



Complaints Procedures

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SIGNED:	ROLE: CHAIR OF GOVERNORS
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Introduction

Schools provide a good service to and have good relations with pupils, parents and the neighbourhood most of the time. It is therefore important that when a parent or other member of the local community has a problem with what someone at a school has done or failed to do, the issue is resolved as promptly as possible.

The 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 aware of the procedures, they know what to do when they receive a complaint. Sometimes a word with a child's teacher or the school office staff will resolve a problem

Sometimes though, it is not enough and an organised meeting with the classteacher may be necessary. However, sometimes the level of parental displeasure can be so high that it is not sensible to have the parties concerned meeting face to face. With this in mind, we aim to respect 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, if possible, the complainant would be referred to another staff member. Where the complaint concerns the Head Teacher, the complainant can be referred to the Chair of Governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complainant would be referred 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, calmly 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 Head teacher

When a complaint cannot be resolved by a conversation between the parties, the Head Teacher will need to become involved. The overwhelming majority of complaints are resolved at this stage. Even when a complainant remains in disagreement with the actions of the school it is often in everyone's best interests to put what is often a fairly small matter into the context of the educational experience, which a child is getting, and to take the matter no further.

However, at this point, the complainant still may be dissatisfied with the way the complaint was handled as well as pursuing their initial complaint.

Some complaints remain both unresolved and 'live' in the complainant's mind even after several meetings with the Head Teacher who may have involved other agencies such as the Education Welfare Service to try to resolve matters. When all these efforts fail it may become necessary for the Head Teacher to direct the complaint to the Local Governing Body.

Stage Three:

Complaint Heard by Local 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 will try and ensure that it is a cross-section of the categories of governor and be 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. The governors sitting on the panel will be aware of the complaints procedure.

Roles and Responsibilities

The Role of the Clerk

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 Local 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 will be within an agreed deadline. The letter should explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

Checklist for a Panel Hearing

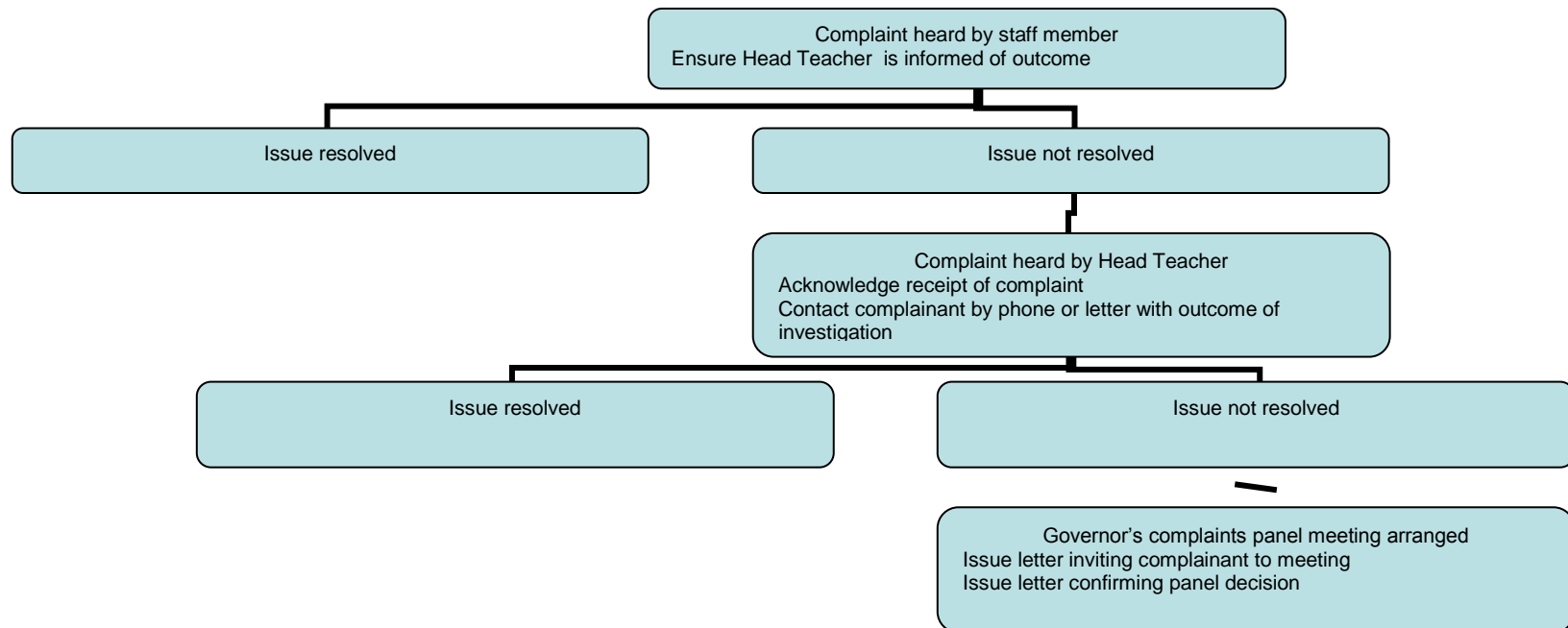
The panel will take the following points into account:

- 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 Head Teacher may question both the complainant and the witnesses after each has spoken.
- The Head Teacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Head Teacher 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 Head Teacher 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.

Flowchart

Summary of Dealing with Complaints



Complaint form

Please complete and return to the Head Teacher 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 who:

Complaint referred to:

Date: