**Oaktree Nursery and Primary School**

**COMPLAINTS PROCEDURE**
**At Oaktree Nursery and Primary School it is our Aim to:**
‘ Engender positive attitudes among our Oaktree community so that everyone respects the rights of all people and challenges inequalities based on ability, gender, ethnicity, language, culture, age, class, disability or religion. We want all our pupils and staff to feel valued as we celebrate their uniqueness. ‘

**Introduction**
This procedure fulfils the requirements of the Education Act 2002 (Section 29) for “all governing bodies to have a procedure to deal with complaints relating to aspects of the school, and any community facilities or services that the school provides.” It sets out for parents and others, a clear outline of the procedure for raising a concern; making a formal complaint; appealing to the governing body. There are additional papers, attached to the statement for parents, intended to help staff and governors determine how the concern or complaint will be dealt with, and how to use this procedure, should it be relevant.

This procedure does not apply to complaints or appeals in relation to:
▪ Admissions
▪ Child protection
▪ Collective worship
▪ Exclusions
▪ Health and safety
▪ Staff discipline or capability
▪ Staff grievance

If a concern is brought to the attention of the school that relates to any of these matters, the relevant statutory or local authority procedure will be used. The governing body is not responsible for handling complaints about third party providers offering community facilities or services through our premises or using school facilities for external events. They have their own complaints procedures.

ADOPTED AT A MEETING OF THE FULL GOVERNING BODY
SIGNED:
(Chair of Governors)
DATE: September 2020
TO BE REVIEWED BY: September 2022

**SCHOOL COMPLAINTS PROCEDURE**
**A STATEMENT FOR PARENTS, CARERS AND OTHER USERS OF SCHOOL SERVICES**
We very much hope that you and your child will be very happy at our school, and that any concerns that may arise are dealt with swiftly by our staff. However, we recognise that there may be an occasion when you are not entirely happy with an aspect of the service that we provide, and that you want the school to deal with your concern through a more formal process. This leaflet sets out what the school will do if you wish to raise that concern informally, or make a formal complaint.

**Who can raise a concern or make a complaint?**
Anyone who uses the school, whether a pupil, a parent or carer, a provider of a service to the school or a visitor can use this procedure. If you wish to raise a concern or complain on someone else’s behalf, the school will only deal with this if the person on whose behalf you are complaining is unable to do so for themselves (for example, they are too young, or they have a disability that prevents them from complaining on their own behalf).

**How will my concern be handled?**
Our procedure has four stages:
1. Responding to concerns
2. Investigating complaints
3. Appeal to the governing body
4. Resolution meeting

At any point in the handling of your complaint, there is the possibility of a ‘resolution’ meeting.
**1. Responding to concerns**
If your concern is about something that a person has or has not done, for example the headteacher, another member of staff, a governor, or a volunteer, you should make an arrangement through the school office to speak to that person or their manager (and not approach them while they are 'on duty'). If your concern is about an aspect of school practice or policy, you should contact the headteacher. We want to respond to your concern as quickly as possible, but it may not be possible to arrange an immediate meeting: an appointment within a few days may be necessary. We can reassure you that most concerns are usually resolved at this stage.

**2. Investigating complaints**
If you remain dissatisfied by our response to your concern, then you should make a complaint to the
headteacher. The headteacher will arrange for the complaint to be investigated and respond to you within a reasonable time.

If your complaint is about the headteacher, you should put details of your complaint in writing to the chair of governors who will arrange for it to be investigated by a nominated member of the governing body. If your complaint is about the chair of governors, write instead to the clerk to the governing body, who will make the arrangement. Alternatively, you can contact the relevant person and have them record your complaint for you. In all cases,
▪ state that you are making a formal complaint;
▪ give specific details;
▪ say what you want the school to do to put things right.
All letters should be sent to the school address, marked ‘Confidential: For immediate attention.’
Please note that if any investigation by the school concludes that a formal employment procedure should be instigated (such as a disciplinary procedure) you will only receive a brief response, as such procedures must remain confidential, and you will not have a right of appeal.

**3. Appeal to the governing body**
If you remain dissatisfied with the outcome of the investigation into your complaint, you may appeal to the governing body. The chair of governors (or the clerk) will arrange for a panel of governors to consider your appeal and respond to you within a set timescale. For complaints about staff (except the headteacher) or volunteers who work in school, this is the final stage of the complaints procedure and the panel's decision is final.

If you are complaining about either the headteacher or a member of the governing body, and are dissatisfied with the nominated governor’s response, you also have a right to appeal to the governing body.

The letter giving the school’s decision following the investigation will tell you how to make an appeal; this is usually by writing to the clerk. The governing body will arrange for a panel of three governors to **[hear your** **appeal in person] OR [review your complaint]**. After this **[hearing] OR [review]**, the panel will notify you oftheir decision. This will include informing you that the school’s procedure has been exhausted and that the matter is now closed. There is no further right of appeal to the school against the decision.

**4. Resolution meeting**
1) Where a complainant agrees to attend a resolution meeting, this will usually be arranged no later than 5 school days after the date of the letter to the complainant. The purpose of the meeting is to give the opportunity for all parties to meet and agree any restorative actions.
2) Matters raised in this informal meeting would be confidential to that meeting with the only minutes being agreed outcomes. The meeting will be chaired or conducted by the investigator or the chair of governors or a third party external to the school. (This might be a representative of the local authority, the diocese, a governor of another school, a retired headteacher or other professional known in the community). The chair of the meeting may be nominated by either party, but should be acceptable to both.
3) In the event that the complaint has not been upheld, such a meeting may be delayed until after any appeal has been heard.
4) Should the meeting not produce a resolution, then the complainant can still appeal to a panel of the governing body against the outcome of the investigation. This request must be made within 10 school days of the resolution meeting.

**Appeals to the Local Authority**
The school recognises that a complainant has the right to appeal to the Local Authority. Contact details for the LA are:
*Group Director: Children Services*
*Swindon Borough Council*
*Beckhampton St*
*SN1 2JH*

**Referral to Ofsted**
The school recognises that a complainant has a separate right to complain to the Office for Standards in Education (Ofsted). Contact details can be found at www.ofsted.gov.uk.

**Unreasonably persistent, abusive or harassing complainants and vexatious complaints**
The school expects anyone who wishes to raise problems with the school to:
▪ treat all staff with courtesy and respect;
▪ respect the needs of pupils and staff within the school;
▪ recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to your concern;
Whilst we recognise that some concerns may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour, and will take steps supported by legal action as appropriate to ensure that the school can continue its work safely and securely.

**Further Information**
The governing body is not responsible for handling complaints about third party providers offering community facilities or services through our premises or using school facilities for external events. They have their own complaints procedures. However, the school will liaise with such providers as appropriate.
For any complaint about the following, contact the local authority on 01793 463000 for advice and information.
▪ an appeal against a decision relating to the admission or exclusion of a child
▪ an appeal against a local authority decision about a child’s special educational needs.
▪ the curriculum, religious education syllabus or collective worship
▪ an allegation of a criminal offence