

School Complaint Procedure



Purpose of the policy

This procedure aims to reassure parents and others with an interest in Bigland Green Primary School that:

- any complaint against the school will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution; and
- the school recognises that a willingness to listen to questions and criticism and to respond positively, can lead to improvements in school practices and provision for pupils.

Scope of the procedures

A complaint is defined as a clear statement of dissatisfaction about any specified aspect of the school's work. This procedure deals with specified day-to-day complaints against the management and/or operation of the school which fall outside the scope of the following procedures:

- complaints which have an alternative statutory avenue of appeal or complaint, i.e. admissions, SEN assessments, Section 409 Curriculum Complaints and those covered by the Education (School Records) Regulations 1989, and;
- serious complaints which must be dealt with by specific employment procedures e.g. allegations of professional abuse, criminal offences or those that are potentially staff disciplinary issues.

Complainants may be anyone e.g. parents, guardians, grandparents, neighbours of the school or anyone with an interest in the work of the school. However, it is expected that it will be mainly parents or guardians who will make use of this procedure. The term 'parent' is therefore used throughout the procedure as a generic term but the procedure also applies in relation to any other type of complainant.

Complaints may be made by telephone, e-mail, written letter or in person.

General

The school encourages parents to raise any concerns with the relevant person at the earliest opportunity. If for any reason parents are reluctant to raise the issue with the relevant person, the Headteacher will be very happy to be involved provided the reasons are made clear. The school will respond and aim to resolve any issues at the earliest opportunity. Depending on the nature of the concerns, most will be responded to within 10 school days.

The school and/or parent may request advice or guidance from the Local Authority at any stage in the procedure. Records of all conversations and meetings with parents to resolve complaints will be kept. At a Governors' Complaints Panel meeting, minutes will be taken. To help prevent recurring complaints, copies of correspondence and notes will be kept on file in the school's records, separately from individual pupil records.

If at any stage in the procedure it becomes apparent that the complaint falls outside of this general complaints procedure, parents will be informed.

There may be rare occasions when, despite all the stages of the procedure having been followed, a parent remains dissatisfied. If the parent seeks to re-open the same issue, the school reserves the right to inform him/her in writing that the procedure has been exhausted and the matter is closed.

Stage 1: Informal stage

On occasions, a parent may raise a concern directly with school staff without any formality. At this stage, it may be unclear whether the parent is making a complaint, seeking information or has misunderstood a situation. In any event, the school aims to resolve the concern at this point in a speedy and effective way.

However, if the concern is not resolved immediately and a complaint is confirmed by the parent, the opportunity to discuss the matter with an appropriate member of staff will be given e.g. Team Leader or the Headteacher. In the case of a complaint against the Headteacher, this stage will always be heard directly by the Headteacher himself.

The member of staff will discuss the issue with the parent and those involved in school, with the aim of resolving the complaint as soon as possible. The parent will be informed of the outcome of the investigation and what action, if any, the school proposes to take.

If the informal process has been exhausted and no satisfactory solution has been found, the parent will be asked by the member of staff dealing with the complaint whether (s)he wishes the complaint to be considered formally at Stage 2 of this procedure.

If wishing to proceed with the complaint, the parent will be invited to put the complaint in writing to the Headteacher using the form attached at Appendix 1. The form should be sent to the Headteacher within **ten school days**. The school will provide support with the completion of the form if requested.

Stage 2: Referral to the headteacher or chair of governors

Where the complaint has been addressed by the Headteacher at Stage 1, this stage will be heard by the Chair of Governors. Where another staff member has addressed the complaint at Stage 1, this stage will be heard by the Headteacher.

The Chair of Governors or Headteacher will acknowledge the written complaint within **five school days** of receipt and provide an opportunity to meet the parent to discuss the complaint.

The Chair of Governors or Headteacher will investigate the complaint and a written response will normally be made within **fifteen school days** of receipt of the complaint. If this is not possible, a letter will be sent explaining the reason for the delay and providing a revised target date.

The written response will include full reasons for the conclusions reached by the Chair of Governors or Headteacher and what action, if any, the school proposes to take to resolve the matter.

If the parent still remains dissatisfied, (s)he will be advised that, in order to progress the complaint further at Stage 3, (s)he must notify the Clerk to the Governing Body in writing **within ten school days**, copying the original complaint form.

The Clerk will then ensure that the parent is offered the opportunity of taking the complaint to the Governors' Complaints Panel at Stage 3 of this Procedure.

Stage 3: Review by the governors' complaints panel

Complaints only rarely reach this level. However, when the need arises, the Governors' Complaints Panel will consider complaints at this stage.

A written acknowledgement of the complaint and the request for it to be heard at Stage 3 of the Procedure will be sent to the parent by the Clerk to the Governors within **five school days**.

The letter will inform the parent that the complaint will be heard by the Governors' Complaints Panel (GCP) within **twenty school days** of receiving the complaint. It will also inform the parent of the right to submit any further documents other than the complaint form and that these must be made available to the Clerk to the Governors within **five school days** of receipt of the acknowledgement letter. The right to call witnesses to the meeting, subject to the approval of the Chair of the GCP, and the right of the parent to be accompanied by a companion of her/his choice, will also be explained in the letter.

The Clerk to the Governors will send a copy of the letter of acknowledgement of the complaint to the Chair of Governors and/or Headteacher and request a written report in response to the complaint to the GCP within **five school days** of receipt of the letter. The right to call witnesses, subject to the approval of the Chair, will also be explained.

The Clerk to the Governors will then convene a GCP meeting, having consulted with all parties on convenient times. The date, time and venue for the meeting will then be confirmed at least **five school days** in advance.

The names of all parties and witnesses (if any) to attend the meeting and all relevant documents to be referred to at the meeting will also be provided by the Chair of the GCP to: the parent; the Chair of Governors and/or Headteacher; and each panel member. This will be provided as soon as possible and, in any event, at least **five school days** prior to the meeting.

The meeting will be held following the procedures for hearing a complaint detailed in Appendix 2.

A written decision will be sent to both the parent and the Chair of Governors and/or Headteacher by the Chair of the GCP within **ten school days** of the hearing.

The letter will explain that the decision of the Governors' Complaints Panel is final but that complaints can be taken to the Secretary of State for Education and Skills under the Education Act 1996, on the grounds that:

- a Governing Body or Local Authority is acting or proposing to act unreasonably; or
- the Governing Body or the Local Authority has failed to discharge its duties under the Act

In the above case written complaints can be sent to:

The School Complaints Unit (SCU)
Department for Education
2nd Floor, Piccadilly Gate
Manchester
M1 2WD



Form to notify Formal School Complaint (Stage 2 and/or Stage 3)

Child's Name (to whom issue relates): Class:

Name of Parent/Guardian:

Contact details (tel & email):

Details of Complaint:

(Please be as specific as possible e.g. giving dates, who was involved and where etc.)

Please attach a continuation sheet/additional information if you wish

What would you like to see done to resolve your complaint and bring the matter to an acceptable closure for yourself and the school?

Signed..... Date
(Parent/Guardian)

Please return the completed form to the **Headteacher or Chair of Governors** at the school.

Governors' Complaints Panel (GCP) Procedures for Hearing the Complaint

The Remit of the Governors Complaints Panel

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, and/or;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

The role of the Clerk

The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings, and;
- notify all parties of the panel's decision.

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, and;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal 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 headteacher may question both the complainant and the witnesses after each has spoken.
- The headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the headteacher 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 headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

Investigating Complaints

Investigating Complaints

At each stage, the person investigating the complaint (the complaints co-ordinator), will ensure 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, and;
- keep notes of the interview.

Resolving Complaints

At each stage in the procedure the schools will keep in mind ways in which a complaint can be resolved. It might be important 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, and;
- an undertaking to review school policies in light of the complaint.

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

This procedure will identify areas of agreement between the parties. It will also clarify any misunderstandings that might have occurred and create a positive atmosphere in which to discuss any outstanding issues.