

Bishop Perrin Church of England Primary School



Complaints Policy

Statutory Policy

Our school is a Church of England School and works in partnership with our two local parish churches, St Augustine's and Ss Philip & James'. We aim to reflect the values, traditions and beliefs of the Christian Faith and therefore our Spiritual Values underpin everything that we do.

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1 INTRODUCTION

This policy is based on guidance from the [Department for Education \(Best Practice Advice for School Complaints Procedures Jan 2021\)](#), the [Department for Education's Model Complaints Procedure](#) and the National Governors' Association Model Complaints Procedure (July 2024).

Bishop Perrin CE Primary School strives to provide the best education possible for all of its pupils in an open and transparent environment. We welcome any feedback from parents, pupils and third parties, and we provide clear channels to receive that feedback. We accept that not all of this will be positive, and where any issues are raised the school will deal with these:

- Fairly
- Openly
- Promptly
- Without Prejudice

In order to do so, the Governing Body of Bishop Perrin School has approved the following procedure which explains what you should do if you have any issues about the school. All members of staff will be familiar with the procedure and will be able to assist you.

2 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 Bishop Perrin 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. Where a complaint concerns a third party used by the school then the complaint should be made directly to the third party themselves.

3 THE DIFFERENCE BETWEEN A CONCERN AND A COMPLAINT

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 follow formal procedures. Bishop Perrin School will take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

However, there will be occasions when complainants want to raise their concerns formally. In those cases, this complaints procedure should be followed.

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. Many issues

can be resolved informally, without the need to use the formal stages of the Complaints Policy.

A complaint may be defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’. Bishop Perrin School takes complaints seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important. We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Bishop Perrin School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

4 RAISING CONCERNS

We would hope that the majority of issues or concerns you may have regarding your child at school can be dealt promptly and efficiently. Where you have a concern about any aspect of the school or your child’s education or wellbeing, please raise this in the first instance with your child’s class teacher. This can be done in person at the end of the day when class teachers are available to see parents in the school playground. However, if this is not possible, you can send a note in your child’s reading / homework diary, send a letter, or contact the teacher via a telephone / email message requesting the teacher to call you or to arrange a time to meet. If you are making your initial contact by email or telephone, please avoid going into details about the problem in your message, but provide a brief explanation as to what you would like to speak with the teacher about e.g. please may I arrange a time to speak with you about an incident in the playground? / please may I arrange a time to speak to you to discuss my child’s homework? / etc.

Following a conversation with your child’s class teacher, please allow the teacher reasonable time to put into place any actions that may be needed to address the issue and for these to take effect. If these actions do not remedy the issue, please contact your child’s class teacher again to discuss alternative strategies. However, if you are not satisfied with the outcome, action or the manner in which your concerns have been dealt with, please contact the Deputy Headteacher or the Assistant Headteacher who will endeavour to work with you to resolve the issue.

If you are still not satisfied with the outcome after meeting with the Deputy or Assistant Headteacher, you may wish to consider the School’s Complaints Policy.

All concerns will be dealt with confidentially, although the staff member will need to take notes (to be stored confidentially) if they feel that the matter may need to be taken further or if it may arise again in the future. Any such notes will be kept in accordance with the principles of the Data Protection Act 2018. However, such notes would be able to be used as evidence if further investigation is required, or if the concern becomes a formal complaint under this policy. The concerned party is also free to take notes in any meetings.

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.

We will not normally investigate anonymous complaints. If an anonymous complaint is made, it should be made under the process laid out in the school's Whistleblowing Policy. The Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

5 RESPONDING TO EMAIL CONCERNS

The school receives many email messages during the course of the day and we will always aim to respond in a reasonable time frame. Please be aware that email messages sent to the school office after 3.30pm might not be read until the following morning and if the email is for your child's class teacher, then the teacher might not be in a position to respond to it until after the end of the school day.

The school will aim to make an initial response to an email within 48 hours of its receipt.

