



Complaints Procedure Ratified by Governors Review 2018

We encourage all parents and pupils to approach any member of staff in the first instance if they have a concern or complaint.

In the event that these initial approaches fail to resolve a complaint this policy lays out the procedures that should be followed to allay any concerns about a particular issue. If you do not understand any part of this policy please do not hesitate to contact the Headteacher or the member of the governing body responsible for complaints (please contact the school office in confidence to obtain contact details). Your complaint will then be investigated fully, ensuring all relevant facts are taken into consideration.

For further information about current government legislation please see Appendix 1.

Registering a Complaint

Initially we would ask that a parent or pupil discuss the complaint with the relevant member of staff. However, if they have difficulty with discussing this issue with that member of staff the complaint can be referred to another member of staff.

Similarly, if the member of staff directly involved felt unable to deal with the complaint then another member of staff can be allocated to deal with the complaint in the first instance. If governors are involved in a complaint at an early stage they must be made aware of the procedure to be followed for complaints and not act unilaterally outside the formal procedure.

If a parent or pupil felt that their initial contact with a member of staff did not deal with the concern to their satisfaction they should complete a Complaints Form (Appendix A) and return it to the Headteacher or Chair of Governors (if the complaint refers to the Headteacher) (contact details available in confidence from the school office). If the complaint concerns the governing body then the form should be returned to the Local Education Officer (the name and address of this person can be obtained in confidence from the school office).

Investigating the Complaint

The nature of the complaint will be clarified and unresolved issues outlined. It will be established what has happened so far and who has been involved. A meeting will be arranged to ensure all the information relating to the complaint has been documented and to find out what action the complainant feels would put things right. Everyone involved in the complaint will be interviewed, accompanied by a friend or companion if they wish, to ensure that all the facts of the complaint are understood. Notes will be kept of the discussions and all parties asked to sign the notes to show that they feel they were an accurate record of the meeting.

Those involved in the complaint will be encouraged to say what actions they feel would remedy the situation at any time. The Headteacher or Chair of Governors will remain

impartial during the interviews. The Headteacher will maintain a record of any formal complaints at the school.

Resolving Complaints

Once the complaint has been fully investigated those persons involved will be informed of the findings and suggested actions to remedy the situation. Areas of agreement between the parties will be highlighted and any misunderstandings clarified to create a positive atmosphere in which to discuss outstanding issues.

If, for any reason, any party involved in the complaint remains dissatisfied following any investigations, the Chair of the Governing Body will be informed who may then seek further advice on dealing with the matter. The Chair of the Governing Body does have the right to inform the complainant that the complaints procedure has been exhausted and that the matter is now closed.

The Complaints Appeal Panel

If necessary, the Chair of the Governing Body will convene a Complaints Panel consisting of three governors who should not have been involved in the early stages of the complaint (they will elect their own Chair). A Clerk will be appointed to the panel who will 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. They will 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.

This Complaints Panel is the last school based stage of the complaints process. Individual complaints would not be heard by the whole governing body at any stage as this would compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

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.

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. The panel chair will ensure that the proceedings are as welcoming as possible.

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 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 agreed at the hearing. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

In the event that the complainant does not feel that their complaint has been dealt with to their satisfaction by the school they may contact the Local Education Officer for the school at the area office of the local authority. Contact details may be obtained from the school office at any time.

Time Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible and within realistic time limits that may be set by the appointed governor or Headteacher and agreed by the complainant.

Review of Complaints

The governing body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard the governing body may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the governing body will be a useful tool in evaluating the school's performance.

Publicising the Procedure

There is a legal requirement for this Complaints Procedures to be publicised. Herrick Primary School will include this information in the pack provided to new parents when their children join the school. A copy will also be included in the Policy File held in the school office.

APPENDIX 1

LEGISLATION

Section 29 of the Education Act 2002 requires that:

(1) The governing body of a maintained school (including a maintained nursery school) shall –

- (a) establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27, other than complaints falling to be dealt with in accordance with any procedures required to be established in relation to the school by virtue of a statutory provision other than this section, and
- (b) publicise the procedures so established

(2) In establishing or publicising procedures under subsection (1), the governing body shall have regard to any guidance given from time to time (in relation to England) by the Secretary of State.

Section 39 of the Education Act 2002 provides the following:

- “maintained school” means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school”