

**Aston St Mary's**



**Church of England (VA)  
Primary School**

**ASTON ST MARY'S  
CHURCH OF ENGLAND  
(VOLUNTARY AIDED) PRIMARY SCHOOL**

**Every child is a treasure – small in size, growing in God's love.**



**The Diocese  
of St Albans**

**POLICY FOR DEALING WITH SCHOOL BASED  
COMPLAINTS**

Effective from:	October 2023
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# Aston St Mary's CoE (VA) Primary School

## Complaints Policy

Hertfordshire County Council cannot deal with complaints about schools. School Governors are responsible in law having a published complaints procedure and for responding to complaints. This document provides details of the complaints procedures in this school.

### **Introduction:**

The school complaint procedure policy was developed from a set of Hertfordshire Local Authority guidelines by the Aston St Mary's Governing Policy working group and agreed by whole staff and has the full agreement of the Governing Body. The policy was approved and ratified by the Governing Body during the Autumn Term 2023.

At Aston St Mary's School, we know all of us are God's children and surrounded by his love. Our school vision states, 'every child is a treasure – small in size, growing in God's love.' The policy is particularly important to our whole school community at Aston School. We want and expect all children to be kept safe from harm when in and out of school. All children have the right to continue to grow in a safe environment, surrounded by God's love. However, sometimes people feel they need to make us aware of a concern or to complain. This policy advises of our complaints policy.

### **WHO CAN MAKE A COMPLAINT?**

Parents or carers with children on roll at the school can make a complaint or if their child has been removed from roll within the last three months. Issues relating when a statutory process applies (such as appeals regarding admission or exclusions) do not fall within the scope of the school complaints policy. The school will confirm to you upon receipt whether or not your complaint falls under this policy and procedure and what will happen next if it does.

### **THE DIFFERENCE BETWEEN A CONCERN AND A COMPLAINT**

We define a concern as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

We define a complaint as 'an expression of dissatisfaction however made, about actions taken or a lack of action that requires an investigation and formal response in writing'.

It is in everybody's interest that concerns, and complaints are resolved as swiftly as possible. Many issues can be resolved informally, without needing to escalate to the formal stages of the complaints process. Aston St Mary's CoE Primary School takes concerns seriously and we will make every effort to resolve matters as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In such cases, you will be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with your concerns, you will be referred to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is the most important factor.

Aston St Mary's CoE Primary School understands however, that there are some occasions when people only wish to raise their concerns formally. In such instances, the School will attempt to resolve the issue(s) internally, through the stages outlined within this complaints policy and procedure.

## **ANONYMOUS COMPLAINTS**

Aston St Mary's CoE Primary School will not normally investigate anonymous complaints. In such instances, the Headteacher and/or the Chair of Governors will determine whether the complaint warrants an investigation and will ensure that this is completed, if so. The outcome of the investigation cannot be shared with the complainant, as the School will not know who they are and therefore, the School cannot ascertain whether or not the person is entitled to have confidential information regarding the complaint investigation shared with them.

## **THE FOLLOWING MATTERS CANNOT BE DEALT WITH AS A FORMAL COMPLAINT:**

- Complaints about pupil behaviour outside of School hours, e.g. weekends and holiday periods – such issues are not the School's responsibility.
- Complaints regarding third parties using or hiring School premises – third party providers should have their own complaints process and you should contact them directly.
- Complaints about the School carrying out a statutory duty, e.g. making a Child Protection referral – the School's complaints process cannot be invoked to stop it from doing something it has a duty to do.
- Matters likely to require a Child Protection Investigation – Complaints about Child Protection matters are handled under the School's Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance.
- A member of staff complaining about another member of staff – refer to the School's Internal Grievance Procedures.
- A member of staff complaining about an action or a decision of the School's Full Governing Body - the Governing Body will have already given the matter full consideration.
- Whistleblowing – refer to the School's Internal Whistleblowing Procedure for all employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for Whistleblowing in education who do not wish to raise matters directly with their employer. Referrals can be made at [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus)
- Complaints regarding internal management decisions, e.g. Class and Teacher Allocations and School Session Time changes. • National Curriculum content – contact the Department for Education at [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus)
- Complaints about a decision or process that has been subject to a full consultation and subsequently approved by the Full Governing Body – the Governing Body has already given the matter full consideration and respondents have had the opportunity through the consultation process to put forward their views.
- Unsuccessful School admission applications – may ultimately be appealed to an In-dependent Appeal Panel.

- Complaints about Fixed-Term or Permanent Exclusions – Permanent Exclusions may ultimately be appealed to an Independent Review Panel (IRP). For Fixed Term Exclusions, representations can be made to the Chair of Governors outside the provisions of the complaints process.