6 WHO SHOULD I APPROACH IN THE FIRST INSTANCE WHEN I HAVE A CONCERN?

<u>Educational matters</u>	class teacher
<u>Pastoral care</u>	class teacher
<u>Disciplinary matters regarding a pupil</u>	member of staff conducting the investigation
<u>Financial/Administration matters</u>	Finance and Administration Officer
<u>Complaint about a staff member's conduct</u>	a member of the Senior Leadership Team (SLT).

*The **SLT** comprises of the Headteacher, Deputy Headteacher or Assistant Headteacher. If the complaint is about the Assistant Head or Deputy Head, then the Headteacher*

7 HOW TO RAISE A COMPLAINT

If, after taking the steps laid out in “Raising Concerns” above, the issue remains unresolved, the next step is to make a formal complaint. A concern or complaint can be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

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

Where a concern is about the Headteacher, and this cannot be resolved informally with the Headteacher outside of the complaints process, then the complainant should notify the Chair of Governors, via the school office. Please mark them as Private and Confidential.

Where a complaint concerns the Chair of Governors or an individual Governor, the complainant should first directly approach the Chair of Governors or the individual Governor in an attempt to resolve the issue informally. If the complainant is not satisfied with this outcome they should notify the Clerk to the Governors via the school office. Please mark them as Private and Confidential.

A template complaint form is included at the end of this policy for the submission of a complaint. 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.

8 TIMEFRAMES

Complaints must be raised within three months of an incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Bishop Perrin reserves the right not to investigate complaints that have been made three months after the subject of the complaint took place, except in exceptional circumstances. What is meant by exceptional circumstances is where new evidence has come to light, where the complaint is of an especially serious matter or where there is reasonable justification for why the complainant has been unable to raise the complaint before this time. The Headteacher will review the situation and decide whether or not to enact the complaints procedure, informing the Chair of Governors of the decision.

Bishop Perrin will strive to meet the timeframes stated under each stage of the complaints process listed below, but acknowledges that in some circumstances, this is not always possible or appropriate due to the complexity of a complaint or difficulties regarding an individual's availability to deal with the complaint. We anticipate that in most circumstances complaints will be dealt with in shorter timescales than those set out in the following steps, however, if it becomes apparent that it is not possible to complete any stage of the complaints procedure within a given timeframe, the individual responsible for handling the complaint will contact the complainant as soon as possible and come to an agreed timeframe that works for all parties involved.

9 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.

10 SAFEGUARDING

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the School is under a duty to report this immediately to the Local Authority. Any action taken will be in accordance with the School's Child Protection and Safeguarding Policy which can be found on the school website or a copy can be provided by the school.

Once the matter becomes a child protection or safeguarding issue, it falls outside of the remit of the school complaints policy.

11 CONFIDENTIALITY

In order for a complaint to be resolved as quickly and fairly as possible, the school will ask the complainant not to discuss any details of the complaint publicly or via social media such as Facebook, WhatsApp and X / Twitter. Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

Any breach of confidentiality could influence the outcome of the complaint.

12 COMPLAINTS THAT RESULT IN STAFF CAPABILITY OR DISCIPLINARY PROCEEDINGS

If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the Headteacher and/or the individual's line manager. Where staff grievances and disciplinary procedures are applied, they are considered out of scope of the school's complaints procedures and the complainant is not entitled to participate in the proceedings or receive any details about them. Matters of this nature will invoke the school's internal grievance procedures and complainants will not be informed of the outcome of any investigation.

13 RESOLVING COMPLAINTS

At each stage in the procedure, Bishop Perrin CE 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 will 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.

14 WITHDRAWAL OF A COMPLAINT

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

15 STAGES OF A COMPLAINT

Stage 1

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person, in writing (using the complaint form or via email), or by telephone.

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

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

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

During the investigation, the Headteacher (or 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

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

If the Headteacher is unable to meet this deadline, they will provide the

complainant with an update and revised response date.

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

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

Stage 2

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 panel, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Clerk to the Governing Body, via the school office, within five school days of receipt of the Stage 1 response.

Requests to escalate the complaint to Stage 2 which are received outside of this time frame will only be considered if exceptional circumstances apply.

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

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within twenty five 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.

If the complainant 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.

The complaints panel 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 Panel. If there are fewer than three governors from Bishop Perrin School available, the Clerk will source any additional, independent governors through the Local Authority’s Governor Support Services team or the Diocese, in order to make up the panel. Alternatively, an entirely independent panel may be convened to hear the complaint at Stage 2.

The panel will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant’s needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend but not a legal representative. 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.

Representatives from the media are not permitted to attend.

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 Panel at least ten school days before the meeting.

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

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

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally 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.

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

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the panel 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.

The Chair of the Panel will provide the complainant and Bishop Perrin School with a full explanation of their decision and the reason(s) for it, in writing, within fifteen school days.

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 Bishop Perrin School.

Please see Appendix 1 for a summary of the stages of how to raise a concern/complaint.

Please see Appendix 2 for guidance on the roles and responsibilities of those people who are involved in the formal complaints process.

16 COMPLAINTS ABOUT THE HEADTEACHER, or CHAIR OF GOVERNORS, or VICE CHAIR OF GOVERNORS, or THE GOVERNING BODY

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

Complaints about the Headteacher or member of the governing body 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 body or
- the majority of the governing body

Stage 1 will be considered by an independent investigator appointed by the governing body or the Diocese of London. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 2 will be heard by a panel of independent governors.

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 Bishop Perrin School will take to resolve the complaint.

This is the final stage at which the school will consider the complaint. If the complainant remains dissatisfied and wishes to take the complaint further, please see the contact details at the end of the document. The school will not consider the complaint beyond this.

17 SUMMARY OF THE COMPLAINTS PROCESS

Status of concern/complaint	Steps Taken	Timeframe
Raising a concern	<ul style="list-style-type: none"> • Informal and immediate addressing of issues by relevant member of staff/Deputy Head or Assistant Head • Where dissatisfied with the outcome, progress to Stage 1 • See Page 2 for more information 	20 school days
Stage 1	<ul style="list-style-type: none"> • Formal investigation by the Headteacher • Where dissatisfied with the outcome, progress to Stage 2 • See Page 4 for more information 	No more than 27 school days
Stage 2	<ul style="list-style-type: none"> • Formal investigation by the Governor Complaint Panel • Where dissatisfied with the outcome, contact the Department for Education • See Page 5 for more information 	No more than 50 school days

18 UNREASONABLE COMPLAINTS

Where a complainant raises a complaint that has already been addressed via the school's Complaints Policy and that procedure has been exhausted, the school will not reinvestigate the complaint except in exceptional circumstances, for example where new evidence has come to light.

If a complainant persists in raising the same issue, the Headteacher will write to them explaining that the matter has been dealt with fully in line with the school's Complaints Policy, and therefore the case is now closed. The complainant will be provided with the contact details of the Department for Education (see the end of this document) if they wish to take the matter further.

Unreasonable complaints include the following scenarios:

- the complainant refuses to co-operate with the school's relevant procedures

- the complainant changes the basis of the complaint as the complaint progresses
- the complainant seeks an unrealistic outcome
- excessive demands are made on the time of staff and school Governors and it is clearly intended to aggravate
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously
- aggressively
- using threats, intimidation or violence
- using abusive, offensive or discriminatory language
- knowing it to be false
- using falsified information
- publishing unacceptable information in a variety of media such as in social media

The Headteacher will use their discretion to choose not to investigate these complaints. Where they decide to take this course of action, they must inform the Chair of Governors that they have done so, explaining the nature of the complaint and why they have chosen not to investigate. If the Chair deems it appropriate to, they can redirect the Headteacher to investigate the complaint. The full complaints procedure will commence from Stage 1 on this direction.

If the Chair upholds the Headteacher's decision not to look into the complaint then the complainant may write to the Department for Education (see the contact details at the end of the document).

For more details of what constitutes a serial or unreasonable complaint, please see our 'Managing Serial and Unreasonable Complaints' policy on our school website.

19 AI GENERATED CORRESPONDENCE

The school values clear, authentic communication that reflects the genuine concerns of parents and carers. To ensure that the school fully understands the nature of a complaint and can respond effectively, we encourage

complainants to use their own words to describe specific incidents or concerns.

Screening and Identification

The school reserves the right to use screening tools to identify correspondence that appears to be substantially or entirely generated by Artificial Intelligence (AI).

Handling AI-Generated Complaints

If a complaint is flagged as being predominantly AI-generated, the school will take the following steps:

- **Assessment of Clarity:** The Headteacher (or designated staff member) will assess if the AI-generated text obscures the specific details of the complaint or makes it difficult to identify the desired outcome.
- **Request for Clarification:** If the content is deemed too generic, repetitive, or lacks specific evidence due to AI drafting, the school may contact the complainant. We will ask them to provide a brief, personal summary of their concerns to ensure no vital information is lost in translation.
- **Meeting Requirement:** In cases where AI-generated correspondence is persistent or prevents a resolution, the school may request an in-person or telephone meeting as the primary method of communication to ensure a human-centered approach to the issue.

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The use of AI to assist with grammar or structure (e.g., for parents where English is an additional language) is supported. This policy specifically addresses "blanket" AI generation that hinders the school's ability to investigate specific facts.

20 DUPLICATE COMPLAINTS

After closing a complaint at the end of the complaints procedure, a duplicate complaint may be received from: a spouse; a partner; a grandparent; or a child. If the complaint is about the same subject, the school can inform the new complainant that the school has already considered that complaint and the local process is complete. The new complainant should be advised to contact the DfE if they are dissatisfied with the school's handling of the original complaint. Schools should not overlook any new aspects to the complaint that they may not have previously considered. The school will need to ensure that these are investigated and dealt with to the full extent of the complaints procedure.

21 BARRING FROM THE SCHOOL PREMISES

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. The school will therefore act to ensure that Bishop Perrin remains a safe place for pupils, staff and other members of the community.

If a parent's behaviour is a cause for concern, the school can ask him/her to leave the premises. In serious cases, the Headteacher or the Local Authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the person may wish to make. Schools should always give the person the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the person, and either confirmed or lifted. If the decision is confirmed the person should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

22 COMPLAINTS NOT IN SCOPE

This complaints policy covers all complaints about any provision of services that a school provides other than complaints for which there are separate (statutory) procedures, including:

Admissions to schools

For school admissions it will depend on who the admission authority is (with the school or the local authority). Complaints about admission appeals for local authority-maintained schools are dealt with by the appropriate ombudsman.

School re-organisation proposals

Contact the local authority or diocese, as appropriate, in the first instance and then escalate to DfE if dissatisfied.

Statutory assessments of special educational needs

Concerns about statutory assessments of special educational needs should be raised directly with local authorities.

Matters likely to require a child protection investigation

Complaints about child protection matters should be handled:

- under the school's child protection and safeguarding policy
- in accordance with relevant statutory guidance

Exclusion from school

Further information about raising concerns about exclusions can be found in the School Discipline and Exclusion guidance.

Whistleblowing

See whistleblowing policy for employees. Volunteers who have concerns about school should complain through the school's complaints procedure. Depending on the substance of the complaint they may also be able to complain to the local authority or DfE

Staff Grievances

See staff grievance policy.

Staff conduct complaints

Complaints about staff are 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, complainants must be informed that the matter is being addressed.

Complaints about services provided by other providers who may use the school premises or facilities

School will direct complainants to follow the external provider's own complaints procedure.

Complaints about the curriculum

Complaints about the content of the National Curriculum should be sent to the DfE.

Complaints about the delivery of the curriculum are for schools to resolve through the complaints procedure. This includes RE (Religious Education) and RSE (Relationships and Sex Education)

Complaints about collective worship

Complainants who are dissatisfied with the content of the daily act of collective worship (DACW) should address their complaints to the local authority or the local Standing Advisory Council on Religious Education.

23 CONTACT DETAILS FOR EXTERNAL ORGANISATIONS IF NOT SATISFIED WITH THE OUTCOMES OF THE COMPLAINTS PROCEDURE IN FULL

- If you have any queries regarding any aspect of the complaints procedure, please direct these to the Clerk to Governors (contact details available from the school office).
- If the complainant feels that the Governing Body did not handle their complaint in accordance with the published complaints procedure or has acted unlawfully or 'unreasonably' in the handling of the complaint, they can complain to the Department for Education after the complaints procedure has been exhausted. Please note that 'unreasonably' is used in a legal sense and means acting in a way that no reasonable school or authority would act in the same circumstances. The

Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the 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: <https://www.gov.uk/complain-about-school>, by telephone on: 0370 000 2288 or by writing to:

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

- Ofsted will also consider complaints about schools.

24 MONITORING OF THIS POLICY

This policy will be reviewed every two years and monitored by the Full Governing Board but sooner if there are any updates or changes in legislation/guidance made by the Department of Education and/or the National Governor's Association.

25 RELEVANT GUIDANCE AND LEGISLATION

The Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/contents>

Education Act 2002 <http://www.legislation.gov.uk/ukpga/2002/32/contents>

Appendix 1 – Stages of the Bishop Perrin Complaints Procedure

Complaint against Teacher or member of Staff	Complaint against Headteacher or a member of the Governing Body (including the Chair or Vice Chair)	Complaint jointly against both the Chair and Vice Chair/ the majority of the Governing Body or the entire Governing Body
<u>Informal</u> – meeting between appropriate person and complainant	<u>Informal</u> - meeting between Headteacher or Governor and complainant	<u>Informal</u> - meeting between Governors and complainant
<u>Stage 1:</u> Formal investigation by Headteacher	<u>Stage 1:</u> Formal investigation by an appointed Bishop Perrin Governor initiated by contacting the Clerk to Governors	<u>Stage 1:</u> Formal investigation by an independent investigator appointed by the Bishop Perrin Governing Body or the Diocese, initiated by contacting the Clerk to Governors
<u>Stage 2:</u> Complaints Panel, formed of three Bishop Perrin Governors initiated by contacting the Clerk to Governors	<u>Stage 2:</u> Complaints Panel, formed of three independent Governors initiated by contacting the Clerk to Governors	<u>Stage 2:</u> Complaints Panel, formed of three independent Governors initiated by contacting the Clerk to Governors

Appendix 2 - Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

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 Headteacher or Complaints Panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher or Complaints Panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (*this could be the Headteacher/Designated Complaints Governor or other staff member providing administrative support*)

The Complaints Co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, Chair of Governors, Clerk and Local Authority/Diocese (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the Panel 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.

Complaints Panel Chair

The Panel'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 Panel 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 Panel is open-minded and acts independently
- no member of the Panel 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 (and Complaints Co-ordinator, if the school has one).

Panel Member

Panel 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 Panel 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
- 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 Panel 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 Panel 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 Panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- 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 Panel considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount.



Bishop Perrin Primary School Formal Complaints Form - Stage 1

Name	
Name of pupil, year group and your relationship to them (where applicable)	
Contact address	
Contact telephone day	
Contact telephone mobile	
Contact email address	
Details of the complaint, including whether you have spoken to anybody at the school about it.	
Action taken so far (including staff member who has dealt with it so far) or solutions offered	
The reason that this was not a satisfactory resolution for you	
What action would you like to be taken to resolve the problem?	

Signed:
Date:

Office Use

Date Received

Signed