

Hedon School

COMPLAINTS POLICY AND PROCEDURES

Approved by committee 8th March 2016
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 Reviewed

Introduction

Hedon Primary School recognises that occasionally parents may have some kind of concern about their child's education. Any concern is dealt with as soon as possible in order that it may not become a complaint. The staff at the school are always willing to hear parents' concerns and in the majority of cases, an informal meeting between a parent and the child's teacher is all that is needed to reassure parents and their children.

However, occasionally a parent or child may be dissatisfied with the way in which the school responds to a concern and wishes to take the matter further as a complaint. A formal procedure will need to be invoked when initial attempts to resolve the issue are unsuccessful.

Exceptions: the following issues are not covered by this policy, but are covered in separate procedures/policies

- Issues with exclusions
- Complaints relating to admissions
- Statutory assessment of Special Educational Needs
- Matters likely to require a Child Protection Investigation
- Whistleblowing
- Staff grievance and disciplinary
- Complaints about services provided by other providers who may use school premises or facilities

General Principles

It is our intention that our complaints procedure will:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial;
- be non-adversarial;
- allow swift handling with established time-limits for action and keeping people informed of the progress;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide information to the school's senior management team so that services can be improved.

The following will **not** be investigated unless there are exceptional circumstances:

- An anonymous complaint
- An issue which occurred **more than three months ago**

Procedure

Complaints may be made in writing or by telephone. Brief notes of meetings and telephone calls will be kept alongside copies of any other written correspondence. Recording devices may be used to create accurate records of meeting where appropriate.

Stage One: Concern Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. A complainant should first speak to a member of staff in order for the staff member to have the opportunity to resolve the issue. If the concern is about a particular member of staff, it may be necessary for the complainant to approach the Headteacher. Where the concern concerns the Headteacher, the complainant should write to the Chair of Governors via the Clerk to the governors. Where the concern concerns the Chair of Governors, the complaint should write to the Clerk to the governors.

If the member of staff directly involved feels too compromised to deal with a concern, they may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively 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. Governors will not act unilaterally on an individual concern 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 Headteacher

At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The Headteacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

The Headteacher will contact and/or meet with the complainant. If the matter is still not resolved to the satisfaction of the complainant, then they may consider writing to the Chair of Governors via the Clerk to the governors *within 15 school days* of being informed by the Headteacher of his/her decision.

Stage Three: Complaint Heard by Chair of Governors or nominated Governor

The complaint must be notified to the governor *within 15 school days* of being informed by the Headteacher of his/her decision in Stage 2.

At this stage, the Chair of Governors may invite the complainant to an informal meeting with him/her or nominated governor and the Headteacher to see if the issue can be resolved without the need to convene a Governing Body complaints panel. This will be arranged *within 10 school days* or as soon as is practicable.

The Chair or nominated governor will investigate the complaint and inform the complainant of their decision *within 1 month* of the meeting. If the complainant is not satisfied with the outcome then they may write to the Chair of Governors, *within 10 school days of the date of the letter*, asking for a Governor's Appeal Panel to be convened.

Stage Four: Complaint Heard by Governing Bodies Complaints Appeal Panel The Chair, or a nominated governor, will convene a Governing Body Appeals Panel *within 10 school days or as soon as is practicable*.

The governors' appeal hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

Individual complaints will **not** be heard by the whole Governing Body **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 panel will be drawn from the nominated **governing body** and may **consist of at least** three people. **The parent maybe accompanied at the panel meeting if they wish.** The panel will have a nominated Chairperson.

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.

Roles and Responsibilities

The Role of the Clerk

Any panel or group of governors considering complaints will have a 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 (if appropriate); record the proceedings;
- notify all parties of the panel's decision.

The Chair of the Governing Body or the nominated governor:

The Chair of the Governing Body or 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 Complaints Appeal Panel

The Chair of the Panel has a key role, ensuring that:

- Draw up the procedure for the Appeal Panel taking into account the circumstances of the complaint.
- the remit of the panel is explained to all parties;
- the issues are addressed;
- key findings of fact are made;
- 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;
- any 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 Appeal Panel's Decision

The Chair of the panel will ensure that the complainant is notified of the panel's decision, in writing, with the panel's response *usually within 5 school days* of the panel meeting. The letter will explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

If the complainant *is not satisfied* their complaint has been handled properly they should contact the School Complaints Unit (SCU: www.education.gov.uk/help/contactus/) The EFA will consider complaints about schools that fall into any of the following three areas:

- a. where there is undue delay or the school did not comply with its own complaints procedure when considering a complaint.
- b. Where the school is in breach of its funding agreement with the Secretary of State.
- c. Where a school has failed to comply with any other legal obligation.

The EFA *will not overturn* a school's decision about a complaint. However, if they find a school did not deal with a complaint properly, they will request the complaint is looked at again from the appropriate stage.

Disciplinary Procedures

Any information relating to the application of disciplinary procedures is strictly confidential.

Vexatious Complaints

If a complainant persists with a complaint when the full Complaints Procedure has been exhausted when seeking to address the complaint then the complaint may be deemed vexatious and the school's vexatious policy will be followed.

Related policies

Anti-Bullying Policy

Attendance Policy

Child Protection Policy

Code of conduct policy

Equality and equal opportunities policy

SEN Policy

Vexatious correspondence and complaints policy

Complaints Procedure

Flowchart - Summary of Dealing with Complaints

