



# THE BLUE COAT CHURCH OF ENGLAND (AIDED) INFANT AND JUNIOR SCHOOLS' FEDERATION

*BELIEVING, CELEBRATING, SUCCEEDING*

**EXECUTIVE HEAD TEACHER: MR A. ORLIK**



## **Complaints Procedure**

**Purpose and scope:** This procedure has been drawn up by the school in accordance with provisions in section 29 of the Education Act 2002 to deal with complaints from parents, guardians or carers, and also from pupils, about the service provided by the school. The procedure applies to all matters relating to the actions of staff and the application of school procedures where they affect individual pupils of the school, except where other separate procedures may apply. The procedure will be reviewed on a regular basis, and its operation will be monitored by the designated Complaints Committee.

### **General Principles:**

- An anonymous complaint will not be investigated under this procedure 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. Normally, any matter raised more than 3 months after the event being complained of will not be considered, unless there are exceptional circumstances.
- The investigation of any complaint will begin within 5 school days of its receipt by the school, except in exceptional circumstances. The investigation will be completed as soon as reasonably practicable, and the person(s) making the complaint will be kept informed of progress.
- The procedure assumes that most complaints will be made by parents, guardians or carers, rather than by pupils themselves. However, the school welcomes any complaints from pupils and acknowledges that there may be times and circumstances where a pupil wishes to make a formal complaint about the school. The school would expect that most such complaints will be dealt with informally by the member of staff or Executive Head teacher, but there may be occasions where a pupil wishes to make a serious or formal complaint, to the Executive Head teacher, Chair of Governors, or elsewhere within the school. The school would expect to follow its complaints procedure, but reserves the right, in certain circumstances, to contact the pupil's parents, guardian or carer, at an early stage in the investigation of such a complaint. A complaints form is available from the school office, or from any member of staff (Annex 2). A simplified complaints form is available, for the use of pupils, where appropriate (Annex 3).



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**Part A Complaining about the actions of a member of staff other than the Executive Head Teacher.**

**1) Informal Stage**

The complainant is normally expected to arrange to contact the member of staff concerned, to raise the matter informally. This may be by letter, by telephone or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved at this informal stage. [However, in the case of serious concerns, it may be more appropriate to contact the Executive Head Teacher direct.]

**2) Formal Stage**

If the complaint cannot be resolved at the informal stage, the complainant should put the complaint in writing and pass it to the Executive Head Teacher, who will be responsible for its investigation. Full details of the procedure to be followed are set out in Annex 1.

The complainant should include any relevant details which might assist the investigation, such as full details of the matter or incident, names of any witnesses, dates and times of events, and copies of any relevant documents. In addition the Executive Head Teacher may meet the complainant to clarify the complaint; the complainant may be accompanied by a friend at such a meeting, if they wish.

The Executive Head Teacher will collect such other evidence as is considered necessary. Where this involves an interview with the member(s) of staff who is/are the subject of the complaint, the member(s) of staff may be accompanied by a friend or representative if they wish.

The investigation will begin as soon as possible (see above) and, when it has been concluded, the complainant, and the member(s) of staff concerned, will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- The concern is not substantiated by the evidence
- The concern has been substantiated in part or in full. Some details may then be given of action the school may be taking to review its policies or procedures etc. However, full details of the investigation or of any disciplinary procedures will not be released to the complainant
- The matter has been fully investigated and, as a result, appropriate procedures are being pursued, which are strictly confidential. [ e.g. where staff disciplinary procedures are being followed ]



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A model letter to complainants is attached (Annex 4).

The complainant should be advised that consideration of their complaint by the Executive Head Teacher is now concluded, and should be advised further that, if dissatisfied with the manner in which the complaints procedure has been followed, the complainant may request that the Governing Body reviews the case. Any such request must be made in writing within 2 weeks of receiving notice of the outcome of the investigation from the Executive Head Teacher, and must include a statement as to how the complaints procedure has not been followed. The procedure described in Part C will be followed.

If the complainant considers that the decision of the Executive Head Teacher is perverse, or that the Executive Head Teacher has acted unreasonably in considering the complaint, then the complainant may bring a complaint against the Executive Head Teacher under Part B of this procedure.

