



## **Complaints Policy**

June 2021

At Markeaton Primary School, we strive to create a friendly and safe environment which gives all children the opportunity to explore and enrich their potential. We recognise that sometimes things can go wrong, and Parents, Carers and members of the public may need to make a complaint they have with the school.

This policy tells you what to do if this happens.

### **General Principles**

- This policy and its related procedures enable you to raise a complaint relating to the school or the services that it provides.
- An anonymous complaint will not be investigated unless there are exceptional circumstances.
- To allow for a proper investigation, complaints should be brought to the attention of the school as soon as possible.
- In general, the school will not consider any complaint that was raised more than 12 months after the event; unless there are extenuating circumstances.
- All complaints should be resolved as quickly as possible.
- If a complaint is not from a Parent/Carer of a pupil of the school (an example being a member of the public) these should be made, in writing, directly to the Headteacher.
- All complaints will be recorded formally by the school in a central log.
- All written complaints must be made using the Complaints Form below.

### **Informal Stage**

Most issues/concerns can be resolved informally and quickly by discussion with the member of staff concerned or the Headteacher. Alternatively, you can write, using the Complaints Form, to the member of staff or the Headteacher outlining the issue clearly.

Any complaint that is put in writing should be written clearly outlining all the issues and what is hoped that the preferred outcome should be. All complaints will be acknowledged in writing within 3 – 5 (three to five) school working days. Please use the Complaints Form below.

You ('the Complainant') should make an appointment to discuss your complaint with the member of staff who knows about the issue or incident. If the complaint relates to a pupil, ideally the member of staff concerned should be directly involved with the pupil, for example, class teacher. The member of staff will usually write notes during the meeting. You can ask for a copy of these notes.

If the complaint cannot be resolved to the satisfaction of all parties concerned at the informal stage, the next formal stage can be initiated.

## **Formal Stage**

There are three formal stages:

### **Stage 1**

If the Complainant is dissatisfied after the informal stage, they, or the member of staff, can refer the matter to the Headteacher. This should be done in writing (using the Complaints Form below), as this will often make the situation clear to all involved parties.

The Headteacher will offer a meeting with the Complainant at a mutually convenient time. At the meeting, and through discussion, the Headteacher will clarify what the issues are. The hopes of what the Complainant is trying to achieve will also be discussed. Together, all parties will agree an acceptable outcome. This should be to the satisfaction of all parties involved. These should be written down and agreed by all parties so there is no misunderstanding. All parties should be given a copy of this.

If the issue is complex, the Headteacher may need to speak to other staff and pupils to investigate the complaint. This should happen within 10 (ten) school days. If this timescale cannot be met, the Headteacher should inform the Complainant that this will take longer, explain the reasons for this and give a timescale for when the investigation will be completed.

### **Stage 2**

After meeting with the Headteacher, if the complaint is not resolved to the Complainant's satisfaction, it can be referred to the Chair of Governors. This can either be in writing to the Chair at the school address, or alternatively the school can ask the Chair of Governors to contact the Complainant directly. The Headteacher can also refer the complaint to the Chair of Governors.

If the Headteacher is the subject of the complaint, the complaint should go straight to the Chair of Governors and miss out Stage 1. The Chair of Governors will ask for the complaint to be put in writing (if this has not already happened) using the Complaints Form below.

The Chair of Governors will offer to meet with the Complainant, at a mutually convenient time.

The Chair of Governors has 15 (fifteen) school days to investigate the complaint. If it cannot be resolved within this time, the Chair will inform the Complainant and explain why it is taking longer. Reasons for this may be that the complaint is complex and needs more time or someone involved is absent through sickness or holidays. The Chair of Governors should, however, give a realistic timescale for when the complaint should be resolved. The Chair should inform the Complainant of when it is expected that the investigation should be completed.

