

Greenfields Community School

Complaints Procedures



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At Greenfields Community School we aim to deal with all worries and complaints in a positive and supportive manner. In most cases the class teacher is the first point of contact, and we try to deal with all concerns quickly and effectively. If the parent / carer is not happy with the way the concern has been dealt with, the stages below offer clear guidance as to the action to be taken. The LA will provide advice and guidance to Parents, Headteacher and Governors at any stage of the complaints process.

Overview

1. From 1st September 2003, Governing Bodies of all maintained schools and maintained nursery schools in England are required, under Section 29 of the Education Act 2002 to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised.
2. LAs are required to set up a procedure for dealing with certain types of complaint, for example, complaints about the curriculum or collective worship in a school. The Governing Body's complaints procedure does not replace the arrangements made for those types of complaints. In addition, there are certain complaints which fall outside the remit of the Governing Body's complaints procedure, for example, staff grievances or disciplinary procedures. The Governing Body will ensure that any third-party providers offering community facilities or services through the school premises or using school facilities (even if it is hiring out for a wedding reception) have their own complaints procedure in place.
3. In drawing up this procedure the local teacher associations and LAs must be involved.

General Principles of Complaints

Dealing with complaints – initial concern

The school needs to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints. These key messages deal with complaints, but the underlying principle is that concerns ought to be handled, if at all possible without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases, the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

Dealing with complaints – formal procedures

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. The Deputy Headteacher responsible for that area of the complaint has responsibility for the operation and management of the complaint. Should this person not be able to resolve the complaint the matter will be taken to the Headteacher.

Framework of Principles

An effective complaints procedure will:

- Encourage resolution of problems by informal means wherever possible;
- Be easily accessible and publicised;
- Be simple to understand and use;
- Be impartial;
- Be non-adversarial;
- Allow swift handling with established time limits for action and keeping people informed of the progress;
- Ensure a full and fair investigation by an independent person where necessary;
- Respect people's desire for confidentiality;
- Address all the points at issue and provide an effective response and appropriate re-dress where necessary;
- Provide information to the school's Senior Leadership Team so that services can be improved.

Investigating Complaints

At each stage, the person investigating the complaint (the complaints co-ordinator) will make sure they:

- Establish what has happened so far, and who has been involved;
- Clarify the nature of the complaint and what remains unresolved;
- Meet with the complainant or contact them (if unsure or further information is necessary);
- Clarify what the complainant feels would put things right;
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- Conduct the interview with an open mind and be prepared to persist in the questioning;
- Keep notes of the interview.

Resolving Complaints

At each stage in the procedure the school will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- An apology;
- An explanation;
- An admission that the situation could have been handled differently or better;

- An assurance that the event complained of will not recur;
- An explanation of the steps that have been taken to ensure that it will not happen again;
- An undertaking to review school policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence. An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Vexatious Complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Time Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. An effective complaints procedure will have realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

The Formal Complaints Procedure

The Stages of Complaint

The school complaints procedure has well defined stages as indicated on the flow data (Appendix B). There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the Headteacher after a meeting with the complainant.

2. Three school-based stages are likely to be sufficient for most schools:

- Stage One: complaint heard by staff member (though not the subject of the complaint);
- Stage Two: complaint heard by Headteacher;
- Stage Three: complaint heard by Governing Body's complaints appeal panel.

3. An unsatisfied complainant can always take a complaint to the next stage. 4. In the case of a complaint which concerns the conduct of the Headteacher the complaints co-ordinator may refer the complaint to the Chair of Governors. When the first approach is made to a Governor, the complaint should be referred to the complaint co-ordinator.

Managing and Recording Complaints

Recording complaints

1. The person dealing with the complaint will record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing. At the end of a meeting or telephone call, it would be helpful if the member of staff ensured that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept, and a copy of any written response added to the record.

2. The records will be held centrally.

Governing Body Review

1. The Governing Body can monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Preferably, complaints information shared with the whole Governing Body will not name individuals.

2. As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard the school may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Body can be a useful tool in evaluating a school's performance.

Publicising the Procedure

There is a legal requirement for the Complaints Procedure to be publicised. It is up to the Governing Body to decide how to fulfil this requirement, but details of the Complaints Procedure could be included in:

- The school prospectus;
- The governors' report to parents;
- The information given to new parents when their children join the school;
- The information given to the children themselves;
- The home-school agreement;
- Home school bulletins or newsletters;
- Documents supplied to community users including course information or letting agreements;
- Posters displayed in areas of the school that will be used by the public, such as reception or main entrance;
- The school website.

Appendix A: Section 29 of the Education Act 2002

Stage 1 - initial contact with the school Many concerns will be dealt with informally when you first make them known to the school. In most cases we would expect the class teacher to be the first point of contact, either by telephone or in person. If the parent / carer wish to meet with the class teacher we respectfully ask them to make an appointment to discuss the situation. This ensures that:

We allocate sufficient time to listen carefully to your complaint Lessons can start on time and are uninterrupted.

If for any reason the teacher is unable to meet with the parent, he / she will either:

arrange an alternative appointment arrange for another member of the year group team to speak with the parent / carer ask the Headteacher or her representative to informally meet with the parent / carer

If possible, we prefer all concerns / complaints to be dealt with as quickly as possible and to everyone's satisfaction. It is preferable for concerns to be handled without the need for formal procedures. We pride ourselves on honest and genuine relationships within our school; such values extend to all relationships with children, parents and members of our wider school community. However, we do appreciate that there may be times when more formal procedures are required, and we will treat all complaints with respect and with good manners. In most cases we hope that the class teacher will be the first contact, and we will endeavour to resolve issues on the spot. All complaints will be investigated with respect and integrity. Occasionally these discussions do not always resolve your concern, and if you are still dissatisfied your concern will become a formal complaint.

Stage 2 - Formal Consideration of your complaint

You will be asked to confirm the complaint in writing to the Headteacher (or Chair of Governors if the complaint is about the Headteacher) and it will be acknowledged in writing. As part of the school's consideration of your complaint, you may be invited to the meeting to discuss the complaint and to discuss any further details. If you wish, you can ask someone to accompany you, to help you explain the reasons for your complaint. The Headteacher or Chair of governors will carry out a full investigation of all matters relating to your complaint. He / she, where necessary will talk to witnesses and take statements from others involved. If the complaint centres on a pupil the school will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question. The school will normally talk to a pupil with a parent or carer present. If the complaint is against a member of staff, it will be dealt with under the schools internal, confidential procedures. The Headteacher or Chair of Governors will keep written / typed, signed and dated records of all meetings and telephone conversations, and other related documents. Once the school has established all the relevant facts, they will send you a written response to your complaint. This will give a full explanation of the Headteachers / Chair of Governors decision and the reason for it. If follow-up action is needed, the school will indicate what we are proposing to do.

Stage 3 - Consideration by the Governing Body

If your concern has already been through Stage 1 and 2 and you are not happy with the outcome, the next step is to make a formal complaint to the Governing Body. You should contact the school's chair of Governors by letter, enclosing a copy of the written complaint originally submitted, indicating which matters remain unresolved. No new complaint may be included.

Letters should be sent to: Chair of Governors Greenfields Community School, Orange Gardens, The Meadows, Nottingham NG2 2JE

The Chair of Governors has discretion to agree to a complaint review panel if she / he feels it would be helpful in resolving the complaint. The aim of the complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent(s) / carer(s). However, it may sometimes only be possible to establish facts and to make recommendations, which will reassure you that the complaint has been taken seriously. The format of such a meeting would be for you to attend, to present your case and allow the governing body to take evidence. A separate meeting will then take place to allow the school staff to do the same. Should the Governing Body agree to hold a complaints review meeting you will be informed of the date, time and place of the meeting by letter. The letter will also explain what will happen at the meeting and inform you that you are entitled to be accompanied at the meeting. With agreement of the Chair of the Panel, the Headteacher may invite members of the staff directly involved in matters raised by you to attend the meeting. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. The clerk will send you and the headteacher a written statement outlining the decision of the panel within two weeks.

Stage 4 - Complaints to the Local Authority

The Governing Body's decision will usually be final; however, if you wish to pursue the matter further, you can ask the LEA whether your complaint is one that can be heard by them. However, in the majority of cases, unless your complaint relates to issues for which there are separate arrangements laid down by law (as previously detailed) there is no right of formal complaint to the Local Education Authority. If the LEA receives an anonymous complaint, the details will be passed to the school, but it will be at the school's discretion if this is investigated.

N.B. this will not apply in relation to issues connected with Child Protection.

Stage 5 : Complaints to the Secretary of State

If you wish to pursue the complaint, you have recourse to the Secretary of state or, if the complaint is against action taken, or not taken by the LEA, it is possible for that complaint to be referred to the Local Government Ombudsman. Further details are available from the education directorate on 0191 553 1398. We would advise that, unless the school or LEA has acted unreasonably or not to have followed our own procedures, there is little further action that can be taken. This is because Governing Bodies are empowered to deal with many issues without reference to either the LEA or Secretary of State.