

## Siddington C of E Primary School

### Complaints Procedure - Guidance for Parents

#### **If you have a concern or complaint**

We would like you to tell us about it. At Siddington Primary School, we welcome suggestions for improving our work. Be assured that no matter what you want to tell us, our support and respect for you and your child in the school will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate properly an incident or problem which has happened some time ago.

#### **Stage one: Discussion with the class teacher**

Most concerns can be sorted out quickly by speaking to your child's class teacher.

We hope we can resolve your problem informally. We will try to make sure that we understand what you feel went wrong and will do our best to help put things right. Of course this does not mean that in every case you will be satisfied with our response, but it will help us all to understand the situation. It may also help to prevent a similar problem arising again.

#### **Stage two: Headteacher's investigation**

If you are dissatisfied with a teacher's response, you can arrange to discuss the matter with the headteacher.

If you wish you can take a friend or someone else with you. The headteacher will conduct a full investigation of the complaint and may interview any members of staff or pupils involved. You may request to receive a written response to your complaint within 10 working days.

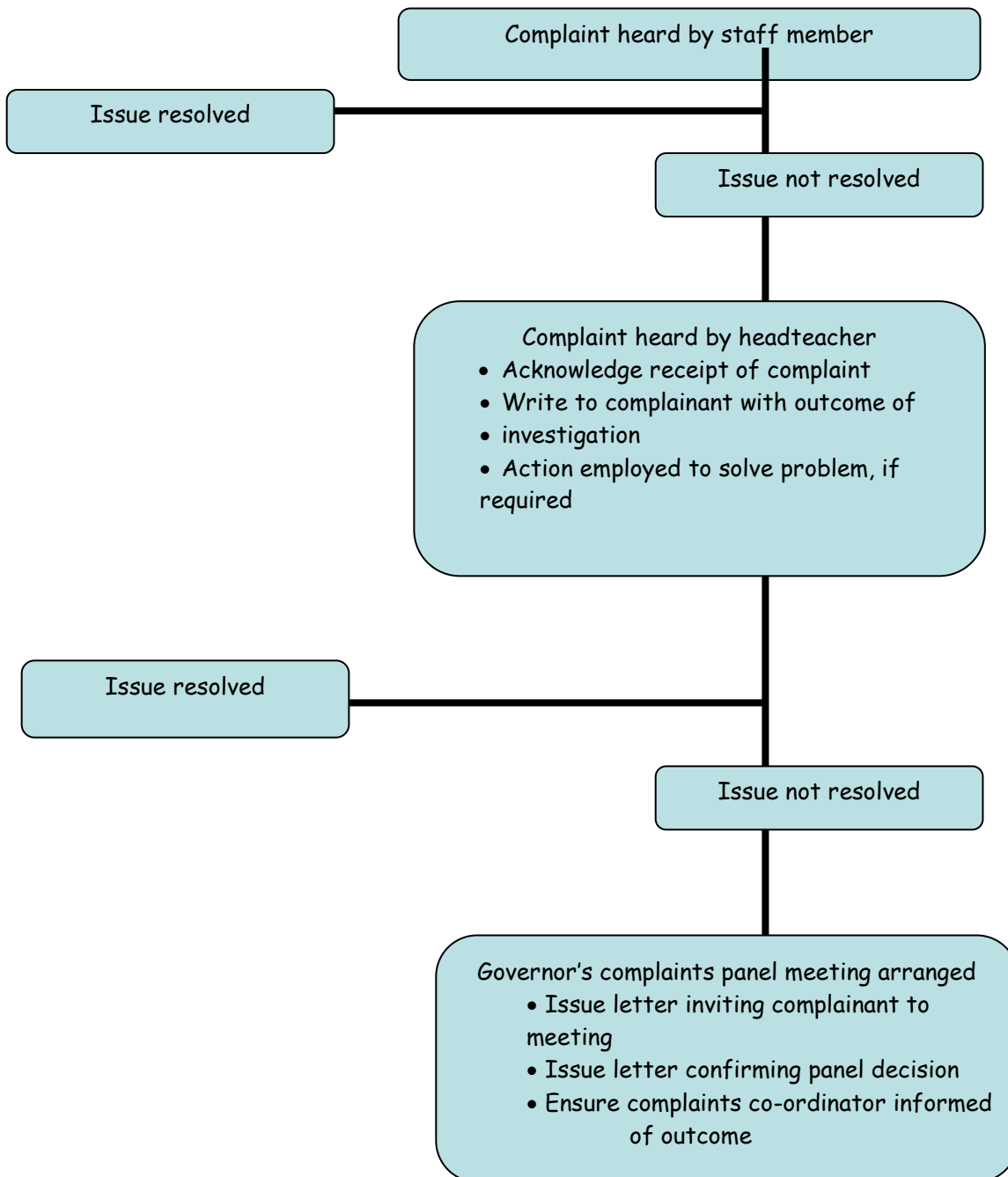
#### **Stage three: Governors review**

If your complaint hasn't been resolved at stage two, then you should complete a **complaint form** (available from the school office) and send it to the chair of governors via the school office. The chair of governors will arrange a meeting of the governors' complaints appeal panel to investigate your complaint. The complaints panel will conduct a full investigation of the complaint including interviews with those involved. You will receive a written response to your complaint.

NB It is important that only the chair of governors receives the complaint so that an investigation by 'untainted' governors is possible.

### **Summary of Dealing with Complaints**

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### Complaints Procedure

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This procedure is intended to set out how the school will deal with general complaints. Parents should feel able to express their views in the full knowledge that they will be dealt with fairly.

It 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 who are not satisfied with an LA's decision about special needs assessments may appeal to the SEN Tribunal. Further details about these procedures are available from Gloucestershire Local Authority.

### **Aims**

- An accessible and easily understood procedure for complaints.
- Encourage parents to express their views at the earliest opportunity, through the appropriate channels.
- To aid communication between parents and school.

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.

### *Guidelines*

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

- 1.1 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 or school secretary, headteacher or chair of governors depending on the nature of the complaint.
- 1.2 If the person first contacted cannot deal with the matter immediately, they should make a clear note of the date, name, contact address or phone number and the issue raised.
- 1.3 Any member of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. They should check later to make sure the referral has been successful. Complaints made informally to governors will be referred to the relevant member of staff or to the chair where appropriate. Governors should not seek to be the channel for the complaint, rather a guide to where/what to do.
