



LARKFIELDS JUNIOR SCHOOL

SCHOOL COMPLAINTS PROCEDURE

Background and General Principles

1 Larkfields Junior School is a happy, welcoming school that encourages children to succeed in a variety of ways. All of our staff (both teaching and non-teaching) and all the school's governors are dedicated to this aim. If parents, pupils or members of the community think we are not living up to their expectations of us we want to know about it so that we have the opportunity to put things right. The school has an open door policy and makes every attempt to share information. If problems arise, we attempt to deal with them at an early stage to prevent them becoming serious.

2 It follows from this that we take seriously any concerns or complaints that are raised. In order to ensure that we deal effectively and correctly with such concerns or complaints, we have developed and produced this School Complaints Procedure. It will be regularly monitored and reviewed.

3 The school recognises the difference between a concern (a worry or anxiety) and a complaint (a statement of dissatisfaction or an accusation). Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

4 The underlying principle behind our Complaints Procedure is that concerns ought to be handled, if at all possible, without the need for formal actions. Our wish to have a complaints procedure need not in any way undermine efforts to resolve any concern informally. In most cases the member of staff (or governor) receiving the first approach will be able to resolve the issue on the spot.

5 Formal actions will be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. Our staged complaints procedure is detailed later in this document. It is intended that it 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, and keep people informed of the process
- for issues to be dealt with calmly and with respect
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality when possible

- 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
- provide a record of potentially vindictive behaviour
- take into account the needs of the whole school and all children

In order for this to take place easily, it is also expected that Parents will:

- be calm
- be respectful
- be aware of the needs of other children as well as their own
- avoid making comments of a personal nature about staff

Investigating Complaints

6 Because we are a small school and communication and dialogue amongst staff is regular and effective, it is not necessary to identify a specific 'complaints co-ordinator' responsible for investigating all complaints.

That stated, all staff and governors involved in any stage of our complaints procedure will ensure that they:

- establish what has happened so far and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with, or contact, the complainant (if unsure or further information required)
- clarify what the complainant feels would put things right
- interview those involved in the matter allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep a record of any interview

Resolving Complaints

7 At each stage in our procedure we want to keep in mind ways in which the complaint can be resolved. It might need pointing out that we are unable to resolve the issue since we are simply implementing or following expected national or local educational rules or policies. It might, though, 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 or better
- an explanation of the steps that have been taken to ensure that the issue complained of will not happen again

- an undertaking to review school policies in the light of the complaint

8 At every stage we will encourage complainants to state what actions they feel might resolve the problem. But any admission that we could have handled the situation better is not the same as an admission of negligence. Rather, this complaints procedure encourages identifying areas of agreement between the parties. It is also important to clarify any misunderstanding that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

9. Vexatious Complaints.

There may be occasions when, despite all stages of the procedure have been followed, the complainant remains unsatisfied. If the complainant tries to reopen the same issue the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. *See separate policy, which details this matter in more depth.*

10. Time Limits.

Complaints need to be considered, and resolved, as quickly as possible. Realistic time limits will be set for each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

The Stages of Complaints

11 Our Complaints Procedure has a series of stages. A flow chart detailing these stages is shown in the Annex. The first and second stages, though, may be one and the same because the first approach may be made directly to the class teacher rather than another member of staff or a governor. There is also flexibility around these stages – for example, it may be appropriate to hold further meetings between the complainant and a member of staff or the headteacher before proceeding to the next stage.

12. Stage One: Complaint raised with/First approach to member of staff or governor

As stressed earlier, 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. That is why this Complaints Procedure details what is expected of staff and governors in dealing with complaints so that a successful, early resolution can occur.

If the issue cannot be resolved at this stage, or the member of staff or governor feels too compromised to deal with the complaint, stage two needs to occur. Furthermore, governors

will not act unilaterally on an individual complaint outside of the formal staged procedure in case they are needed to sit on a panel at a later stage of the procedure.

13 Stage Two: Complaint heard by class teacher

A majority of any concerns, complaints or misunderstandings relate to those raised by parents in respect of their child's progress at, or enjoyment of, school. The child's class teacher is, therefore, usually best placed to talk to the parent and allay and resolve any concerns. If the issue cannot be resolved or the class teacher or complainant feels too compromised to deal with it, stage three needs to occur.

14 Stage Three: Complaint heard by Head Teacher

The Head Teacher's influence shapes the way complaints are handled in our school. The Head Teacher may have been involved, in some way, with stages One and Two rather than being brought in at this stage if the complainant is dissatisfied with the way the complaint is being handled. The Head Teacher may delegate the task of collating the information to another member of staff but not the decision on the action to be taken. The Head Teacher may also consider it appropriate to ask the Local Authority (LA) to mediate. Involving the LA would only occur if all parties agree. That stated, there are certain issues relating to Child Protection, the Curriculum, Religious Education and Collective Worship, Special Educational Needs and Personnel Issues that are not within the remit of the school and the Governing Body and which would, therefore involve the LA. If the issue still cannot be resolved or if the complaint concerns the Head Teacher, stage four will occur.

15 Stage Four: Complaint heard by Governing Body's Complaints Panel

It is important to ensure that all other options for informal resolution are exhausted before a governing body hearing takes place. The complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a Governing Body Complaints Panel.

The governors' complaints panel is the last school-based stage of the complaints process and is not convened to merely rubber-stamp previous decisions. The governing body will nominate a number of members with delegated powers to hear complaints at this stage.

There needs to be significant notice given of a governing body panel hearing, normally about 20 working days. This will would enable there to be a full disclosure of who will be attending the meeting and for any documentation to be submitted and seen by all parties before the meeting. Parents have the right to bring an advocate (another parent, family member or a

professional) to the meeting for support. Similarly, a teacher has the right to be supported also. The Head Teacher may bring other people to the meeting who might have been involved in the complaint and witness statements can be submitted in writing at the chair's discretion.

NB. Individual complaints will not be heard by the whole Governing Body at any stage, as this could compromise impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

16 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 system or procedures to ensure that problems of a similar nature do not recur

17 The Chair of the panel will ensure that:

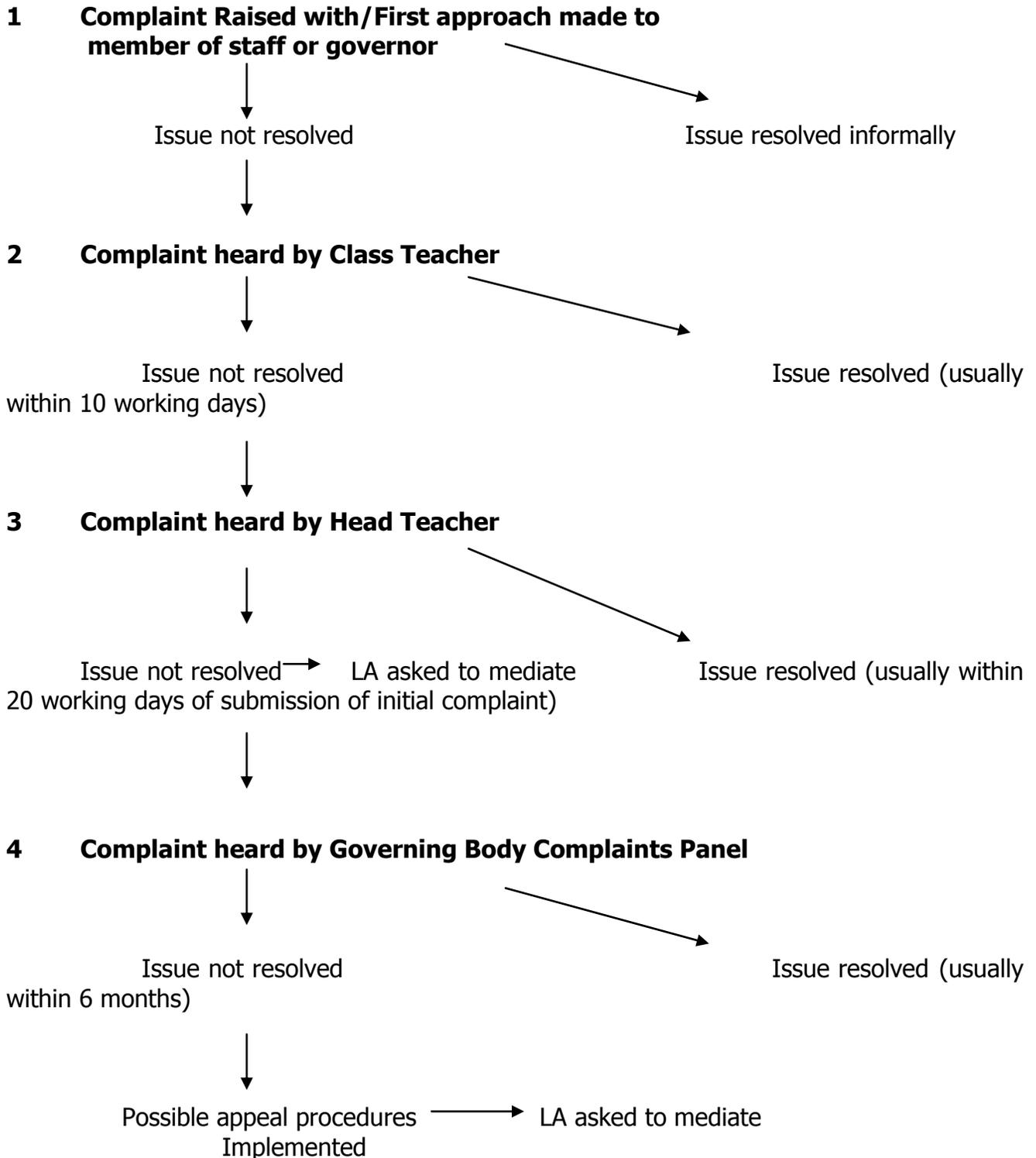
- the remit of the panel is explained to the parties and each party has the opportunity of putting their case
- the issues are addressed
- key findings of fact are made
- parents and others who may not be used to speaking at such a hearing are put at ease
- the hearing is conducted in an informal manner 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

18 The Chair of the panel will ensure that the complainant is notified of the panel's decision, in writing. The letter will explain if there are any further rights of appeal and, if so, to whom they need to be addressed. Any such appeals, if allowed, may involve the LA, who, subject to the agreement of all parties, could provide a mediation and conciliation service.

19 There a number of specialist tribunals which provide a route of redress for parents in respect of admissions and permanent exclusions, and for Special Educational Needs and Disability (SEND) where statutory entitlements are disputed. The Secretary of State and Ofsted also have the power to investigate school complaints. OfSTED do not investigate cases to do with individual pupils.

**APPENDIX 1
LARKFIELDS JUNIOR SCHOOL**

SCHOOL COMPLAINTS PROCEDURE



APPENDIX 2**Checklist for a Panel Hearing**

The panel needs to 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 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.

APPENDIX 3

Example of a complaint form

Please complete and return to 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: