



# COMPLAINTS POLICY

## **AIMS and OBJECTIVES**

The resolution of a complaint provides the potential opportunity for us to improve upon the already strong partnership we enjoy with our parents and with those members of the local community with whom we have regular contact.

- Our complaints procedure will be easily accessible and well publicised so that, should the need ever arise to implement it, complainants will know exactly how to raise their concerns.
- We do our very best to ensure that any concern or complaint is, in the first instance, addressed by a member of staff at the closest level to the cause of concern.
- Our reaction to any complaint will be as speedy as possible (see time scales within each stage).
- A complaint is distinct from any formal disciplinary procedures. When complaints are discussed with members of staff they will always be treated fairly and given every opportunity to offer their explanation/s. They will also be offered support in responding to any investigation into a complaint.
- If, in the unfortunate circumstance that it becomes apparent that a complaint has the potential to become a disciplinary issue for a member of staff, then that member of staff will be advised to that effect and wider advice sought.
- All conversations associated with a complaint will be treated in the strictest of confidence and, if necessary, only discussed with those people who are involved.
- Parents will always be reassured that a complaint will not disadvantage their child/children in any way.
- If the investigation of a complaint shows that it is justified, then we shall consider how to make amends in an appropriate way.
- All staff and governors will be briefed as to the content and spirit of this policy so that, as a school, we offer continuity of expectation for those people who raise concerns.
- All formal complaints will be recorded and monitored to identify issues and to enable Moulton Primary School to improve and progress.
- Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, use our option to close a complaint before all the stages of the school's procedures have been exhausted, if this appears to be appropriate

### **THE THREE STAGES.**

There are three stages of procedure associated with this policy.

Stage 1: Informal – Initial approach to the school

Stage 2: Formal complaint - To the Headteacher or Chair of Governors

Stage 3: Appeal - To Panel of Governors

#### **Stage 1: Informal – Initial approach to the school**

*General guidelines.*

- The vast majority of complaints and concerns can be resolved on an informal basis, often straight away by the class teacher or Headteacher. As a result this is something we actively encourage.
- We aim to ensure that parents know this and know that they can raise a concern without undue formality either in person, by telephone or in writing. We prefer to talk to people directly and so welcome parents calling in to see us.
- Should the complainant wish, we have no objection to them bringing a friend, relative or colleague with them on such occasions.
- When visiting the school in such circumstances, the initial discussions will always try to explain the procedures to a complainant as to how they can make the situation more formal and take matters further should they so wish.

*Procedure.*

1. Parents will be given every opportunity to discuss their concerns with a member of staff on an informal basis. The discussion will aim to clarify the nature of the concern and assure them that we wish to hear about it. The discussion will also seek to determine what kind of outcome the complainant is seeking.
2. If the member of staff concerned cannot deal with the matter immediately, s/he will make a firm arrangement to deal with it at a future date or refer the matter to the Assistant Headteacher or

other appropriate member of staff. In either case a note will be taken of the name, date and contact details. The first contact for the complainant will check that the referral has been successful.

3. If the concern or complaint relates to the Headteacher, then the complainant will be advised to contact the Chair of Governors.
4. Anyone dealing with a complaint will make sure that the complainant knows exactly what will happen next (if necessary). These next steps will be put into writing if this seems the best way of making the outcome or next steps clear.
5. If no satisfactory solution can be reached, the complainant will be informed as to how they should proceed if they wish to take their complaint further i.e. to the Assistant Headteacher, Deputy Headteacher, Headteacher or Chair of Governors. In the first instance this may best be done by either contacting the person concerned to make an appointment or by expressing the concern in writing. The complainant will be informed of any advice or support that may be available to them.

## **Stage 2: Formal complaint - To the Headteacher or Chair of Governors**

### *General guidelines.*

- The Headteacher will determine who has responsibility for responding to any formal complaint received, including the decision about his/her own involvement at various stages.
- If the complainant is dissatisfied with the action of the Headteacher or the Headteacher has already been closely involved, the Chair of Governors will carry out Stage 2 procedures. Should this prove necessary, the Chair of Governors may enlist the support of another member of the Governing Body or seek advice from elsewhere.
- Further individuals from the Governing Body should not become involved at this stage in case this prejudices any future involvement.

### *Procedure.*

1. Parents who wish to pursue a formal complaint will be asked to put their complaint and their desired outcome into writing to the Headteacher or Chair of Governors. The recipient of the letter will acknowledge its receipt within three school working days giving a brief description of the complaints procedure and a target date for providing a response. Ideally this will be within ten school working days. If this is not possible, the complainant will be notified to this effect.
2. The Headteacher (or designated person) / Chair of Governors will offer the complainant the opportunity for him/her to meet with him/her. The complainant will be notified that they may bring a friend or relative with them to this meeting if they so wish.
3. If necessary, once the complaint has been received, the Headteacher (or designated person) / Chair of Governors will interview anyone involved / witnesses. If the complaint centres upon a pupil, then the pupil will be interviewed. In this instance, the parents of the pupil will be invited to attend this interview if they so wish.
4. A written record will be kept of all telephone conversations and meetings plus any associated documentation.
5. Once all the relevant information has been gathered, the Headteacher (or designated person) / Chair of Governors will write to the complainant or arrange a meeting to discuss or resolve the matter. This meeting will be followed up with a letter summarising the outcome of the meeting. The complainant will be advised within this letter that they may appeal to a panel of Governors. The complainant will be asked to notify the Chair of Governors within ten school working days of receiving this letter if they wish to appeal the outcome.

## **Stage 3: Appeal - To a Panel of Governors**

### *General guidelines.*

At Moulton Primary, we believe that our Open Door Policy operates so well that it will only be necessary for a complaint to reach this stage in the rarest of circumstances.

- The aim of any appeal to a panel of Governors is to resolve the complaint and achieve reconciliation between our school and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future actions, and to satisfy the complainant that their complaint has been taken seriously.
- It is important that, should a complaint reach the appeal stage the Governing Body is impartial and independent and is seen to be so. To this end, the full Governing Body will not consider individual complaints.

Instead the Governing Body will establish a panel to deal with complaints by nominating a pool of five Governors from which three can be drawn for any hearing.

- Panel members must have no prior involvement with the complaint. Generally, our Chair of Governors will not form part of this panel in case he/she has been involved at an earlier stage. We shall always seek to offer equality of opportunity within composition of the panel.
- Individual governors will never get involved in looking at individual complaints before this stage so as to avoid prejudicing any future involvement. If individual Governors are approached by anyone with a complaint, they should refer the complainant to the school's complaint procedure, making the necessary introduction to the Headteacher if appropriate.

#### *Procedure*

Following the receipt of a written request from a complainant to proceed to Stage Three, the following procedure will be applied.

1. The panel will appoint a suitable clerk.
2. The clerk will write acknowledging receipt of the written request, informing the complainant that it will be heard by a panel of the Governing Body within fifteen school working days of its receipt.
3. The clerk will convene a meeting of the appeal panel at such time as is convenient for both the complainant and the panel.
4. The clerk will ensure that everyone involved with the complaint including the Headteacher is given at least five school working days notice in writing, or if everyone is in agreement for a shorter time scale, of the date, time and place of the meeting. The letter of notification sent to the complainant will also refer to the fact that this person may bring a friend or representative with them to the meeting and that they may act as an advocate. This letter will also set the procedure for the conduct of the hearing (see Appendix A) and the complainant's right to submit further written evidence to the panel.
5. The clerk will invite the Headteacher to attend the hearing and to submit a written report for the panel in response to the complaint. The Headteacher may invite the Chair of Governors or any other member of staff directly involved in matters raised by the complainant to respond in writing and/or in person. Any involvement of other staff will be at the discretion of the Chair of the Appeal.
6. Any relevant documentation will be received by all parties at least five working days before the panel meets.
7. The Chair of the panel may invite a representative from the L.E.A. to attend the meeting. This person will be expected to act as an advisor to the panel.
8. The panel will elect a Chairperson. The Chairperson will ensure that proper minutes of the meeting are taken.
9. The Chairperson will invite all interested parties to address the panel explaining their points of view and to answer any questions pertinent to the complaint that may arise.
10. At the conclusion of the representations and questions, the Chairperson will explain that the panel will consider the issues and to write to both parties with their decision/judgement within five school working days.
11. Everyone except panel members will then be invited to withdraw and the panel will consider the evidence before them. This will include:
  - a judgement about the validity of the complaint
  - appropriate action to be taken by the school or by the complainant
  - and, where appropriate, recommendations or changes to the school's systems or procedures that should be made in order to ensure that similar problems do not arise in future.
12. A copy of all correspondence and minutes of any meetings will be kept confidentially in school separate from any pupil records.
13. The broad outcomes recommended by the panel, if any, will be reported to the next full Governing Body with the identity of all those involved kept confidential. The Governing Body will monitor the implementation of any recommendations that may have been made.

## Appendix A

### Procedures for the conduct of a Stage 3 Governors' Panel Hearing

1. The Chair of the panel will invite all parties (except any witnesses at this stage) into the room where the appeal is to be heard, introduce everyone and explain the proceedings
2. The Chair of the Panel will explain to all those present that the purpose of the hearing is to review the complaint and to try to resolve it thus achieving reconciliation between the complainant and the school. The Chair will also explain that it may only be possible to establish the facts of the matter and make recommendations about future policy and action.
3. The Chair will then start the meeting:
  - the complainant describes his/her complaint and may call witnesses
  - the Headteacher may seek clarification from the complainant and any witnesses
  - the Panel and / or its advisor/s may seek clarification from the complainant and witnesses
  - the Headteacher will respond to the complaint and may call witnesses
  - the complainant may seek clarification from the Headteacher and from any witnesses
  - the Panel may seek clarification from the Headteacher and any witnesses
  - the Headteacher will be given the opportunity to sum up
  - the complainant will be given the opportunity to sum up
  - both parties will be invited to leave.
4. The Panel will then make a decision/judgement on:
  - the validity of the complaint
  - any action that the school or complainant may need to take
  - and, where appropriate, recommendations on changes to the school's systems or procedures to ensure similar problems do not arise in the future.
5. The Panel's decision will be confirmed in writing within five school working days to all parties.

N.B. If there is more than one complainant about the same or similar issue, this procedure will be followed for each one in turn, unless the complainants agree to the complaint being heard with all present in one session.

## Appendix B

### Closure of complaints

Very occasionally, the school will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied. We will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's desired outcomes. Sometimes it is simply a case of "agreeing to disagree". If a complainant persists in making representations to the school – to the Head teacher, designated Governor, Chair of Governors or anyone else – or to the Local Authority, this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care. For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and the complaint has exhausted our official process. The Local Authority will support us in this position, and especially where the complainant's action is causing distress to staff and/or pupils. Where you have been through the school's internal complaints procedures and are still unhappy with the outcome or decision from the governing body, you can contact the Secretary of State for Education via the DfE website [www.education.gov.uk](http://www.education.gov.uk), by telephoning 0370 000 2288 or by writing to the address below: The School Complaints Unit (SCU) Department for Education Piccadilly Gate Store Street Manchester M1 2WD

**Approved by:**

Resources Committee

**Date:**

27/06/2019

