



HIGHLEY COMMUNITY PRIMARY SCHOOL

Complaints Policy and Procedure

Review Date Sept 2022

The purpose of this policy is:

To set out the school procedures when dealing with general complaints.

To encourage parents to express their views at the earliest opportunity, through the appropriate channels.

To aid communication between parents and school.

Introduction:

Whether a complaint is made informally or formally, all parties should ensure details are only known to those involved in investigating the complaint. Parents should be assured that making a complaint will not adversely affect their child.

This policy is not intended to cover those aspects of school life where the law sets specific complaints procedures i.e. admissions, exclusions, complaints about the delivery of the National Curriculum and the provision of collective worship and religious education.

Parents should feel able to express their views in the full knowledge that they will be dealt with fairly. Parents can approach a parent governor for informal advice about a concern prior to making any more formal approach to the school. Parent Governors can listen sympathetically to their concerns and can explain the procedure. In many instances people do not voice their concerns immediately and have not discussed their concerns with the staff member(s) involved who therefore have no idea that there is an issue. Under these circumstances parent Governors should initially advise parents to discuss the issue with the staff member involved first.

Procedure

Stage 1: The First Contact: Dealing with Concerns and Complaints Informally

The vast majority of concerns and complaints can be resolved informally. There are many occasions where concerns are resolved straight away through the class teacher. Where the complaint is regarding the head teacher he/she can refer the complaint directly to the Chair of Governors.

The complaint should be recorded in writing by the person taking the complaint. A clear note of the date, name, contact address or phone number and the issue raised should be recorded in the appropriate informal complaints register.

If the issue is resolved the class teacher will record the details and any further relevant information.

Complaints made informally to governors will be referred to the relevant member of staff or the Chair where appropriate. On certain major issues, the head teacher may decide to deal with concerns directly at this stage.

The person dealing with the complaint makes sure that the parent is clear what action (if any) or monitoring of the situation has been agreed.

Where no satisfactory solution has been found parents are asked if they wish their complaint to be considered further. If so, they are given clear information, both orally and in writing, about how to make a formal complaint and about any independent advice available to them.

Stage 2: Formal Complaint to the Head Teacher

A formal complaint should be made in writing. The head teacher (or designate) acknowledges the complaint in writing within **3 working days** of receiving the written complaint. The acknowledgement gives a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This should normally be within **10 working days**: if this proves impossible, a letter is sent explaining the reason for the delay and giving a revised target date.

The head teacher (or designate) provides an opportunity for the complainant to meet and it is made clear to the complainant that if they wish they may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on their behalf, and asked if they have any special requirements the school needs to be aware of e.g. wheelchair access, signing etc.

If necessary, the head teacher (or designate) should interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. Pupils would normally be interviewed with parents/guardians present.

The head teacher (or designate) keeps written records of meetings, telephone conversations, and other documentation (within the Complaints Register). Each new complaint will be assigned a complaint number and this number will be referred to in the acknowledgement letter so that there is a clear audit trail for each complaint.

Once all the relevant facts have been established, the head teacher (or designate) should then produce a written response to the complainant, or may wish to meet the complainant to discuss/resolve the matter directly.

A written response includes a full explanation of the decisions and the reasons for it. Where appropriate, this includes what action the school will take to resolve the complaint. The complainant is advised that should s/he wish to take the complaint further s/he should notify the Chair of the Governing Body **within 5 weeks** of receiving the outcome letter.

If the complaint is against the action of the head teacher, or if the head teacher has been very closely involved at stage 1, the Governors Complaints Panel should carry out all the Stage 2 procedures.

Stage 3: Formal Complaint to Governors

If the complainant feels the issue is still unresolved this should be put in writing to the Chair of Governors who will then acknowledge receipt of the written request.

This acknowledgement will inform the complainant that the complaint is to be heard by three members of the school's Governing Body within **20 working days** of receiving the complaint. The letter should also explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be reviewed by the three members.

A Governors' Complaint Panel will be elected from members of the Governing Body.

The Chair/Vice Chair will ensure that the complaint is heard by the Panel **within 20 working days** of receiving the written complaint. All relevant correspondence regarding the complaint should be given to each panel member as soon as the composition of the Panel is confirmed. If the correspondence is extensive, the Chair of the Panel should prepare a thorough summary for sending to panel members.

The Chair/Vice Chair will write and inform the complainant, head teacher, any relevant witnesses, and members of the Panel at least **5 working days** in advance, of the date, time and place of the meeting. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/advocate/interpreter. The letter will also explain how the meeting will be conducted and the complainant's right to submit further written evidence to the Panel.

If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

The meeting will allow for:

- The complainant to explain their complaint
- The head teacher to explain the school's response
- The head teacher to question the complainant
- The complainant to question the head teacher
- Panel members to have the opportunity to question both the complainant and the head teacher
- Any party to have the right to call witnesses (subject to the approval of the Chair) and all parties having the right to question all the witnesses.
- Final statements by both the complainant and the head teacher.

The Role of the Chair of the Committee

The chair of the committee has a key role, ensuring that:

- Introductions are made;
- The remit of the committee is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;
- The meeting is effectively conducted;
- 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 meeting is conducted in an informal manner with each party treating the other with respect and courtesy;
- The committee is open minded and acting independently;
- No member of the committee has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure, to avoid conflict of interest;
- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties;
- The complaint, as originally registered, is the focus of attention.

Notification of the Committee's Decision

The chair of the committee needs to ensure that the complainant is notified of the decision, in writing, with the committee's response; within **7 days of the meeting**. The letter needs to explain that the complainant can contact the Secretary of State for Education at the Department for Education if they wish to pursue the matter (0370 000 2288)

Next review date: Sept 2023