### **Part B Complaining about the actions of the Executive Head Teacher**

#### **1) Informal stage**

The complainant is usually expected to arrange to speak directly with the Executive Head Teacher, although, in the case of serious concerns, it may be appropriate to raise the complaint directly with the Chair of the Governing Body. Many concerns can be resolved by simple clarification or the provision of information.

#### **2) Formal Stage**

If the complaint is not resolved at the informal stage the complainant must put the complaint in writing, and pass it to the Chair of the Governing Body who will determine which of the school's procedures to invoke. If it is considered appropriate for consideration under the school complaints procedure, the Chair will arrange for its investigation. Full details of the procedure to be followed are set out in Annex 1.

The complainant should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, copies of relevant documents etc. In addition, the complainant will be invited to meet the Chair to present oral evidence or to clarify the complaint.

The Chair will collect such other evidence as may be necessary. This may include the interviewing of witnesses and others who may provide relevant information.



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The Executive Head Teacher will be provided with a copy of the complaint and any additional evidence presented by the complainant or collected by the Chair. Once there has been an opportunity for the Executive Head Teacher to consider this, he/she will be invited to meet separately with the Chair, in order to present her/his written and oral evidence in response. The Executive Head Teacher may be accompanied at this meeting by a friend or representative.

When the investigation has been concluded, the complainant and the Executive Head Teacher will be informed in writing of the outcome. A model letter is attached (Annex 4). The complainant will not be informed of any disciplinary/capability action.

The complainant will be told that consideration of their complaint by the Chair is now concluded. If the complainant is not satisfied with the manner in which the process has been followed, or considers that the decision of the Chair is perverse, or that the Chair has acted unreasonably in considering the complaint, then the complainant may request that the Governing Body review the handling of the complaint by the Chair. Any such request must be made in writing within 2 weeks of receiving notice of the outcome from the Chair, and include a statement specifying any perceived failures to follow the procedure.

### **Part C Review Process**

Any review of the process followed by the Executive Head Teacher or the Chair shall be conducted by a panel of 3 members of the Governing Body, normally members of the Complaints Committee, acting as a Complaints Review Panel.

The review will normally be conducted by the Panel by the consideration of written submissions, but reasonable requests to make oral representations will be considered sympathetically.

The panel will first receive written evidence from the complainant.

The panel will then invite the Executive Head Teacher or the Chair, as appropriate, to make a response to the complaint.

The panel should also have access to the records kept by the school relating to the complaint and its investigation.

The complainant, and the Executive Head Teacher or the Chair, as appropriate, will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld



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- The concern is not substantiated by the evidence
- The concern has been substantiated in part or in full but that the procedural failure did not affect the outcome significantly so the matter is now closed.
- The concern was substantiated in part or in full and the Governing Body will take steps to prevent a recurrence or to rectify the situation [where this is practicable]

A model letter is included (Annex 5).

**Notes**

The complainant is not entitled to access to any details of the investigation except for any statements that may have been provided by their child. Any information relating to the application of disciplinary procedures is strictly confidential. If a complainant believes that the Governing Body has acted illegally or arbitrarily in handling the complaint, then the complainant may make representations to the Diocesan Board of Education.



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## **Annex 1: Investigation Procedure**

### **Investigating a Formal Complaint**

The investigation of an allegation or a complaint will be carried out thoroughly and responsibly, irrespective of whether the complaint appears to be trivial or serious. The outcome of such an investigation will have significance not only for the complainant but also for the member of staff against whom the complaint has been made.

The school's procedure specifies that "an anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances." These would include serious concerns such as child protection issues or bullying allegations, where the school would either involve appropriate external agencies or else conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation.

Where, through the Executive Head Teacher or Chair of Governors or otherwise, the school receives a complaint, it will be acknowledged formally and a commitment made that the complaint will be investigated and the outcome of the investigation notified to the complainant in due course. Normally a likely timescale will be provided.

Where appropriate, the member of staff against whom a complaint has been made, will be notified that a complaint has been received, provided with a copy of the complaint and be informed that an investigation will be carried out.

It is essential that there is a clear understanding of the complaint. Where necessary the nature of the complaint will be confirmed with the complainant.

Once the complaint has been confirmed the investigator will establish whom they wish to interview and what documentation they will need to review.