The Chair of Governors may appoint a Governor to be an investigating officer to gather evidence and conduct preliminary interviews on the Chair's behalf. The investigating officer will provide a detailed report of his/her investigation of the complaint. Complainants should be given a copy of this report. It is important that the investigating officer is impartial. So whilst the investigating officer is another Governor, they may not be a member of any subsequent Complaints Committee.

### **Stage 3**

If the complaint is still not resolved to the Complainant's satisfaction, or Chair of Governors feels that it is necessary, he/she can set up a Complaints Committee to consider the complaint. The Chair of Governors will decide if this is appropriate.

If the Chair of Governors can resolve the complaint there is no need to hold a Complaints Committee meeting. As far as possible it is recommended that Complaints Committees are a last resort.

The Complaints Committee is made up of three members of the Governing Body. Sometimes Governors need to be brought in from other schools if school Governors are 'tainted' (they have prior knowledge of the complaint).

The Complaints Committee should meet at a time convenient to all parties. The Complainant, the Headteacher, the Chair of Governors and any member of staff the complaint is about will be invited to the meeting. Any person invited can bring a friend or supporter if they wish. The Complaints Committee will consider any written material, and also give the Complainant, the Headteacher, Chair of Governors, and staff an opportunity to state their case and to question others present. The Committee will ensure that all present are treated fairly. The meeting will be minuted by the Clerk to Governors and everyone present will be given a copy of the minutes.

The Complaints Committee will give its decision, in writing, within 5 (five) school days after the meeting, along with the reasons for their decision. The decision of the Complaints Committee is final.

### **Data Protection (UK GDPR)**

Complaints relating to data protection can be made directly to the Headteacher and must be done in writing. Please use the Complaints Form below.

Markeaton Primary School is registered with the Information Commissioners Office. The registration number is Z7313141.

Any information/data collected throughout a complaints process will be retained as allowed by GDPR. This information can be found in our retention policy on our website.

Our Data Protection Officer is J.A. Walker, Solicitor – [info@jawalker.co.uk](mailto:info@jawalker.co.uk)

### **GDPR and DPA Complaints**

All Staff must be aware of the complaints process. All complaints should be directed to the Headteacher. If any member of staff is aware that a person wishes to complain, they should direct the person to the school website and complaints policy and form.

The Headteacher is responsible for dealing with all complaints in line with this procedure.

The school Complaints Policy sets out the complaints process. This will be the basis for dealing with Data Protection Complaints and appeals. A written outcome will be provided.

If the school does not comply with a Subject Access Request within 1 month (subject to any extension), or refuses all or part of the request, written reasons will be provided, setting out the principles for the refusal.

If you feel that the school has not dealt with your matter satisfactorily you can complaint to the Information Commissioner:

By post:

Customer Contact  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
SK9 5AF

Or by email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

More information is on the ICO website [www.ico.org.uk/](http://www.ico.org.uk/)

Ratified by Governors – 22.4.21

Review date – April 2022



## **Complaints Form**

Complainant's name:

Address:

Telephone number:

Email address:

### **Formal complaint**

**Please provide as much detail as possible. Please attach additional sheets if required.**

I am writing to make a formal complaint against/about	
Please describe what your complaint is and when it arose	
What you think the School did wrong or did not do. Include dates, names of witnesses etc.	
Please provide details about the consequences of what happened	
What action, if any, have you already taken to try to resolve your complaint? (Who have you spoken with or written to and what was the outcome?)	

What do you think the School should do to resolve matters at this stage?	
Please list copies of any documents you are attaching to the complaint.	

I give my consent for information held in paper and electronic records in respect of my case to be made available to any allocated investigator. I consent to this confidential and sensitive data to be shared for that specific purpose. I realise that any information held about any third party cannot be shared without their specific consent. Should it be necessary in the view of the investigator to seek that third party consent I give my approval that they may share sufficient information with that third party to enable that person to make an informed choice about whether or not to give consent to sharing that person's information with the investigator.

Signed:

Printed:

Date: