



St Benet's RC VA Primary School

Complaints Procedure

November 2022

This procedure is based on guidance for dealing with school complaints issued by the Department for Education in 2011.

1 LEGISLATION

Section 29 of the Education Act 2002 requires every maintained school to establish a procedure for dealing with complaints relating to the school and to publicise the procedure.

Section 39 of the Education Act 2002 defines a maintained school as being a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school (a nursery school which is maintained by a local education authority and is not a special school).

2 GENERAL PRINCIPLES

2.1 St Benet's RC VA Primary School has a three stage process for dealing with formal complaints. Further details of each stage together with roles and responsibilities of staff involved can be found in Section 3 of this document. The three stages are:

Stage 1 – complaint heard by a member of staff

Stage 2 – complaint heard by the headteacher

Stage 3 – complaint heard by the Governing Body complaint appeal panel

2.2 We will make every effort to resolve a complaint informally in the first instance, without the need to invoke the formal complaints procedure. In most cases this can be achieved by a discussion between a member of staff and the complainant.

Vexatious complaints

2.3 The implementation and adherence to this complaints procedure should reduce the number of complaints that become protracted or vexatious. If a complainant tries to reopen the same issue the Chair of the Governing Body will write to the complainant explaining that the complaint has been through all stages of the procedure, is now exhausted and the matter is now closed.

Child Protection/Safeguarding

2.4 If the complaint involves child protection or is of a safeguarding nature – child protection procedures will take precedence over the complaints procedure.

3 FORMAL COMPLAINTS PROCEDURE

Stage 1 - Complaint heard by staff member (i.e. class teacher or Phase Leader)

3.1 We aim to resolve a complaint at the earliest possible opportunity via informal resolution by way of a discussion with the class teacher or Phase Leader.

Stage 2 – Complaint heard by Headteacher

3.2 If you think that your complaint has not been resolved then you can take your complaint to Stage 2. You will need to put your complaint in writing. During this stage the Headteacher will deal with your complaint. The Headteacher will respond to the complaint in writing via a letter or an email.

Stage 3 – Complaint heard by the Governing Body Complaints Appeal Panel

3.3 If you are still not satisfied you need to write to the Chair of Governors giving full details of the complaint and the reason why you remain dissatisfied with previous attempts to resolve the complaint.

3.4 The Chair, or a nominated governor, will convene a Governing Body complaints panel.

3.5 One of the governors will be appointed as the Chair of the Complaints Panel. This will not necessarily be the Chair of Governors.

3.6 St Benet's RC VA Primary School's Clerk to the Governors will invite you to attend the Complaints Panel. You will be informed of the time, date and venue for the hearing. The clerk will collate and distribute any relevant information.

3.7 The Chair will ensure that you are informed of the Panel's decision, in writing, within 15 school days of the Panel hearing.

3.8 The Panel hearing will be held in private and we aim to resolve the complaint, achieve reconciliation between the school and yourself. We can assure you that your concerns are taken very seriously.

3.9 The Complaints Panel will aim to reach an outcome in respect of the complaint (i.e. upheld, partially upheld, not upheld, unable to substantiate), decide and agree on appropriate action to be taken as a result of the complaint and make recommendations to change processes/procedures to ensure problems of a similar nature do not recur.

4 MANAGING AND RECORDING COMPLAINTS

4.1 We will keep written records of all complaints and their outcomes.

4.2 St Benet's RC VA Primary School Complaints Procedure is published on our school website and is available in our main school entrance.

4.2 Our *compliments, comments and concerns* leaflet is available to download from our school website and is available in our main school entrance.

5 ESCALATION OF SCHOOL COMPLAINTS FOLLOWING STAGE 3

Should a complainant remain dissatisfied following a Stage 3 complaint they will be advised of their right to escalate their complaint to the following bodies:

City of Sunderland Local Authority

The Local Authority MAY consider complaints in relation to school admissions & allocations, school transport, some aspects of Special Educational Needs, school exclusions, non delivery of the curriculum, religious worship and tuition at home.

Children's Services Complaints & Feedback Manager

Commercial & Corporate Services
Civic Centre
Sunderland, SR2 7DN
Telephone: 0191 5611276
Email: children.complaints@sunderland.gov.uk

Secretary of State for Education

If a complainant feels that the school has or is proposing to act unreasonably, or has failed to discharge a duty under certain legislation they can contact the Secretary of State for Education.

The Secretary of State for Education
Department of Education
2nd Floor
Piccadilly Gate
Store Street
Manchester
M1 2WD
Telephone: 0370 000 2288
Website: www.education.gov.uk/schoolcomplaints

Revised by: Head, staff & governors: November 2022

Next Review: Autumn 2024 or sooner if regulations / circumstances change