If other bodies are looking into aspects of a complaint, for example the Police, the Local Authority (LA) Safeguarding Teams or a Tribunal, this may impact on the School's ability to adhere to the timescales set out within this policy and procedure or may result in the process being suspended until the other relevant body has concluded its enquiries.

If a complainant commences legal action against Aston St Mary's CoE Primary School in relation to their complaint, we will consider whether to suspend the complaints process until the legal proceedings have concluded. The School will only consider investigating the complaint after the conclusion of legal proceedings if those proceedings did not address the issues at the heart of the complaint.

## How we will deal with your concerns

*Aston St Mary's Church of England Voluntary Aided Primary School*

*Website: [www.astonmarys.herts.sch.uk](http://www.astonmarys.herts.sch.uk)*

*Telephone: 01438 880212*

### HOW TO COMMENT OR COMPLAIN

#### **We care about what you think**

Each day this school makes many decisions and tries hard to do the best for all the children. Your comments - either positive or negative - are helpful for future planning.

You may want to talk to us about a particular aspect of this school, though not actually make a complaint - you just want to get something 'off your chest'.

If you are dissatisfied about the way your child is being treated, or any actions or lack of action by us, please feel free to contact us using the details listed above.

#### **Aims:**

At Aston St Mary's C of E (VA) Primary School, we aim to serve our community by providing an education of the highest quality within the context of Christian belief and practice. We encourage an understanding of the meaning and significance of faiths and promote Christian values through the experience we offer to all our pupils.

- Your complaint will be dealt with honestly, politely and in confidence.
- Your complaint will be looked into thoroughly and fairly.
- If your complaint is urgent we will deal with it more quickly.
- We will keep you up to date with progress at each stage.
- You will get an apology if we have made a mistake.
- You will be told what we are going to do to put things right.
- You will get a full and clear written reply to formal complaints within **28 school days (5½ weeks)**.

Aston St Mary's Church of England Voluntary Aided Primary School

## How to make a complaint

### In the first instance – informal stage

If you have a concern about anything we do, or if you wish to make a complaint, you can do this by telephone, in person or in writing (by letter or email). We hope that most complaints can be settled quickly and informally, either by putting matters right or by giving you an explanation. If there is something you are not happy about, or you don't understand why we are doing something in a particular way, please come in and discuss it with the class teacher or another appropriate member of staff, such as the Special Educational Needs Co-ordinator (SENCo) if it is about Special Needs.

We know that it can feel uncomfortable to question or challenge something, but if you don't tell us what is worrying you, we cannot explain what we are doing or try to put it right. If the member of staff you speak to in the first instance is unable to attempt to resolve the matter, you should make an appointment with the Headteacher. You should be able to sort out your worries but sometimes this is not possible. In this case there is a next step.

### First - formal stage

**Request a meeting with the Headteacher** who will investigate your complaint and aim to inform you of the outcome **within 10 school days (2 weeks)**.

If your first contact is with individual Governors, they will advise you to take up your concerns with the appropriate member of staff or Headteacher. A Governor should not be made aware of a potential complaint as they may be required to sit on a Panel in the event of a formal hearing (Stage Two) and should be impartial.

If your complaint is about the Headteacher, you should **write to the Chair of Governors**. If your child has a Statement of Special Educational Needs (SEN) or an Education, Health and Care Plan (EHCP) you might find it helpful to talk to our Special Educational Needs Co-ordinator (SENCo) or your child's named Special Needs Officer at the Local Authority. The SEND Information Advice and Support Service (SENDIASS – formerly Parent Partnership) may also be able to help you.

### Second - formal stage

If you remain dissatisfied following Stage 1 and wish to take your complaint further, you should write a letter addressed to the Chair of Governors. This should be done within two weeks of receiving the response from stage one (not school weeks, but fourteen days from receipt of response). In the letter you should:

- Make it clear why you are complaining.
- Say who you have spoken to already.
- Explain what you want to happen as a result of your complaint.

The Chair of Governors will arrange for your complaint to be considered and investigated under the arrangements approved by the Governing Body. This is likely to involve a Panel of Governors. If the Chair of Governors or another Governor has been involved in discussions to help settle the disagreement at Stage 1, s/he should arrange for another Governor to take charge of the investigation. The Governor in charge of investigating the complaint may ask to meet you to discuss your concerns.

You should make sure that the Governors' Complaint Panel is provided with any written information or evidence you intend to use in a formal hearing. You may bring a friend, representative or interpreter to any meeting if you wish. The Chair of the Panel may invite any person who may help establish the facts of the complaint. The Chair should tell you who this person is before the meeting. If any member of staff is required by the Governing Body to attend a meeting they will have the opportunity to be accompanied or represented as they wish. A member of staff named in a complaint may also choose to attend a meeting, even if not required to do so by the Governors. They may be represented. If this happens, we will inform you in advance.

When the Panel has fully investigated your complaint, the Chair of the Panel or the Governor in charge of the investigation will write to you to tell you the findings. These findings will be reported to the Governing Body. The Chair of Governors will then write to you confirming the outcome of your complaint and any agreed actions to be taken. Our Governing Body will aim to deal with your complaint **within 28 school days (5½ weeks)**.

## Further recourse

Most complaints are resolved by this process. Should your complaint not be resolved, your further options are as follows:

- You may complain to the Diocese

### *For Church of England schools:*

The Diocesan Director of Education, Diocesan Office, Holywell Lodge, 41 Holywell Hill, St Albans, AL1 1HE. Email: [schools@stalbans.anglican.org](mailto:schools@stalbans.anglican.org), Website: [www.stalbans.anglican.org](http://www.stalbans.anglican.org). Telephone: 01727 818170.

- You can complain to the Secretary of State at the Department for Education:

The Secretary of State  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT  
Website: [www.education.gov.uk](http://www.education.gov.uk)  
Telephone: 0370 000 2288

In the case of complaints about **Special Educational Needs provision**, you may complain further to the Local Authority. This should be done by writing to the Children's Services Complaints Manager.

It should be noted however that if you wish to pursue this route, you must do so within **20 working days (4 weeks)** of receiving the written outcome of the hearing into your complaint. After **20 working days (4 weeks)**, neither the school nor the Local Authority is under any obligation to investigate or progress your complaint any further.

## Useful contacts

### **Advisory Centre for Education**

Education Advice & Training  
72 Durnsford Road  
London  
N11 2EJ  
Web: [www.ace-ed.org.uk](http://www.ace-ed.org.uk)  
Phone: **0300 0115 142**

### **POhWER**

Hertlands House  
Primett Road  
Stevenage  
SG1 3EE  
Web: [www.pohwer.net](http://www.pohwer.net)  
Phone: **0300 456 2370**

### **Children's Legal Centre**

Riverside Office Centre  
Century House North  
North Station Road  
Colchester  
Essex  
CO1 1RE  
Web: [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)  
Phone: **0345 345 4345**

### **National Youth Advocacy Service**

(NYAS)  
Egerton House  
Tower Road  
Birkenhead  
Wirral  
CH41 1FN  
Web: [www.nyas.net](http://www.nyas.net)  
Phone: **0345 345 4345**

**SENDIASS** (Special Educational Needs & Disability Information Advice Support Service – formerly Parent Partnership)

Registry Office Block

CHR102

County Hall

Hertford

SG13 8DF

Web: [www.hertsdirect.org/parentpartnership](http://www.hertsdirect.org/parentpartnership)

Email: [parent.partnership@hertfordshire.gov.uk](mailto:parent.partnership@hertfordshire.gov.uk)

Phone: **01992 555847**

### **Family Lives**

**(Formerly Parentline Plus)**

15-17 The Broadway

Hatfield

Hertfordshire

AL9 5HZ

Web: [www.familylives.org.uk](http://www.familylives.org.uk)

Phone: **0808 800 2222**

### **Protecting all of God's children**

All children have equal access and inclusive rights to the curriculum regardless of their age, gender, race, religion, belief, disability or ability. We plan work that is differentiated for the performance of all groups and individuals. Aston St Mary's Primary School is committed to creating a positive climate that will enable everyone to work free from racial intimidation and harassment and to achieve their full potential.

All staff have equal access and inclusive rights to their work regardless of their age, gender, race, religion, belief, disability or ability.

### **What complaint/appeal procedures are NOT covered by this document?**

This complaints procedure does not cover:

- Child Protection Procedures - [www.hertsdirect.org/childprotection](http://www.hertsdirect.org/childprotection)
- Appeals about admissions – <http://www.hertsdirect.org/your-council/hcc/childserv/comments/appealpanels/schadmappeals>
- Appeals to the Governors discipline committee against permanent exclusion from school. Guidance on exclusions is available at the following link - <http://www.hertsdirect.org/your-council/hcc/childserv/comments/appealpanels/schexcapeals>
- Staff Disciplinary Procedures - [www.thegrid.org.uk/schoolworkforce/human\\_resources/policies/documents/csf0030\\_model\\_disciplinary\\_procedures\\_mar10v2.doc](http://www.thegrid.org.uk/schoolworkforce/human_resources/policies/documents/csf0030_model_disciplinary_procedures_mar10v2.doc)

For further information about these procedures, please contact Children's Services on 0300 123 4043.



## Dealing with complaints

The Education Act 2002 requires all schools to have a complaints procedure that has been approved by the Governing Body and publicised to parents.