- 1.4 On certain major issues, the headteacher may decide to deal with concerns directly at this stage.
- 1.5 If the complaint relates to the headteacher, the parent is advised to contact the chair of the governing body.

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1.6 The person dealing with the concern makes sure that the parent is clear what action (if any) or monitoring of the situation has been agreed, putting this in writing only if this seems the best way of making things clear.

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

### Stage 2: Formal complaint to the headteacher

2.1 The headteacher (or designate) acknowledges the complaint orally or in writing within **3 working days** of receiving the written complaint. The acknowledgment 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.

2.2 The headteacher (or designate) provides an opportunity for the complainant to meet with them to supplement any information provided previously. 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.

2.3 If necessary, the headteacher (or designate) should interview witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil should also be interviewed. Pupils would normally be interviewed with parents/guardians present. In some situations, circumstances may prevent this e.g. where this would seriously delay the investigation of a serious/urgent complaint or where particular circumstances mean that a pupil has specifically said they would prefer that parents or guardians were not involved. In such circumstances another member of staff with whom the pupil feels comfortable should be asked to attend. If a member of staff is complained against, the needs of that person should be borne in mind.

NB It is against our policy to divulge disciplinary action taken against a member of staff.

2.5 The headteacher (or designate) keeps written records of meetings, telephone conversations, and other documentation.

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

2.7 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 they wish to take the complaint further, they should notify the chair of the governing body within 5 weeks of receiving the outcome letter.

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2.8 If the complaint is against the action of a headteacher, or if the headteacher 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

3.1 Upon receipt of a written request by the complainant for the complaint to proceed to stage 3, the procedures outlined below should be followed.

3.2 The clerk to the governing body should write to the complainant to acknowledge receipt of the written request. The acknowledgement should 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 received by the full members.

3.3 The clerk to the governors should arrange to convene a governors' complaints panel elected from members of the governing body.

3.4 The chair/vice-chair will ensure that the complaint is heard by the panel **within 20 working days** of receiving the letter in 3. 1. 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.

3.5 The chair/vice-chair will write and inform the complainant, headteacher, 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.

3.6 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.

3.7 The meeting will **allow for**

the complainant to explain their complaint and the headteacher to explain the school's response

the headteacher to question the complainant about the complaint and the complainant to question the headteacher and/or other members of staff about the school's response.

Panel members to have the opportunity to question both the complainant and the headteacher

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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 headteacher.

3.8 The chair of the panel will explain to the complainant and the headteacher that the panel will now consider its decision, and a written decision will be sent to both parties within **15 working days**. The complainant, headteacher, other members of staff and witnesses will then leave.

3.9 The panel will then consider the complaint and all the evidence presented and (a) reach a unanimous, or at least a majority, decision on the complaint and (b) and decide upon the appropriate action to be taken to resolve the complaint and (c) where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.

3.10 A written statement outlining the decision of the panel must be sent to the complainant and Headteacher. The letter to the complainant should explain whether a further appeal can be made, and if so, to whom.

### **Vexatious Complaints**

There may be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of governors is able to inform them in writing that the matter is now closed.

## **Complaints Procedure - Staff Appendix**

### **Guidelines for dealing with concerns and complaints informally**

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1. Parents must feel able to raise concerns about the school without any formality, either in person, by telephone or in writing. On occasion it may be appropriate, for someone to act on behalf of a parent.
2. At first it may be unclear whether a parent is asking a question or expressing an opinion rather than making a complaint. A parent may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.
3. Parents should have an opportunity for discussion of their concern with the appropriate member of staff or the chair of governors, who clarifies with the parent the nature of the concern, and reassures them that the school wants to hear about it. The member of staff or chair of governors may explain to the parent how the situation happened. It can be helpful to identify at this point what sort of outcome the parent is looking for.

### Formal complaint to the Headteacher

4. As headteachers have responsibility for the day-to-day running of their schools, they have responsibility for the implementation of a complaints system, including the decision about their own involvement at various stages. One of the reasons for having various "stages" in a complaints procedure is to reassure complainants that their grievance is being heard by more than one person. Headteachers should make arrangements to ensure that their involvement will not predominate at every stage of a particular complaint. For example arrangements may be made for other staff to deal with parents concerns at stage 1, while the headteacher deals with contacts with parents at stage 2. Even at that stage the headteacher may designate another member of staff to collect some of the information from the various parties involved. In some cases, headteachers may be so involved at stage 1 that stage 2 has to be carried out by the chair of the governing body.

### Formal Complaint to Governors

5. **Complaints only rarely reach this formal level, but it is important that governing bodies are prepared to deal with them when necessary.** At this stage the school should seek advice from the LEA. This can provide a useful "outside view" on the issues.

6. **It is important that this review not only be independent and impartial but that it be seen as so.** Therefore, individual complaints should not be considered by the full governing body as serious conflicts of interest can arise; for example, in exceptional circumstances a complaint may result in disciplinary action against a member of staff, and governors might be required to give an unprejudiced hearing to an appeal by the member of staff concerned. Similarly some governors might have previous knowledge of the problem which led to the complaint and would be unable to give fair unbiased consideration to the issue.

7. Many complaints are inevitably seen by parents as being "against" a particular member of staff and their actions. However, all complaints which reach this stage will have done so because the complainant has not been satisfied with the headteacher's response at the earlier stage, of the procedure, and it may be appropriate for the Governing Body to consider that

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the complaint is against the school, rather than against the member of staff whose actions led to the original complaint.

8. It may be necessary for the governing body to appoint reserves to the Panel to ensure that three governors are available to carry out their task within the set time. The panel members should be governors who have had no prior involvement with the complaint. If they have not previously been involved, the chair of the governing body should chair the panel; otherwise the vice-chair should do it. Generally it is not appropriate for the headteacher to have a place on the panel. Governors will want to bear in mind the advantages of having a parent (who is also a governor) on the panel. Governors will also want to be sensitive to issues of race, gender and religious affiliation.

9. The chair/vice-chair of the governing body should invite the headteacher to attend the panel meeting and prepare a written report for the panel in response to the complaint. The headteacher may also invite members of staff directly involved in matters raised by the complainant to respond in writing or in person to the complaint. Any relevant documents including the headteacher's report should be received by all concerned - including the complainant - at least **5 working days** prior to the meeting.

10. The involvement of staff other than the headteacher is subject to the discretion of the chair of the panel.

11. It is the responsibility of the chair of the panel to ensure that the meeting is properly minuted and that all communications are treated with discretion and confidentiality.

12. The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations which will satisfy the complainant that his or her complaint has at least been taken seriously.

13. The panel should remember that many parents are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the panel. It is therefore recommended that the chair of the panel ensures that the proceedings are as informal as possible

14. The school should ensure that a copy of all correspondence and notes are kept on file in the school's records. These records should be kept separately from the pupil's personal records.