

# *Weston Park Primary School*



## **Complaints Procedure**

Date of last review: April 2015

Date of next review: April 2017

# COMPLAINTS PROCEDURE

## Our Vision

We are proud of our excellent relationships with parents, carers and our local community. We believe that only when we are all working together and have a common understanding of the ways we can help the children in our care, can we fulfil the aims of the school.

We also recognise that there will be times when concerns or complaints are raised. This procedure has been drawn up to give clear guidelines about how complaints are to be dealt with.

## **The stages of the complaints procedure**

### **Stage 1 (informal): complaint heard by staff member**

Most complaints will be able to be dealt with using an informal approach. Complainants are encouraged to share the details of their complaint with the Class Teacher or a member of the Admin Team in the first instance, as it is likely that the complaint can be amicably resolved at this point. We aim to ensure that complaints are dealt with to everyone's satisfaction.

If the complainant would have difficulty discussing a complaint with a particular member of staff the parent should contact the Senior Admin Officer who will identify with the complainant a suitable alternative member of staff to share the complaint with. Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the Senior Admin Officer may consider referring the parent to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the complaint concerns the Headteacher, the Senior Admin Officer can refer the parent to the Chair of Governors.

Where the first approach is made to a governor, the governor will refer the complainant to the appropriate person and advise them about the procedure. Governors will not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

### **Stage 2 (formal): complaint investigated by a member of the Leadership Team**

If the complainant believes that the informal approach has not answered their complaint, they should raise the complaint with a member of the Leadership Team. This will allow the concern to be addressed in a more formal fashion. The complainant will be contacted within two working days of raising the complaint. At this stage discussion between the complainant and the member of the Leadership Team may be via the telephone or face to face in a meeting.

### **Stage 3 (formal): complaint heard by Headteacher**

Should the complainant continue to feel that their complaint has not been answered, then they should write to the Headteacher, giving details of the concern and enclosing any appropriate paperwork. (A complaints form is available from the school office, example included within this procedure.) The Headteacher will acknowledge the complaint and offer a full response within five working days or, if the complaint requires an in-depth investigation, within twenty days. Complainants will be informed in writing of this.

The Headteacher may delegate the task of collating the information to another member of staff but not the decision on the action to be taken.

#### **Stage 4 (formal): complaint heard by Chair of Governors**

If the complainant is not satisfied with the response of the Headteacher or the complaint is about the Headteacher, the complainant should write to the Chair of Governors to request that their complaint is considered further. The Chair of Governors will respond to the complainant within ten working days. If more detailed investigation is required, the Chair of Governors will notify the complainant and set a revised deadline for their response.

#### **Stage 5 (formal): complaint heard by Governing Body Complaints Appeal Panel**

If the complainant remains unsatisfied with the response the complainant should write to the Clerk to the Governing Body giving details of their complaint, the action taken by the school so far and the reasons for their continued dissatisfaction. The Chair, or if the Chair has been involved at any previous stage in the process, a nominated governor, will convene a Governing Body Complaints Appeal Panel. The panel can be drawn from the members of the Governors Referral Committee and will consist of three members. The panel may choose their own Chair.

*NB. Individual complaints will not be heard by the whole governing body at any stage in the complaints process, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.*

The Governing Body Complaints Appeal Panel will consider all written complaints within fifteen working days of receipt. A meeting may be arranged to discuss the complaint. The complainant will be given at least five working days' notice of a meeting. After reviewing all the evidence the Governing Body Complaints Appeal Panel will consider their decision and inform the complainant and the Headteacher of their decision, in writing, within five working days of the appeal panel hearing.

**This is the final stage of the school's internal complaints procedure.**

If the complainant remains unsatisfied with the decision taken by the Complaints Appeal Panel the final stage of appeal is to the Secretary of State for Education. Complainants should write to:

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

#### **What will the Department for Education do?**

If a complaint has exhausted the local procedures, SCU will examine whether the complaints policy and any other relevant policies were followed in accordance with the provisions set out. SCU also examines policies to determine if they adhere to education legislation. However, the department will not re-investigate the substance of the complaint. This remains the responsibility of schools. If legislative or policy breaches are found, SCU will report them to the school and the complainant and, where necessary, require remedial action to be taken. Failure to carry out remedial actions could ultimately result in a formal Direction being issued by the Secretary of State.

## **APPENDIX A - The remit of The Complaints Appeal 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;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

Notes for governors sitting on a Complaints Appeal Panel:

- It is important that the appeal 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.
- 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 that 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. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- The governors sitting on the panel need to be aware of the complaints procedure.

## **APPENDIX B - Checklist for a panel hearing**

The panel will take the following points into account:

- The hearing should be 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.

## **APPENDIX C - Roles and responsibilities of The Complaints Appeal Panel**

### **The role of the clerk**

The clerk will be the contact point for the complainant and will 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 (at least five school days in advance);
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

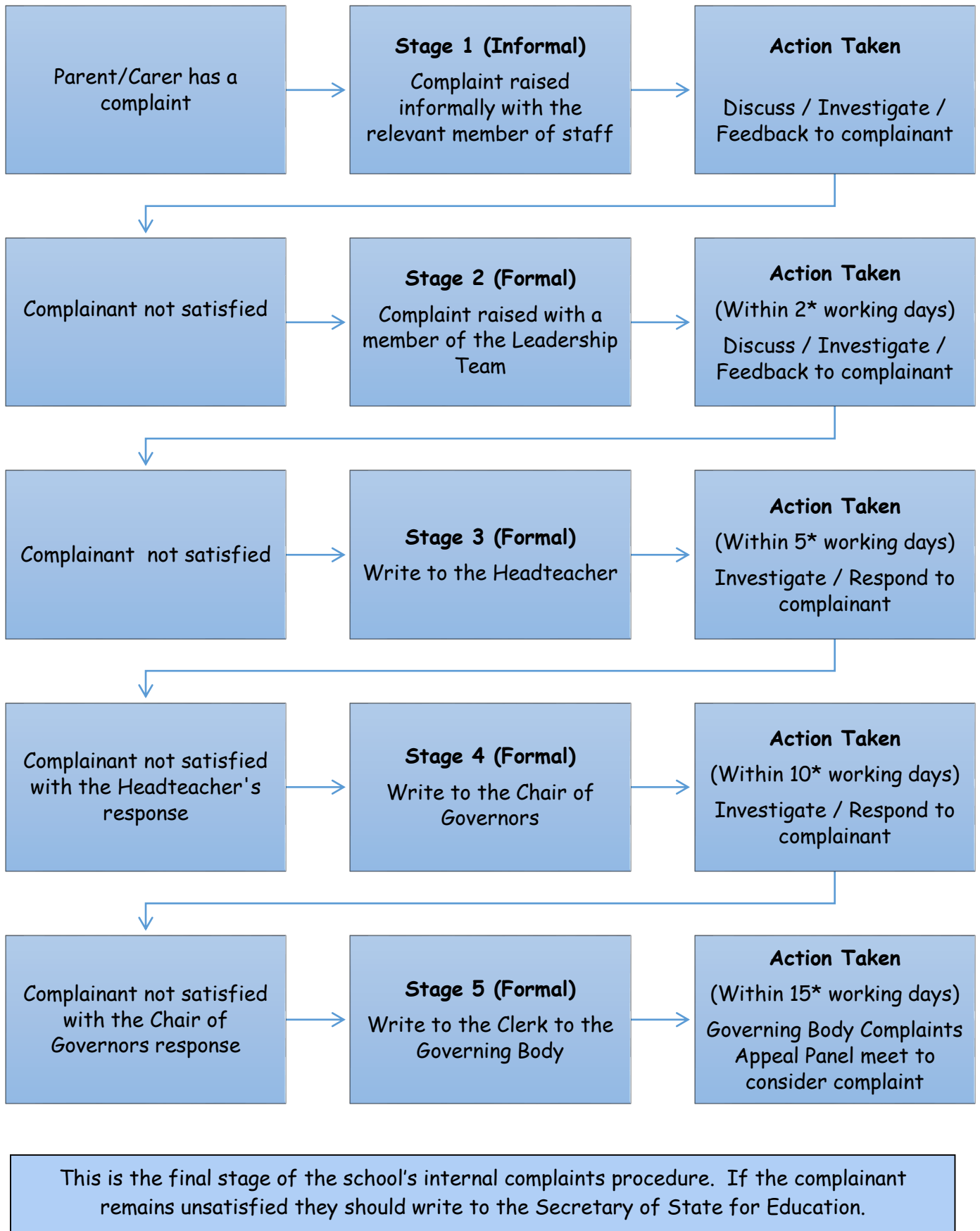
As best practice, the Clerk should share copies of the panel meeting minutes with all parties involved in the panel hearing, providing a reasonable opportunity for the minutes to be agreed and if necessary, challenged.

### **The role of the Chair of the Panel**

The Chair of the Panel will ensure 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 it would be useful to give all parties the opportunity to consider and comment on it.

## APPENDIX D - Complaints Procedure Flowchart



\* Timescales defined with the policy may be subject to amendment if a more in depth investigation is required.

# Weston Park Primary School



## Complaint Form

Please complete and return this form to the Senior Admin Officer who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>	
<b>Pupil's name (if relevant):</b>	
<b>Your relationship to the pupil (if relevant):</b>	
<b>Address:</b>	
<b>Day time telephone number:</b>	
<b>Evening telephone number:</b>	
<b>Please give details of your complaint.</b>	
<b>What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?</b>	

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

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

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**Complaint referred to:**