



Oswald Road Primary School

Resolution of Concerns and Complaints Policy

Policy approved by Chair of Governors: June 2021

Headteacher: Deborah Howard

Chair of Governors: Richard Price

To be reviewed in 2 years: June 2023

Aims and objectives of the policy:

This complaints policy aims to:

- Encourage the resolution of problems by informal means wherever possible.
- Ensure that concerns are dealt with quickly, fully and fairly and within clearly defined time limits.
- Be impartial, non-adversarial, respectful and confidential at all times.
- Provide effective responses and appropriate redress.
- Maintain good working relationships between all people involved with the school.

General Principles:

- This procedure is intended to allow you to raise a concern or complaint relating to the school, or the services that it provides, in order to meet the needs of our stakeholders.
- An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.
- 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, although exceptions will be made where appropriate.
- Complaints about services provided by other providers who use the school site (such as wrap-around care) should be directed to those providers.
- This policy may be used by anyone who has a concern or complaint about any aspect of the school. In the main this will mean the parents and carers of the school's pupils, but may include neighbours of the school, or any other members of the local community.
- The school's complaints co-ordinator is the Communications Manager, who has the responsibility for the operation and management of the school complaints policy and is also responsible for monitoring complaints. Records will be retained confidentially, stored securely and disposed of in accordance with data protection legislation.
- This policy **does not** cover complaints about the following areas:
 - Admissions
 - Statutory assessments of SEN
 - Exclusion
 - Whistle-blowing
 - Staff grievances
 - Staff discipline

Raising a concern or complaint

1) Informal Stage

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate.

At the informal stage a complaint may be made by letter, by telephone or by email to inbox@oswaldroad.manchester.sch.uk. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

Once the concern has been raised, the complainant will get a response within 48 hours to let them know who it has been passed on to. They will then get a response within a week to feed back and discuss any next steps. At the discretion of the Headteacher, it may be appropriate for a response to be given in less than a week if the matter is considered to be urgent.

In the case of serious concerns it may be appropriate to address them directly to the head teacher (or to the chair of the governing body, if the complaint is about the head teacher).

If you are uncertain about who to contact, please seek advice from the school office or the clerk to the governing body.

Informal concerns or complaints about the Headteacher should be emailed to governorinbox@oswaldroad.manchester.sch.uk, marked for the attention of the Chair of Governors. Once the concern has been raised, the complainant will get a response within 48 hours to let them know who it has been passed on to. They will then get a response within a week to feed back and discuss any next steps.

2) Formal Stage

If your concern or complaint is not resolved at the informal stage you may choose to put the complaint in writing and pass it to the head teacher, or Clerk of Governors if the complaint is about the head teacher, who will be responsible for ensuring that it is investigated appropriately.

A complaint form is provided to assist you.

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.

It is very important that you include a clear statement of the actions that you would like the school to take to resolve your concern. Without this, it is much more difficult to proceed.

Please pass the completed form, in a sealed envelope to the school office. The envelope should be addressed to the head teacher, or to the clerk to the governing body, as appropriate, and should be marked as 'Private and Confidential'.

The head teacher (or chair) may invite you to a meeting to clarify your concerns and to explore the possibility of an informal resolution. If you accept that invitation, you may be accompanied by a friend, if you wish, to assist you in explaining the nature of your concerns.

It is possible that your complaint will be resolved through a meeting with the head teacher (or chair). If not, arrangements will be made for the matter to be fully investigated, using the appropriate procedure. In any case you should learn in writing, usually within 5 working days of the school receiving your formal complaint, of how the school intends to proceed. This notification should include an indication of the anticipated timescale.

In certain circumstances the Chair of Governors may feel it necessary for school to seek advice from the school's HR advisor (One Education) and in particular cases for them to lead the investigation.

Any investigation will begin as soon as possible and when it has been concluded, you will be informed in writing of its conclusion.

If you are not satisfied with the manner in which the process has been followed, you may request that the governing body reviews the process followed by the school, in handling the complaint. Any such request must be made in writing to the clerk to the governing body, within 10 school days of receiving notice of the outcome, and include a statement specifying any perceived failures to follow the procedure. It is important that you state clearly the perceived failures to follow the procedure. The procedure described below will be followed. A Review Request form is provided for your convenience.

3) Complaints about the Headteacher or a Governor

Where the complaint concerns the Headteacher or a Governor, the complaints co-ordinator can refer the complainant to the Chair of Governors (or Clerk if it involves the Chair). The ability to consider the complaint objectively and impartially is crucial. Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure.

Governors should not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure. Governors should seek advice from the Clerking Service.

4) Review Process

If the complaint remains unresolved following the response of the Headteacher, Chair of Governors or allocated governor, the complainant usually needs to write to the Clerk to the Governing Body giving details of the complaint and asking that it is put before the appeal panel. The Chair (or Clerk on behalf of the Chair) will convene a complaints appeal panel.

If this approach is agreed, complainants can be advised not to write to the school but to the Clerk, who will co-ordinate any response.

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

by the whole GB at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The Complaints Appeal Panel will be constituted by Governors subject to availability and impartiality. The Panel will have delegated powers to; hear complaints; set out its terms of reference and procedures; hear individual appeals; make recommendations on policy as a result of complaints. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own Chair. If there are no governors available to form a panel due to unfair bias reasons, a panel of governors from another school will be gathered.

Any review of the process followed by the school will usually take place within 10 school days of receipt of your request. The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

You will be informed in writing of the outcome, usually within 5 days of the panel meeting. This is the end of the complaints procedure.

5) Appeal to Department for Education

The final stage of appeal is to the Secretary of State for Education. Complainants should be advised to write to The School Complaints Unit (SCU) at: Department for Education 2nd Floor, Piccadilly Gate Manchester M1 2WD.

If a complaint has exhausted the local procedures, SCU will examine if the complaints policy and any other relevant policies were followed in accordance with the provisions set out. SCU also examines policies to determine if they adhere to education legislation.

However, the department will not re-investigate the substance of the complaint. This remains the responsibility of schools. If legislative or policy breaches are found, SCU will report them to the school and the complainant and, where necessary, require remedial action to be taken. Failure to carry out remedial actions could ultimately result in a formal Direction being issued by the Secretary of State.

Record Keeping

The school's Complaints Coordinator logs all concerns and complaints in a document, detailing the actions taken at each stage of the complaint. Copies of letters, emails and notes related to the complaint are also kept by the Complaints Coordinator. These records are confidential, stored securely and disposed of in accordance with data protection legislation. We will seek informed consent before taking, storing or using any audio or video recordings as part of the investigation.

Governing Body Monitoring of Complaints

Formal complaints are reported to the governing body by the headteacher and discussed termly at full governing body meetings. Individuals are not named in this process in case an appeal panel needs to be constituted. The number of formal complaints is also reported annually.

Serial Complaints:

If a complainant tries to re-open the same issue, you can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts you again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and you may choose not to respond. However, you should not mark a complaint as 'serial' before the complainant has completed the procedure, unless your published serial complaint criteria applies (see bullet points below).

Under no circumstances should a complainant be marked as 'serial' for exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.

You may receive complaints you consider to be vexatious. The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious;
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
- insistence upon pursuing meritorious complaints in an unreasonable manner;
- complaints which are designed to cause disruption or annoyance;
- demands for redress that lack any serious purpose or value.

Schools should not refuse to accept further correspondence or complaints from an individual they have had repeat or excessive contact with. The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant.

School Meeting Request Form



Brief details of topic to be discussed:

Date/times when it would be most convenient for 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.....

School use:

Date form received:

Date response sent:



School Formal Complaint Form

Please complete this form and return it, via the school office, to the 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:

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:

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 documents, if you wish.

Number of additional papers attached:

School Formal Complaint Form continued



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?

Signed.....

Date.....

School use:

Date form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:

Date:

School Complaint Review Request Form



Please complete this form and return it, via the school office, to the 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/Madam

I submitted a formal complaint to the school onand 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 responses from the school

I am dissatisfied by the way the procedure was carried out because:

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

Number of additional papers attached:

School Complaint Review Request Form continued



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

Signed.....

Date.....

School use:

Date form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by: