

Complaints Policy



Acresfield Primary School

Updated: January 2017

Date of Governing Body approval: March 29th 2017

Committee Responsible for Review: Community

Signed: [Chair of Governors]

A handwritten signature in black ink, appearing to be 'M. A. C.', written over a faint dotted line.

Signed: [Headteacher]

A handwritten signature in black ink, appearing to be 'M. H. J.', written over a faint dotted line.

1. Introduction

This complaints policy and the accompanying procedure provide the framework within which any person may raise a criticism related to any aspect of the school and have confidence that it will be considered seriously and dealt with appropriately, regardless of the nature of the complaint.

All references to working days refer to days on which the school is open to pupils and for staff training days.

This complaints procedure is published on the school website.

2. Scope of the Procedure

This procedure covers all complaints against the school by external persons/parties which do not have an alternative statutory avenue of appeal or complaint, i.e. admissions, exclusions, delivery of National Curriculum, some safeguarding children issues, provision of collective worship and religious education and SEN assessments. Where complaints make allegations of misconduct against members of staff this procedure may be superseded by use of relevant staff disciplinary procedure, whistleblowing policy, staff allegation policy or other appropriate staffing procedure.

Employees of the school cannot use this procedure but, where necessary, should raise concerns via the grievance procedure, full details of which are available from the school.

3. General Principles

All complaints should be dealt with in a transparent, impartial and confidential (to the extent reasonably possible) way and as quickly as is reasonably practicable. Complainants should be kept informed during the investigation of their complaint and of the outcome, except where this is confidential, e.g. in the case of a staff disciplinary process. Every effort should be made to resolve complaints in a non-confrontational and informal way.

Where the timescales within this procedure cannot be adhered to, the complainant should be informed as to why this is the case and given a revised timescale for dealing with the complaint. This should be done within the specified timescale.

The Governing Body will ensure that they have appropriate arrangements for recording complaints and the way in which they are resolved. It will regularly (at least once per school year) monitor the nature and level of complaints, so as to best ensure the effectiveness of the procedure and consider any underlying issues the school may need to address.

There may be rare occasions when, despite all the stages of the procedure having been followed, a complainant remains dissatisfied. If s/he subsequently seeks to re-open the same issue, the Chair of Governors has the right to inform him/her that the procedure has been exhausted and the matter is closed.

4. Resolving Complaints

At each stage in the procedure the school will consider ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in 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 assurance that the event complained of will not recur;
- 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 is useful to encourage complainants 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.

The school will seek to identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

5. Stages of the Procedure

Many concerns and minor complaints can be resolved quickly and informally. There are many occasions where issues are resolved immediately through the class teacher or another member of staff, depending upon the nature of the complaint. Unless there are exceptional circumstances every effort will be made by the school to have a full discussion with the complainant before moving into the stages of this procedure.

Informal Stage

If the concern/complaint is not resolved through such discussion, the complainant should contact the Headteacher. The complaint should be made in writing by the complainant, or by another person on their behalf, with their consent (by letter or email).

The Headteacher, or other member of staff nominated by him/her, will meet with the complainant to discuss his/her concerns within ten working days of receiving the complaint. Where necessary the Headteacher, or other nominated member of staff, will carry out a full investigation into the issues raised. The Headteacher will give a written response to the complainant as soon as possible but in any case, normally within ten working days of this meeting.¹ Where the complainant is dissatisfied with this response, the complaint should move to the first formal stage of the procedure.

Where the complaint is against the Headteacher the informal stage will be conducted by the Chair of Governors. If the complaint progresses to the formal stage this will be conducted by the Vice Chair or other nominated governor.

Where the complaint is against the Chair of Governors the informal stage will be conducted by the Vice Chair of Governors, or another governor nominated by him/her. If the complaint progresses to the formal stage this will be conducted by another nominated governor.

Formal Stage

If the complaint cannot satisfactorily be resolved informally, the complainant should put their complaint in writing to the Chair of Governors (or Vice Chair/nominated governor where the complaint is against the Headteacher/Chair of Governors), which may be by letter or email, via the school. In the event that a complainant tries to reopen a matter previously addressed under this procedure they may be advised in writing that the procedure has been exhausted and the matter is now closed. Otherwise the Chair/Vice Chair/nominated governor will meet with the complainant to discuss his/her concerns within ten working days of receiving the complaint, or as soon as is reasonably practicable after this.

¹ Where a timescale mentioned in this policy is likely to be exceeded for unavoidable reasons the complainant will be informed in a timely manner of the reasons for a delay in writing

The Chair/Vice Chair/nominated governor will undertake an investigation using the principles in Appendix A and may:

- 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 and procedures to ensure that problems of a similar nature do not recur,
- **And consider any other resolutions, as detailed in clause 4 – Resolving Complaints.**

The Chair/Vice Chair/nominated governor may take advice initially from the manager of the School Governance Service, who may consult other LA officers where appropriate.

The Chair/Vice Chair will communicate his/her response in writing to the complainant as soon as possible but in any case, within ten working days of receiving the written complaint.

Where the complainant is dissatisfied with this response the complaint should move to the appeal stage of the procedure.

Appeal Stage

The complainant should send a written appeal to the Chair of Governors, either by letter or email, or, where the complaint is against the Chair, to the Vice-Chair or other nominated governor. This should state the original complaint and the reasons for on-going dissatisfaction. The Chair of Governors, or nominated governor, may decline to accept a complaint into the Appeal Stage where s/he, acting reasonably, believes that the complaint has been wholly upheld at the Formal Stage and in all the circumstances there is no merit in the matter proceeding further.

A governor panel will be convened consisting of three governors who have had no previous involvement in consideration of the complaint. Where the complainant is a parent then governors may wish to consider the possible advantages of this panel including a parent governor. A complaints appeal meeting will be held in accordance with the procedure attached as Appendix B.

The meeting of the panel will take place as soon as possible, but in any case a date will be set and communicated to the complainant normally within twenty working days of receipt of the appeal. The governors' decision should be communicated in writing to the complainant as soon as possible but in any case, normally within five working days of the meeting. The complainant will have no further right to appeal this decision.

6. The Role of the Parent Partnership Service

The Parent Partnership Service helps parents/carers whose children have difficulties with learning, medical needs or mental health problems from pre-school age to school leavers. The service is confidential and offers impartial advice and information to enable parents and carers to make decisions about their child's education. This includes supporting parents with complaints to schools or the Local Authority.

The service can help parents consider what their complaint is about and the options available to them to resolve it, including more informal measures that can be explored in the first instance. If a parent wishes, the service can explain how to put a letter/case together to take the matter forward. Someone from the service can attend meetings with the parent to offer support but doesn't speak on behalf of or make decisions for the parent. The service also offers support after meetings have taken place to consider the conclusions of the meeting and if the parent feels a satisfactory outcome was achieved. If not the parent may have further options to consider.

APPENDIX A

Investigating Complaints

At each stage, the person 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 will not make recordings of any meetings or telephone calls, complainants will be discouraged from making recordings and if recordings are made then they will not be considered during the investigation. All parties may take and retain notes.

APPENDIX B

Conduct of Complaints Appeal Meetings

- 1 Although this procedure may appear formal, the hearing should be conducted in as informal as way as possible, and the Chair of the panel should make every effort to make all parties feel comfortable.
- 2 The date of the meeting must be agreed with all parties and witnesses and all relevant documentation must be circulated to all parties at least five working days in advance of the meeting.
- 3 The meeting will be minuted.
- 4 The meeting will be attended by:
 - the complainant, with a companion if desired;
 - the Headteacher and/or Chair of Governors, as appropriate;
 - the members of the Complaints Panel;
 - a minute taker, appointed by the governors.

Members of staff who have been involved in the issue, or other witnesses, may be called upon by either side to attend part of the meeting to provide information to the governors.

- 5 The governors will select a Chair from amongst their number.
- 6 The Chair of the panel will introduce all the parties present and explain the procedure to be followed and that every effort will be made to keep the process as informal as possible.
- 7 The panel will recognise that the complainant may be nervous or uncertain and as a matter of principle recognise this in their conduct of the meeting and attempt to put them at their ease as far as reasonably possible.
- 8 The complainant (or his/her companion) will outline his/her complaint and explain why s/he is dissatisfied with the school's response to date. The complainant may call any witnesses in support of his/her complaint who will attend the meeting only for the time that they are providing information and may be questioned by all parties.
- 9 The Headteacher and the governors will have the opportunity to ask questions of the complainant.
- 10 The Headteacher and/or the Chair of Governors will explain their involvement in the complaint and the reasons for their decisions at the informal and first formal stage. The Headteacher and/or Chair of Governors may call any

witnesses in support of his/her statement who will attend the meeting only for the time that they are providing information and may be questioned by all parties

- 11 The complainant and the governors will have the opportunity to ask questions of the Headteacher and/or Chair of Governors.
- 12 The governors may decide to adjourn the hearing pending further investigation at any stage if this seems necessary.
- 13 Both parties will leave the meeting and the governors will consider the information that has been put to them.
- 14 The Panel must reach a unanimous or majority decision as to whether or not to uphold the complaint wholly or in part, and what action (if any) the school needs to take to resolve the complaint. This may include referring the matter to another formal process, whether in relation to a complaint against a governor or a member of the school staff. Normally the governors will reach a decision at this point but they may feel the need to take further advice. Where this is the case they should endeavour to reach a decision as soon as possible.
- 15 The governors will communicate their response to both parties in writing as soon as possible but in any case within five working days of reaching their decision. The governors' response should detail whether the complaint is upheld wholly or in part and briefly summarise the basis on which governors arrived at this conclusion. The response should also include any lessons learnt and specify any action to be taken by the school as a result of the complaint and within what timescales.

Signature
Date
Official Use by School
Date acknowledgement sent:
By Whom?
Complaint referred to:
Date:

Signed:

Chair of Governors

Signed:

Headteacher

Date: