaint.

2.17 The Executive Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

2.18 If the complaint is about the Executive Headteacher or a member of the full governing board (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

2.19 Complaints about the Executive Headteacher or member of the full governing board must be made to the Clerk, via the School Office.

If the complaint is:

- jointly about the Chair and Vice Chair; or
- the entire governing board; or
- the majority of the governing board,

2.2 Stage 1 will be considered by an independent investigator appointed by the Full Governing Board or Chichester Diocese. At the conclusion of their investigation, the independent investigator will provide a formal written response.

3 Stage 2

3.1 If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

3.2 A request to escalate to Stage 2 must be made to the Clerk, via the School Office, within TEN school days of receipt of the Stage 1 response.

3.3 The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within FIVE school days.

3.4 Requests received outside of this time frame will only be considered if exceptional circumstances apply.

3.5 The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Arun Villages Federation Governing Board available, the Clerk will source any additional, independent governors through another federation or local school or through the LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

3.6 The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representation. In making their decision, they will be sensitive to the complainant's needs and the nature of the complaint.

3.7 They will aim to convene a meeting within FIFTEEN school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

3.8 If the complainant is invited to attend the meeting, they may bring someone with them to provide support. This can be a relative or friend. In most cases, we do not allow either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

3.9 Representatives from the media are not permitted to attend.

3.10 At least TEN school days before the meeting, the Clerk will:

- Confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible.
- Request copies of any further written material to be submitted to the committee at least five school days before the meeting.

Note: If the complainant wishes to attend but rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

3.11 Any written material will be circulated to all parties at least THREE school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

3.12 The committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.

3.13 The meeting will be held in private. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

3.14 The committee will consider the complaint and all the evidence presented. The committee can:

- Uphold the complaint in whole or in part;
- Dismiss the complaint in whole or in part.

3.15 If the complaint is upheld in whole or in part, the committee will:

- Decide on the appropriate action to be taken to resolve the complaint;
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

3.16 The Chair of the Committee will provide the complainant and Amberley CE Primary School with a full explanation of their decision and the reason(s) for it, in writing, within fifteen school days.

3.17 The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Amberley CE Primary School.

3.18 If the complaint is:

- Jointly about the chair and vice chair; or
- The entire governing board; or
- The majority of the governing board,

Stage 2 will be heard by a committee of independent, co-opted governors.

3.19 The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Amberley CE Primary School will take to resolve the complaint.

3.20 The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

4 Next Steps

4.1 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 2.

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

4.3 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

Arun Villages Federation Formal Complaints Form

Please complete and return to the School Office for the attention of the appropriate person (see above) who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.
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:

Appendix B

Scope of this Complaints Procedure

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

Exceptions	Whom to contact
• 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 the appropriate team within West Sussex County Council
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. 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). The LADOs for West Sussex County Council are: Donna Tomlinson Tel: 0330 222 7381 Email: donna.tomlinson@westsussex.gov.uk and Miriam Williams Tel: 0330 222 8663 Email: miriam.williams@westsussex.gov.uk Integrated Front Door – formerly MASH 01403 229 900 WSChildrenservices@westsussex.gov.uk
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.

	**complaints about the application of the behaviour policy can be made through the school's complaints procedure.*
• Whistleblowing/Confidential Reporting	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. 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. 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.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. 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.
• 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. Please contact them direct.
• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

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 Amberley 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.

Appendix C

Roles and responsibilities

It is expected that all those involved in a complaint are treated respectfully.

The Complainant

The complainant or person who makes the complaint will receive a more effective response to the complaint if he/she: -

- Co-operates with the school in seeking a solution to the complaint;
- Expresses the complaint in full as early as possible;
- Responds promptly to requests for information or meetings or in agreeing the details of the complaint;
- Asks for assistance as needed;

The complaint investigator (member of SLT, Executive Head Teacher or governor)

The investigator's role is to establish the facts relevant to the complaint by:

- Providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - Sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - Interviewing staff and children/young people and other people relevant to the complaint
  - Consideration of records and other relevant information
  - Analysing information
- Liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- Conduct interviews with an open mind and be prepared to persist in the questioning
- Keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- Ensure that any papers produced during the investigation are kept securely pending any appeal
- Be mindful of the timescales to respond
- Prepare a comprehensive report for the head teacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

  The head teacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- Set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- Collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- Record the proceedings
- Circulate the minutes of the meeting
- Notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- Both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- The meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- Complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- The remit of the committee is explained to the complainant
- Written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

  If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- Both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- The issues are addressed
- Key findings of fact are made
- The committee is open-minded and acts independently
- No member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- The meeting is minuted
- They liaise with the Clerk

Committee Member

Committee members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so.
- No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

  We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- Many complainants will feel nervous and inhibited in a formal setting

  Parents/carers often feel emotional when discussing an issue that affects their child.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

  Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

  The committee should respect the views of the child/young person and give them equal consideration to those of adults.

  If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

  However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.
- The welfare of the child/young person is paramount.