



Complaints Policy

1 Introduction

We believe that our school provides a good education for all our children, and that the Headteacher and other staff work very hard to build positive relationships with all parents. However, the school is obliged to have procedures in place in case there are complaints by parents. The following policy sets out the procedure that the school follows in such cases and is written in line with and complies with section 29 of the Education Act 2002. This policy refers to all complaints arrangements from parents of all children, including those with special educational needs (SEN) and outlines the way in which school will provide support.

1.2 If any parent is unhappy with the education that their child is receiving, or has any concern relating to the school, we encourage that person to talk to the child's class teacher immediately.

1.3 We deal with all complaints in accordance with procedures set out by the LA.

1.4 All parents have the right, as a last resort, to request a review by the Secretary of State for Education, if they still feel that their complaint has not been properly addressed.

2 Aims and objectives

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

3 The complaints process

If a parent is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher. Most matters of concern can be dealt with in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they always want to know if there is a problem, so that they can take action before the problem seriously affects the child's progress.

3.2 Where a parent feels that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Headteacher. The Headteacher considers any such complaint very seriously and investigates each case thoroughly. Most complaints are normally resolved at this stage.

3.3 Should a parent have a complaint about the Headteacher, s/he should first make an informal approach to one of the members of the governing body, who is obliged to investigate it. The governor in question will do all s/he can to resolve the issue through a dialogue with the school, but if a parent is unhappy with the outcome, s/he can make a formal complaint, as outlined below.

3.4 Only if an informal complaint fails to resolve the matter should a formal complaint be made to the governing body. This complaint must be made in writing, stating the nature of the complaint and how the school has handled it so far. The parent should send this written complaint to the Chair of Governors.

3.5 The governing body must consider all written complaints within three weeks of receipt. It arranges a meeting to discuss the complaint, and invites the person making it to attend the meeting, so that s/he

can explain her complaint in more detail. The school gives the complainant at least three days' notice of the meeting.

- 3.6 After hearing all the evidence, the governors consider their decision and inform the parent about it in writing. The governors do all they can at this stage to resolve the complaint to the parent's satisfaction.
- 3.7 If the complaint is not resolved, a parent may make representation to the LA. Further information about this process is available from the school or from the LA. A further meeting is chaired by an independent person, who considers all the evidence and makes a further judgement in an attempt to resolve the complaint.
- 3.8 If any parent is still not content that the complaint has been dealt with properly, then s/he is entitled to appeal to the Secretary of State for Education.

Investigating complaints: At each stage, the person investigating the complaint, should make 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.

Resolving Complaints

At each stage in the procedure school 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 in part. In addition, it may be appropriate to offer one or more of the following, an:

- apology;
- explanation;
- admission that the situation could have been handled differently or better;
- assurance that the event complained of will not recur;
- explanation of the steps that have been taken to ensure that it will not happen again;
- 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.**

An effective procedure will 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.

Vexatious Complaints

It is The Arches aim to limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the GB is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Time-Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. The complaints procedure has realistic time limits for each action within each stage.

However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

Managing and Recording Complaints.

Recording Complaints

A complaint may be made in person, by telephone, or in writing. At the end of a meeting or telephone call, the member of staff should ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record. **No meetings should be tape recorded**, that this will be stated at the commencement of the meeting before the Governing Body (as this is a formal stage rather than the initial informal discussion between complainant and teacher/Head) and that if the complainant does still go ahead and record the meeting - that the recording will not be considered as part of the investigation of the complaint.

The Headteacher is responsible for complaints records and hold them centrally.

Governing Body Review

The GB monitors the level and nature of complaints and reviews the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary.

A complaint form can be found in annex D

Complaints information - complaints procedure

Stage One: Complaint Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they know what to do when they receive a complaint.

It would assist the procedure if the school respected the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaints co-ordinator can refer the complainant to another staff member. Where the complaint concerns the Headteacher, the complaints co-ordinator can refer the complainant to the chair of governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may consider referring the complainant 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 first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. It would be useful if governors did 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 Two: Complaint Heard by Headteacher

The head teacher's influence will already have shaped the way complaints are handled in the school. At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The head may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

Stage Three: Complaint Heard by Governing Bodies Complaints Appeal Panel

The complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a GB complaints panel.

The governors' appeal hearing is the last school-based stage of the complaints process, and is not convened merely to rubber-stamp previous decisions.

Individual complaints would not be heard by the whole GB at any stage, 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 may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

The procedure adopted by the panel for hearing appeals would normally be part of the school's complaints procedure. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.

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.

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

- a. 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. 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.

- b. 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.
- c. 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.
- d. 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.
- e. The governors sitting on the panel need to be aware of the complaints procedure.

Roles and Responsibilities

The Role of the Clerk

The Department strongly recommends that any panel or group of governors considering complaints be clerked. 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;
- notify all parties of the panel's decision.

The Role of the Chair of the Governing Body or the Nominated Governor

The nominated governor role:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the clerk to arrange the panel;

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 it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Panel's Decision

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

Checklist for a Panel Hearing

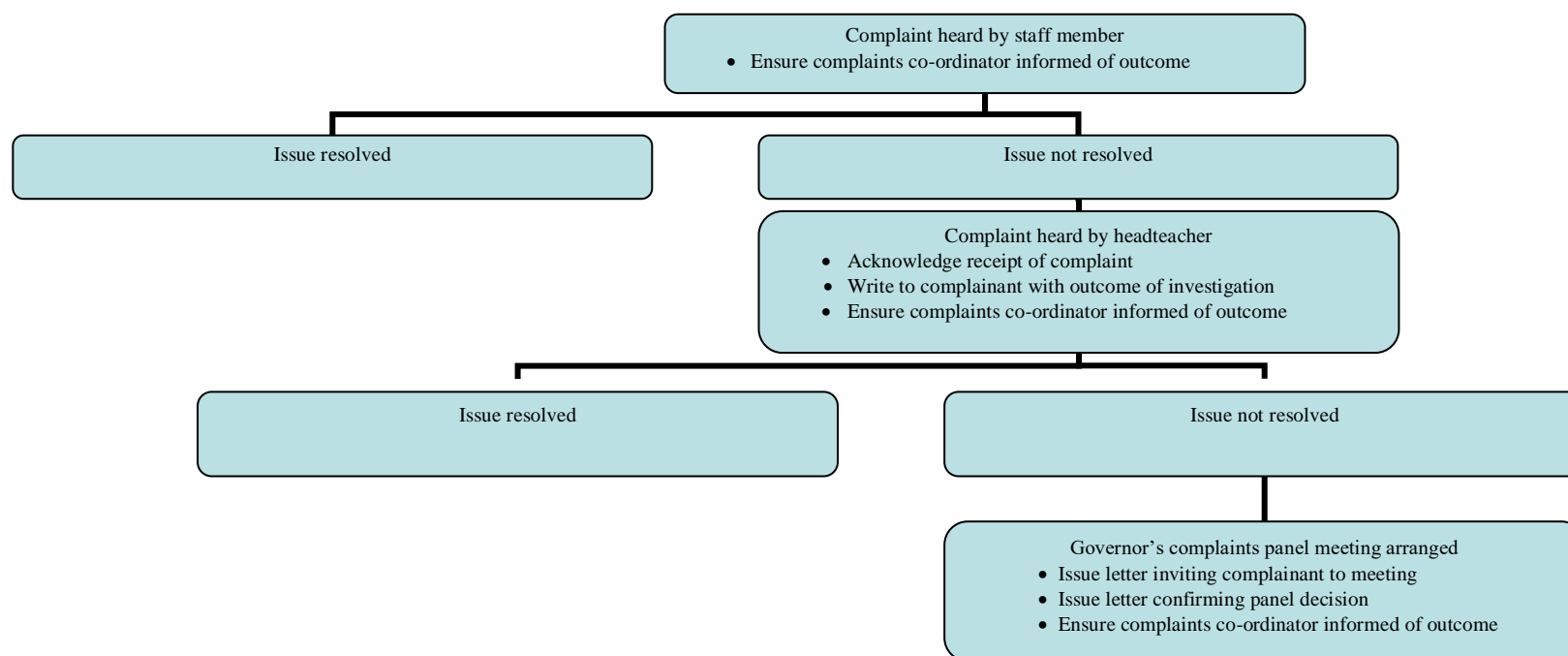
The panel needs to take the following points into account:

- 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.

Annex C - Flowchart

NB Complaints co-ordinator = Headteacher

Summary of Dealing with Complaints



Annex D - Complaint form

Please complete and return to the Headteacher 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:

Date:

Official use:

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: