

# MARLBOROUGH PRIMARY SCHOOL COMPLAINTS POLICY

## APRIL 2020



**MARLBOROUGH  
PRIMARY  
SCHOOL**

Date of Policy Review:	Reviewer:	Date Ratified by Governors:	Date Shared with Staff:	Date of Next Review:
May 2019	C Robinson-Jones Duaa Karim	July 2019	September 2019	
April 2020	A Dymond			

As a Rights-Respecting School, we use children's rights to underpin everything we do and learn.

Marlborough Primary School has been working closely with [UNICEF](#), and is a 'Rights Respecting' School. The term is bestowed on those schools who, in the eyes of UNICEF, put the '[UN Convention on the Rights of the Child](#)', (UNCRC) at the heart of their planning, policies, practice and ethos.

UNCRC is a list of rights that all children, everywhere in the world, have. The rights are all the things that children and young people need to make sure they are healthy, happy and safe. A rights-respecting school not only teaches about children's rights, but also models rights and respect in all its relationships: between adults and children, between children themselves, and between adults themselves.

### Data Protection Statement

The procedures and practice created by this policy have been reviewed in the light of our Data Protection Policy. All data will be handled in accordance with the school's Data Protection Policy.

Data Audit for this Policy					
What?	Probable Content	Why?	Who?	Where?	When?
Registration / Admissions Data	Name D.O.B. Address Telephone Medical Issues Parental Details	Legally Required For Admission to School Well- Being of Your Child Communication	All Staff  (Where Necessary)	Initially Completed on Paper Then Entered Onto School's Information Management System Paper Version is Shredded	Held on File Throughout Child's Time at School Passed onto New School When Moving Computer Retains Copy of Records in 'Archive'

As such, our assessment is that this policy:

Has Few / No Data Compliance Requirements	Has A Moderate Level of Data Compliance Requirements	Has a High Level of Data Compliance Requirements
	X	



**Article 28:** Children have a right to a good quality education

**Article 29:** Children have the right to an education which develops their interests, talents and abilities

**Article 3:** Adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children.

**Article 19:** Children have the right to be protected from being hurt or mistreated, in body or in mind.

## **Rights Respecting Schools**

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## **Complaints Policy 1. Introduction**

**1.1** We strive to provide a good education for all our children. The Headteacher and staff work very hard to build positive relationships with all parents and carers. However, the school is obliged to have procedures in place in case there are complaints by parents or guardians. The following policy sets out the procedures that the school follows in such cases.

**1.2** If any parents or carers are unhappy with the education that their child is receiving, or have any concerns relating to the school, we encourage them to talk to the child's class teacher immediately.

**1.3** We deal with all complaints in accordance with procedures laid down by the LA. If the school itself cannot resolve a complaint, those concerned can refer the matter to the LA.

**1.4** All parents and carers have the right, as a last resort, to appeal to the Secretary of State for Education and Skills, if they still feel that their complaint has not been properly addressed.

## **2. Aims and objectives**

**2.1** Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints, and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. In all cases, we put the interests of the child above all else. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

## **3. The Complaints Process (also refer to the communication flow chart)**

**3.1** If a parent is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher. In our experience, most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress.

Where a teacher other than the Headteacher receives a complaint (as opposed to an expression of concern) and deals with it, the Headteacher should be notified of the complaint and how it was resolved

**3.2** Where parents or carers feel that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Headteacher. The Headteacher considers any such complaint very seriously, and investigates each case thoroughly. Most complaints are normally resolved by this stage.

**3.3** Should any parents or carers have a complaint about the Headteacher, they should first make an informal approach to the Chair of the Governing Body, who is obliged to investigate it. The Chair of Governors will do all s/he can to resolve the issue through a dialogue with the school, but if parents or carers are unhappy with the outcome, they can make a formal complaint, as outlined below.

**3.4** Only if an informal complaint fails to resolve the matter should a formal complaint be made to the governing body. This complaint must be made in writing, stating the nature of the complaint, and how the school has handled it so far. The parent should send this written complaint to the chair of governors.

Receipt of the complaint will be acknowledged in writing by the Chair of the Governing Body, the Vice Chair if the Chair is not available or the Clerk. A copy of the complaints procedure will be enclosed with the acknowledgement

**3.5** The governing body must consider all written complaints within three weeks of receipt. It will arrange a meeting to discuss the complaint, and will invite the person making it to attend the meeting, so that s/he can explain the complaint in more detail. The school gives the complainant at least *ten* days' notice of the meeting.

**3.6** The Governing Body will arrange for the complaint to be heard by a panel of three Governors who have not had involvement with the matter at an earlier stage. This panel should be set up at a properly convened meeting of the full Governing Body. The panel will, where possible, reflect a cross section of Governors, who have no direct interest or involvement in the case.

**3.7** The Panel will be provided with copies of the complaint and all other relevant documentation.

**3.8** At least ten working days of notice of the hearing by the panel will be given to all concerned. All parties will provide copies of any evidence to be used in the hearing to the clerk. The clerk will pass on copies of the evidence to the other party involved at least 3 days prior to the hearing.

**3.9** All parties involved in the dispute may be accompanied, if desired, by a friend, representative or an interpreter and may call witnesses.

**3.10** The Headteacher (or Chair of Governors if the complaint is against the Headteacher) will explain what has already been done to attempt to resolve the complaint and the outcome of any investigation. Then:-

i The complainant will present his or her case and call any witnesses.

ii The panel and Headteacher will have an opportunity to question the complainant and witnesses.

iii The Headteacher will have the opportunity to respond to the complainant and to call witnesses if appropriate.

iv The panel and the complainant will have the opportunity to question the Headteacher and the witnesses.

v Both the complainant and the Headteacher will summarise their positions.

vi All but the members of the panel will withdraw while a panel decision is reached.

**3.11** When the evidence has been fully considered and a decision made, the panel will notify in writing the complainant and the Headteacher of the outcome, giving an explanation of the conclusion, the reason for it, and any action taken, including details of any request made of those complained against to take particular actions in respect of the complaint. This will be done as quickly as possible but within a maximum of five working days.

The governors do all they can at this stage to resolve the complaint to the parent's satisfaction.

**3.12** The Governing Body should be informed at their next meeting that a complaint has been received and dealt with. Details should not be divulged to the full Governing Body as to do so would violate confidentiality.

#### **4. Appeals**

**4.1** If the complaint is not resolved, a parent may make representation to the LA. Further information about this process is available from the school or from the LA. A further meeting is chaired by an independent person, who considers all the evidence and makes a further judgement in an attempt to resolve the complaint.

**4.2** If any parent is still not content that the complaint has been dealt with properly, then s/he is entitled to appeal to the Secretary of State for Education and Skills.

#### **5. Monitoring and review**

**5.1** The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The Headteacher logs all complaints received by the school, and records how they were resolved. Governors examine this log on an annual basis.

**5.2** Governors take into account any local or national decisions that affect the complaints process, and make

any modifications necessary to this policy. This policy is made available to all parents and carers, so that they can be properly informed about the complaints process.

**5.3** This policy will be reviewed every **two years**, or before if necessary.