Arrangements should be agreed so that accurate notes can be taken of all interviews and the outcome of the investigation is accurately recorded.

The complainant and the member of staff will be given the opportunity to offer documentation and to identify potential witnesses or sources of evidence.

Where appropriate, the member of staff subject to a complaint will be advised that they may be accompanied by a friend or trade union representative when invited to be interviewed.



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Where children are potential witnesses, discretion should be exercised over their involvement. Pupils should only be interviewed when the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available. Only in extreme circumstances will younger pupils be interviewed.

Any interviews should be conducted as soon as possible to ensure that recollections are as fresh as possible and to minimise the possibility that evidence will become tainted through witnesses discussing alleged incidents with other persons.

In conducting interviews, the investigator should prepare the questions to be asked prior to the interview. These can always be supplemented during the interviews. The investigator should allow the interviewee to answer in their own way. Their responses should be listened to attentively. Any temptation to cut an interviewee short or to seek to "lead" them must be resisted. The interviewee should be given the opportunity of providing other relevant information at the end of the interview.

Interviewees should, however, be advised that their responses must be confined to the substance of the complaint. Any attempt by the interviewee to introduce information relating to other members of staff or to issues unrelated to the complaint should be resisted.

The investigator should avoid reaching conclusions or passing judgement until the investigation has been completed.

A summary of the process undertaken and the outcome of the investigation should be provided to both the complainant and the member of staff against whom the complaint has been made. Caution must be exercised in reporting back to the complainant as revealing certain details may prejudice the ability of the employee to continue in post.

Any recommendations should also be shared with all parties, unless there is good reason not to. Wherever possible, recommendations should be constructive and not punitive.

The complainant should be advised that he/she may, if they are not satisfied that the appropriate procedure has been followed, request a review of that process by the Governing Body.

All documentation relating to complaints and their investigation and outcomes should be stored securely for a period of six years. [Where complaints have been made by, or on behalf of a child, then the school should retain all documentation until 6 years after the child has attained the age of 18]



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**Annex 2: Complaint Form**

**Blue Coat C. of E. (A.) Federation Complaint Form**

Please complete this form and return it to the Executive Head Teacher or the Clerk to the Governing Body, who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name: .....

Relationship with school [e.g. parent of a pupil on the school's roll ]:

.....

Pupil's name [if relevant to your complaint]:

.....

Your Address:

Daytime telephone number: .....

Evening telephone number: .....

Mobile telephone number: .....

Please give full details of your complaint, [including dates, names of people who saw what happened], to allow the matter to be fully investigated.:

You may continue on separate paper, or attach additional paperwork, if you wish.

Number of additional pages attached:



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What have you done already, to try to resolve your complaint? [who have you spoken with or written to and what happened as a result]

What do you want to happen as a result of your complaint?

Signature:

Date:

School use:  
Date form received:  
Received by:  
Date acknowledgement sent:  
Acknowledgement sent by:

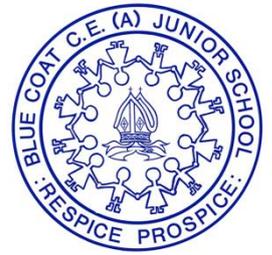
Complaint referred to:			
Date:			



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**Annex 3: Complaint Form (Pupil Use)**

**Blue Coat C. of E. (A.) Federation Complaint Form**

Please fill in as much of this form as you can, and then

- hand it to the Executive Head Teacher
- or give it to your class teacher,
- or put it in an envelope addressed to the Clerk to the Governing Body, and hand it to the School Office.

**Your name:** .....

**Your class:** .....



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**What is your complaint about?** Please say here what you are unhappy about, or what has happened. Say when this happened, where it happened, and who was involved.

**Did anyone else see what happened?** Write the names of other children, teachers and other staff who may have seen what happened.

**Have you told anyone at school about this already?** Please say here if you have spoken to anyone at school, such as a teacher or other member of staff, about this

**What do you want the school to do now?** Please say here what you would like the school to do to sort out what has happened.

Your signature: .....

Today's date: .....

School use:
Date form received:
Received by:
Date acknowledgement sent:
Acknowledgement sent by:

Complaint referred to:			
Date:			



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