

Fountaindale School Complaints Policy

Introduction

Listening to Parents, Pupils and the Community

At Fountaindale we aim to make our school a happy, safe and caring place so that pupils may benefit from the best possible education. All of our staff, both teaching and non-teaching are dedicated to this aim.

Parents, carers, pupils or any member of the community will therefore be requested to follow the procedures below if they have a concern or complaint. They should be encouraged to refrain from publishing complaints via public forums, for example, local papers, social network sites and other media outlets as unfounded published statements could breach pupil confidentiality and could give rise to personal liability.

Legislation and Guidance

In accordance with Section 29 of the Education Act 2002, the school publishes on its website its procedures to deal with all complaints relating to the school, its community facilities and services that the school provides.

Due regard will be made within the implementation of this policy and procedures to ensure that the school complies with its obligations under the Equality Act 2010.

This policy has been written in line with the DfE advice for maintained schools, maintained nurseries and Local Authorities 'Best Practice Advice for School Complaints Procedures 2016'.

Concerns and Complaints

The school differentiates between 'concerns' and 'complaints'. A 'concern' may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'. A complaint may generally be defined as '*an expression of dissatisfaction, however made, about actions taken or a lack of action*'.

All concerns and complaints will be taken seriously and an effort made to resolve the issue quickly and, if possible, informally without the need to evoke formal procedures.

Parents, carers and pupils contacting the school (by whatever means) expressing a concern or complaint will be directed to the School's Family Liaison Manager or the child's teacher in the first instance in an effort to resolve the situation informally.

Members of the community contacting the school with a concern or complaint will be directed to the Principal.

Concerns or complaints regarding child protection or safeguarding issues will be directed immediately to the school's Designated Senior Person for Child Protection. Such issues may require investigation under procedures within the School's policy for 'Child Protection to Safeguard and Promote the Welfare of Children' and therefore be outside the scope of the formal procedures of this Complaints Policy.

Complaints not in the scope of the School's Complaint Policy and Procedures

This policy covers complaints about any provision of facilities or services that the school provides with the exceptions listed below, for which there are separate (statutory) procedures:

| Exceptions | Who Should be Contacted |
|--|--|
| <ul style="list-style-type: none"> • Admissions to Schools • Statutory assessments of Special Educational Needs (SEND) • School Re-organisation proposals | <p>Concerns should be raised with the Local Authority (LA) in the first instance. Complaints regarding admissions appeals for maintained schools should be directed to the Local Government Ombudsman</p> |
| <ul style="list-style-type: none"> • Matters likely to require a child protection investigation | <p>Will be referred to the Multi-agency Safeguarding Hub (MASH) either by the school's Senior Designated Officer or the complainant themselves</p> |
| <ul style="list-style-type: none"> • Matters concerning children at risk of radicalisation | <p>A Prevent Referral will be made to the Channel programme through the local Police Force (prevent@nottinghamshire.pnn.police.uk)</p> |
| <ul style="list-style-type: none"> • Exclusions of children from school | <p>If alternative education isn't arranged within 5 days, or if a parent/carers is not happy with the alternative education provided, they can complain to:</p> <ul style="list-style-type: none"> • the school, for fixed period exclusions • The Local Authority (LA), for permanent exclusions <p>If they not happy with the response, they can complain to the Department for Education (DfE).</p> |
| <ul style="list-style-type: none"> • Staff Complaints | <p>The school has internal 'Whistleblowing' procedures for employees and</p> |

| | |
|---|---|
| | <p>volunteers.</p> <p>Alternatively other whistleblowing concerns can be raised directly through Ofsted or the DfE.</p> <p>Issues regarding staff grievances or disciplinary procedures should be addressed through the school's grievance and competency procedures.</p> |
| <ul style="list-style-type: none"> Complaints about services provided by other providers who may use the school premises or facilities | <p>External providers are required to have their own complaints procedure to deal with complaints about their service. Complainants will be told to contact them directly</p> |

Formal Complaint Procedures

1. Most concerns should normally be resolved at an informal stage but if a complainant remains dissatisfied then they have the right to make a formal complaint. To do this they should initially contact the Principal, in writing if possible. If this is difficult for them, alternative methods of contact will need to be agreed. The Principal will contact the complainant within one working day to find out more about their concerns and to explain how the complaint will be investigated. The Principal will also confirm when the complainant will next be contacted. Confidentiality will be respected at all times. On completion of the investigation the Principal will write to the complainant with the outcome of the investigation and the action that will be taken.
2. Written responses, notes of meetings and telephone calls and a record/log of the progress of the complaint and the final outcome will be kept. Complainants have a right to request copies of these records under the Freedom of Information and Data Protection Acts.
3. If the complaint is about the Principal or a school governor the complaint will be directed it to the Chair of Governors. They will then take responsibility for the investigation. If the complaint is about the Chair of Governors then it will be dealt with by the Vice Chair of Governors.
4. If, at this point, a resolution cannot be found an independent mediator will be employed to try and resolve the issue to the satisfaction of all parties involved.
5. If the complainant is still not satisfied, following this process, they may appeal to a committee of the Governing Body which will listen to the complaint. The complainant should do this through the Chair of Governors at the school address. This committee will be made up of 3 Governors who have not had any previous involvement with the complaint. A meeting will be arranged within 5 working days of the complaint being received. The complainant will be given the opportunity to attend a meeting of the Committee to put their case. The Principal or Chair of

Governors will also attend to explain what they have done to investigate and resolve the concerns. The Committee will write to the complainant after listening to all parties and coming to their conclusion. They will also monitor that any action or school improvement recommended has been adequately carried out.

6. If the complainant believes that their complaint may be biased in some way by being heard by a panel of governors, they may request an independent panel to hear the complaint. The governors will consider this request and decide whether an independent panel is justified.
7. If the complainant is still not satisfied then they will be directed to complain to the Local Authority (LA). The LA only has powers to investigate complaints about the curriculum, religious education and collective worship, the school's charging policy and the provision of information required by law. For other complaints the LA will investigate whether the school's investigation was carried out properly, but will not be able to re-hear the complaint.
8. After the LA has carried out its investigation it will write to the complainant. In the very rare case that they remain dissatisfied they may pursue your complaint with the Secretary of State for Education, through the Schools Complaints Unit (SCU) of the Department for Education (DfE). Contact details can be obtained from the school or by calling the National Helpline on 0370 000 2288 or by going online at: www.education.gov.uk/help/contactus .
9. Ofsted can also consider certain complaints about the quality of education the school provides or about the way in which the school is led. Contact with Ofsted can be made by phone (08456 404045) or by e-mail (enquiries@ofsted.gov.uk).
10. The Local Government Ombudsman is not able to consider complaints about schools, except where they relate to the admission of pupils.
11. Complainants will be made aware that failure to follow these procedures could seriously affect the resolution of any complaint. However, the school will respect the fact that an individual has the democratic right to refer their complaint to their local MP regardless of which stage the complaint has reached within the procedure.

Timelines

Complaints need to be resolved as quickly and efficiently as possible. The complexity of the complaint or the investigation will determine the timeline for each stage. However, excessive time limits are not reasonable or acceptable, other than in extreme extenuating circumstances, and can form the basis for further complaint against the school.

For each complaint a reasonable and realistic time scale will be given to the complainant for each stage that the complaint has reached. Any delays in this will be notified to the complainant giving the reasons for the delay and setting new time limits.

Formal complaints should generally be made within 3 months of an incident. However the school will consider exceptions to this. This will be decided by the Principal in the first instance. A complainant can appeal against a decision by the principal not to investigate a complaint outside this timeline through the Chair of Governors and then the Local Authority.

Policy for Unreasonable Complainants

Fountaindale School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. However, there may be rare cases where the nature of complaint or behaviour of a complainant is deemed 'unreasonable' by the school. This will include cases where a complainant repeatedly contacts the school about a complaint that has already been heard through the complaints procedure or where a complainant refuses to engage or support an investigation into a complaint or becomes abusive, offensive or threatening.

The school's definition of an 'unreasonable' complainant and the possible actions by the school as a result are contained within the school's separate 'Policy for Unreasonable Complainants'

Monitoring and Review

The governing body will receive termly reports from the Principal concerning the number of complaints received and whether any outcomes relate to the need for school improvement. Where such issues are identified, the relevant governors' committee will review the progress of the school improvement identified.

The complaints policy and complaints procedure will be reviewed every 3 years (or earlier if new government guidance or legislation is issued) by the governors' Personnel and Pupils Committee. This review will include feedback from parents regarding the effectiveness of the procedure.