



Complaints Procedure Policy

Committee with oversight for this policy – Finance Leadership and Management	
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Ravenor Primary School

Complaints Procedure Policy

Introduction

This document sets out the school's procedure for addressing complaints. It should be used only when informal attempts to resolve problems have been unsuccessful. If you have any concerns about your child, please discuss the matter with **your child's class teacher** at the earliest opportunity. The school considers any concerns very seriously and most problems can be resolved at this stage. If your concerns have not been resolved please request a meeting with the Year Group Leader. If your concerns are still not resolved, a meeting should be arranged with the Assistant Head for the Phase and then if further escalation is needed; a meeting should be arranged with the Deputy Head and then if necessary, the Head Teacher. Please note that this procedure does not apply to issues concerning the curriculum, collective worship, admissions and exclusion appeals, decisions about your child's special educational needs or grievances by school staff. These are the subject of separate complaints procedures. Copies of these procedures can be obtained from the school.

All other complaints are handled by the school according to the arrangements set out below.

We are committed to treating every person as an individual, with care and respect enabling them to feel unique and valued, so that they develop as citizens equipped with the skills, values and attitudes that they will need for life in modern day Britain. The life of our school as a learning community is based on our five values. By working together, as part of our community, in an environment of harmony, friendship, tolerance and fun, we ensure that every individual is supported to succeed and to realise their hopes for the future by doing their best. We provide an exciting, inclusive environment which promotes excellence in our learning and our teaching.

Summary of Special Educational Needs Policy

The education of pupils with special education needs enjoys a high profile and high status within the work of the school. All staff are involved in the work and have developed a whole school approach. We aim to identify needs at an early stage and allocate appropriate support, planned in partnership with parents. We work closely with outside agencies to ensure children's needs are met.

Aims and Objectives

The school will give careful consideration to all complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

Framework of Principles

- Be easily accessible and publicise
- Be simple to use and understand
- Be impartial
- Be non-adversarial
- Allow swift handling with established time-limits for action and keeping people informed of the progress
- Ensure a full and fair investigation by an independent person where necessary
- Respect people's desire for confidentiality, wherever possible (some information sharing may be necessary to carry out a thorough investigation)

- Address all points of issue, providing an effective response and appropriate redress, where necessary
- Provide information to the school's senior management team so that services can be improved.

FORMAL COMPLAINTS PROCEDURE

Stage 1

If you feel that a concern has not been addressed through informal discussion with the class teacher, and you wish to have the matter formally investigated by an appropriate person from the school, please complete a complaint form (Annex 1). If you would like help completing the form, the school will be happy to provide the assistance of someone unconnected with the complaint.

The school will seek to respond to your written concern within five working days.

If the matter is about:

- The day-to-day running of the school
- The interpretation of school policies
- The actions or inactions of staff at the school

It will be investigated by the Head Teacher or a senior member of staff nominated by the Head Teacher.

If the matter is about:

- School policies as determined by the governing body
- The actions or inactions of the governing body
- The head teacher

Then, it will be investigated by the Chair of Governors or Governor's nominated by the Chair. The Chair can be contacted by letter via the school.

The person carrying out the investigation will review the way in which the complaint has been handled by the school and ensure that the issues have been dealt with properly and fairly. He/she will normally write to you with the outcome of this process within 15 working days of receiving the complaint.

If it becomes apparent that the complaint is a disciplinary or capability issue, then the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. You will be notified if this is the case with your complaint, but you are not entitled to know which procedure or the final outcome.

Stage 2

If you are not satisfied with the result from Stage 1, you may choose to refer your complaint to Stage 2 of the procedure. This must be done in writing to the school within 15 working days of the completion of Stage 1.

At this Stage, the complaint will be considered by a panel of 3 governors depending on who carried out the investigation in Stage 1:

- a. If Stage 1 was investigated by the head teacher or a senior member of staff nominated by the head teacher, the Chair or nominated governor will consider the manner in which

the complaint was addressed and decide whether it has been properly dealt with. The general principle is that the school should be able to produce documentary evidence to show that the complaint has received fair and proper consideration within the school's procedure. If they have any concerns, they may ask the head teacher to re-open the investigation. The complainant will be kept informed of any delay.

If the complainant is not satisfied after the Chair or nominated governor has completed their review, a panel of 3 governors will meet to consider the complaint and make a final decision about it on behalf of the governing body.

- b. When Stage 1 has been investigated by the Chair or nominated governor, Stage 2 will be carried out by a panel of 3 governors, who will meet to consider the complaint and make a final decision about it on behalf of the governing body.

In (a) and (b), the panel will consist of governors who have no detailed prior knowledge of the complaint, or connection with the complainant. The meeting will normally take place within 15 working days of your request.

You will have the opportunity to submit written evidence on the complaint prior to the meeting of the panel and also to attend, accompanied by a friend/partner if you wish to put your case. The head teacher will be given the same opportunities. The panel will write to you with its conclusion within five working days of the meeting.

The decision of the panel is final. If you are still not satisfied, you may wish to put your complaint to the Secretary of State for Education and Skills.

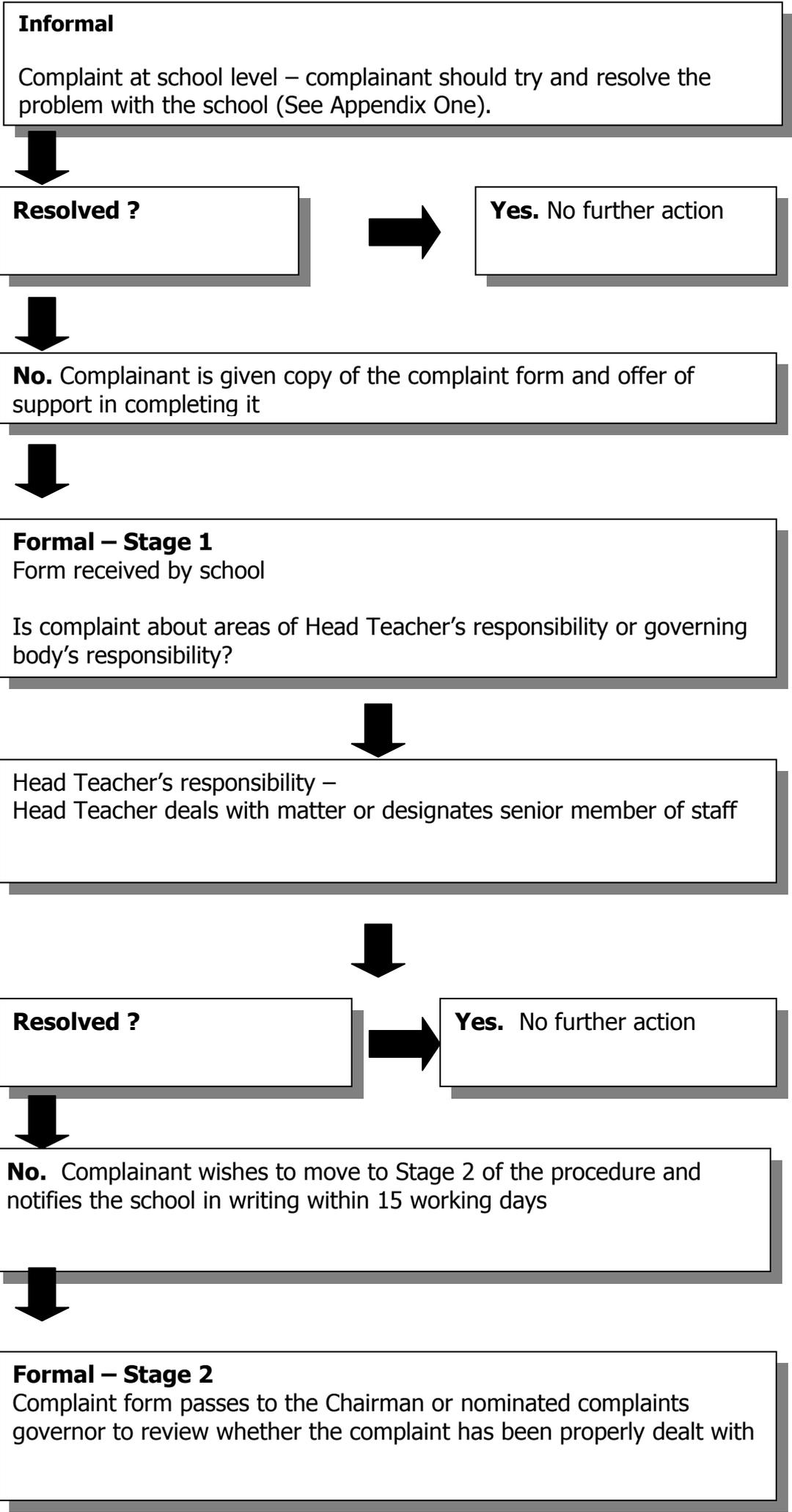
Monitoring and Review

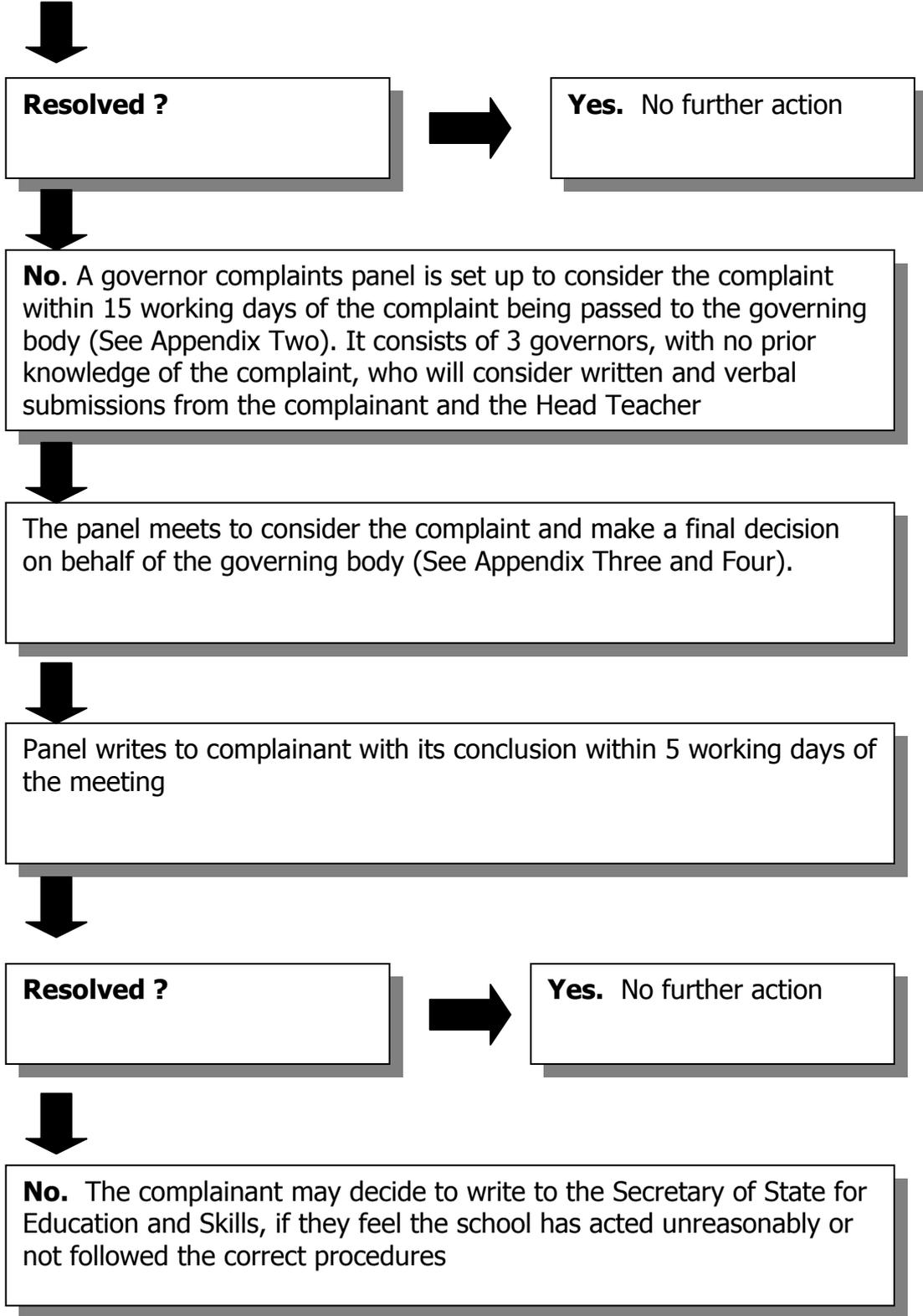
The governing body monitors the complaints procedure, in order to ensure that all complaints are handled properly. The head teacher logs all formal complaints received by the school and records how they were resolved. Governors examine this log on an annual basis and consider the need for any changes to the procedure.

Availability

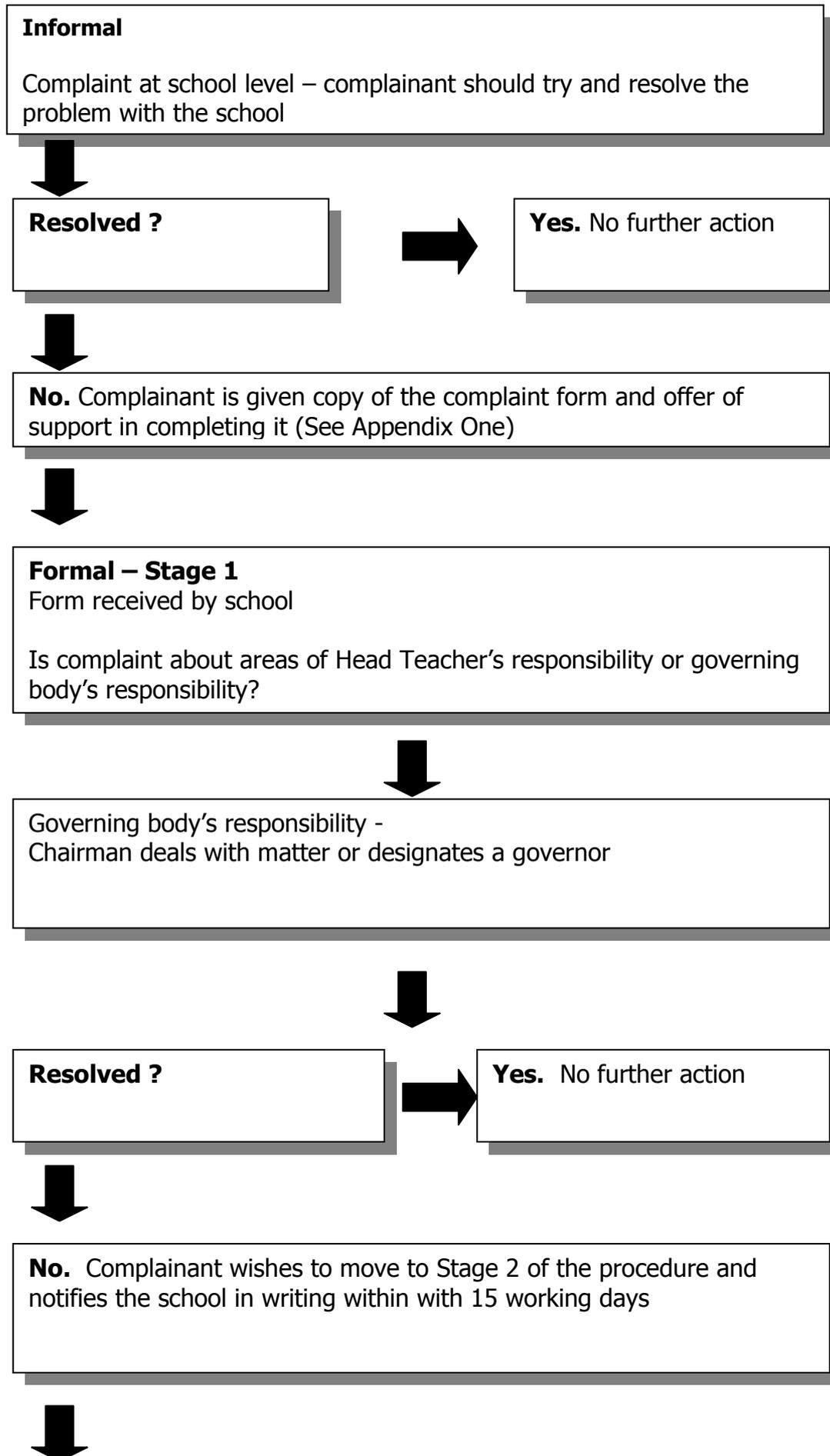
A copy of this procedure is available to all parents on request.

- c. **Summary of Model Complaints Procedure for Areas of Head Teacher's Responsibility**





d. **Summary of Model Complaints Procedure for Areas of Governing Body Responsibility**



Formal – Stage 2

Complaint form passes to the governing body



A governor complaints panel is set up to consider the complaint within 15 working days of the complaint being passed to the governing body. (See Appendix Two). It consists of 3 governors, with no prior knowledge of the complaint, who will consider written and verbal submissions from the complainant and Chairman of Governors (or designated governor)



The panel meets to consider the complaint and make a final decision on behalf of the governing body (See Appendix Three and Four)



Panel writes to complainant with its conclusion within 5 working days of the meeting



Resolved ?



Yes. No further action



No. The complainant may decide to write to the Secretary of State for Education and Skills, if they feel the school has acted unreasonably or not followed the correct procedures

Appendix One - Example of a complaint form

Please complete and return to Head Teacher who will acknowledge receipt and explain what action will be taken.

Your: name

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint.

(Who did you speak to and what was the response)?

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Appendix Two – Establishing a Complaints Panel

The governing body should agree the composition of the complaint panel at the first meeting of the governing body each year. It is recommended that the names of 4 or 5 governors are agreed from whom a panel of three may be drawn.

There are several points which any governor sitting on a complaints panel needs to remember:

- It is important that the hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults.
- The governors sitting on the panel need to be aware of the complaints procedure.

Appendix Three – Remit of the Complaints Panel

The panel needs to consider whether the complaint:

- Relates to a decision taken by the Head Teacher, member of staff or the governing body
- Is about the way a complaint or concern was handled

If the complaint was in relation to a decision taken by the Head Teacher or member of staff, the panel will need to consider whether:

- a) It was a decision within the Head Teacher's responsibility or
- b) An area where the governing body have responsibility, or share responsibility but have delegated this to the Head Teacher.

If the complaint relates to (a), the panel can:

- Consider the manner in which the complaint was addressed but not consider an alternative outcome
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

If the complaint relates to **(b)**, the panel can:

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or in part;
- Decide on the appropriate action to be taken to resolve the complaint;
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

Appendix Four - Checklist for a Panel Hearing

IF FOR ANY REASON THIS PROCEDURE CANNOT BE FOLLOWED:

The governing body, in consultation with the LA will put in place an alternative fair process.

The panel needs to take the following points into account, whilst ensuring that the hearing is conducted in as an informal manner as possible:

- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Head Teacher may question both the complainant and the witnesses after each has spoken.
- The Head Teacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Head Teacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Head Teacher is then invited to sum up the school's actions and response to the complaint.
- The chair explains that both parties will hear from the panel within five working days.
- Both parties leave together while the panel decides on the issues.

Appendix Five – The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;
- Key findings of fact are made;
- Parents and others who may not be used to speaking at such a hearing are put at ease;
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- The panel is open minded and acting independently;
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties. If a new issue arises all parties must be given the opportunity to consider and comment on it.

Guidance on Dealing with Complaints – formal procedures

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

At all stages, confidentiality is important in handling the complaint as it could lead to the implementation of a personnel procedure.

A complaint is distinct from any formal disciplinary procedure. If it becomes apparent that the complaint is a disciplinary or capability issue, then the matter should be dealt with by following the appropriate procedure and not the complaints procedure. The complainant should be notified that their complaint has been referred to the appropriate procedure; they do not have the right to know which procedure or the final outcome, but they can be reassured that it will be dealt with under normal personnel procedures.

The model complaints procedure has two formal stages. It is important that at each stage, the person or panel investigating the complaint makes sure that they:

- Establish what has happened so far, and who has been involved
- Clarify the nature of the complaint and what remains unresolved
- Meet with the complainant or contact them (if unsure or further information is necessary)
- Clarify what the complainant feels would put things right
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- Conduct the interview with an open mind and be prepared to persist in the questioning
- Keep notes of the interview. The school should be in the position to produce documentary evidence that the complaint has received fair and proper consideration within the school's procedure.

At each stage, whether informal or formal, it would be helpful to clarify exactly who will be involved, what will happen, and how long it will take. There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required after the appropriate person has met with the complainant.

Resolving Complaints

At each stage in the procedure schools will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or part.

In addition, it may be appropriate to offer **one or more of the following**:

- An apology;
- An explanation;
- An admission that the situation could have been handled differently or better;
- An explanation of the steps that have been taken to ensure that it will not happen again;
- An undertaking to review school policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage.

An admission that the school could have handled the situation better is not the same as an admission of negligence.

Equally, an effective procedure will identify areas of agreement between parties.

It is also important to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

If the school rejects the complaint, it is important to re-assure the complainant that the matter has been thoroughly investigated.

Written replies to complainants should aim to answer all the points of concern, be factually correct, avoid jargon and tell the person what to do next if they are still not satisfied. It may be appropriate for the Head Teacher, Chairman or complaints governor to telephone the complainant but it is good practice to follow this up with a letter to make sure there is no misunderstanding.

Time limits

Time limits need to be set for each stage of the procedure. Suggested time limits are included in the model procedure attached. Where it is not possible to respond to complaints within these timescales, the complainant should be informed in writing of the reason for the delay and given an anticipated response date. The complainant should be allowed a reasonable timescale in which to decide whether to refer a complaint to the next stage.

LA Role

The LA has no power to investigate complaints about general matters which are the responsibility of the governing body (see above for matters covered by statutory procedures). If parents approach the LA with a complaint about a school, they will be advised to contact the school and to follow the school's complaints procedure.

If the complainant is not satisfied by the school's procedures, there is no right of appeal to the LA. That said the LA can play a useful role in mediating between the parties and helping to reach a mutual understanding or agreement. It is for each governing body to decide whether or not the LA should have a role within their general procedures. The Chairman of Governors should contact the Senior Adviser for the area if the governing body and complainant would like the LA to act as a mediator in trying to resolve a complaint.

Independent Review

If the complainant remains dissatisfied with the response by the governing body, he or she would have the right to refer the matter to the Secretary of State for Education and Skills, Sanctuary Buildings, Great Smith Street, London, SW1 3BT, on the grounds that the governing body had failed to discharge a statutory duty or that the governing body had acted, or was proposing to act, unreasonably. This could lead to the issuing of a direction against the governing body.

Please note that the Local Government Ombudsman can only consider complaints about school governing bodies which relate to admissions. If the matter is not concerned with admissions, it would not be appropriate to direct a complainant to the Ombudsman.

Monitoring and Evaluating

The school should put in place arrangements for checking that the procedure is effective and fulfils the principles set out above. These should include a regular analysis of complaints, with reports to the governing body. It is recommended that records be maintained of all formal complaints which reach stage 1 and stage 2.

It is recommended that the governing body should review the procedure on an annual basis.

Publicising the Procedure

Once the procedure is agreed, the governing body needs to consider how it will communicate it to parents. Consideration needs to be given to the language used to ensure that it is accessible to all possible users.

The procedure might be included in:

- The school prospectus
- The home/school agreement
- Newsletters
- Documents supplied to community users including course information or letting agreements
- Posters displayed in areas of the school that will be used by the public, such as reception or the main entrance
- The school website.

A copy of the procedure should be readily available to parents at the school.