



Manor Primary School Policy Document

Complaints Procedure Policy

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| Written / Reviewed | October 2016 |
| Approved by Governors | 19/10/16 |
| Review date | October 2018 |

‘Our vision is to create a school community where children grow into happy, confident and responsible individuals, who work hard together to achieve their full potential.’

Rationale

Manor Primary School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. This complaints policy compliments our commitment to safeguarding all children.

Most concerns regarding children can be sorted out quickly and informally through talking to the child's class teacher or another member of staff. We will take all concerns seriously and discuss them with the aim of resolving them quickly and to everyone's satisfaction.

When an informal concern has been raised and attempts to resolve the issue are unsuccessful, or where the person raising the concern remains dissatisfied and wishes to take the matter further, then the concern may become a formal complaint and the following procedure should be followed.

Parents and carers should be assured that, no matter what happens at any stage, our support and respect for the child will not be affected in any way.

Our Complaints Policy aims to:

- 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.

Investigating Complaints

The Headteacher will investigate all formal complaints. In her absence, or in the event of the complainant requesting the involvement of a different member of staff, this will be undertaken by the Deputy Headteacher. Where the formal complaint concerns the Headteacher, the complainant will be referred to the Chair of Governors.

When investigating the complaint, the HT or other person responsible will:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;

- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

Resolving Complaints

At each stage in the procedure we will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

Vexatious Complaints

Our complaints procedure aims to limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again in the same issue then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school to respond.

Time Limits

Complaints will be resolved as quickly as possible, following the time limits identified. However, where further investigations are necessary new time limits can be set. Details of these should be sent to the complainant with reasons why.

The Complaints Procedure

Stage 1: Initial Formal Complaint

When an informal concern is not resolved to the satisfaction of the complainant, this becomes a formal complaint which should be given in writing to the Headteacher. The Headteacher may delegate the task of collating the information to another staff member, but not the decision on the action to be taken.

Where the first approach is made to a governor, the governor should refer the complainant to the Headteacher and advise them about the procedure. Governors will not be involved at this stage, unless they are required to do so because the complaint concerns the Headteacher.

A written response will be given **within three working days**.

Stage 2: Complaint heard by Chair of Governors

Where a complainant is not satisfied with the response of the Headteacher, or the complaint is about the Headteacher, the complainant should write to the Chair of Governors. The Chair, or a nominated governor, will investigate the complaint and write to the parent **within three working days** to arrange a meeting, usually with themselves and the parents and Headteacher. The Chair or nominated governor will explain the next, more formal stage of the process if the parent is still not satisfied

Stage 3: Complaints Appeals Panel

If necessary, the Chair will convene a Governing Body complaints panel. This is the 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 has nominated a number of members with delegated powers to hear complaints at this stage.

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 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.
- 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.

Checklist for a Panel Hearing

The panel will take the following points into account:

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

Roles and Responsibilities

(i) The Role of the Clerk

Any panel or group of governors considering complaints will be clerked. The clerk will 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.

(ii) The Role of the Chair of Governors 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;

(iii) 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;
- 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.
- 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;

Notification of the Panel's Decision

The chair of the panel will ensure that the complainant is notified of the panel's decision, in writing, **within three working days** of the hearing. The letter will explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

Stage 4: Department for Education

The final stage of appeal is to the School Complaint Unit at the Department for Education. They will examine the school's complaints policy and any other relevant policies but will not reinvestigate the substance of complaint. If legislative or policy breaches are found, these will be reported to the school and the complainant and where necessary, remedial action will be required.