

## **ROACH VALE COUNTY PRIMARY SCHOOL** **COMPLAINTS PROCEDURE**

At Roach Vale we encourage parents to express their views, positive and negative, about what goes on in the school. This can be done in person, by phone or in writing. We feel it is vital that all concerns are dealt with at an early stage and so minimise anxiety for the child and his/her parents.

The vast majority of concerns and complaints can be resolved informally, either by the class teacher, the office staff or the Headteacher, depending on whom the parent first approaches. However, in order to ensure that all complaints or concerns are dealt with satisfactorily, the Governors of Roach Vale have adopted the following staged approach to dealing with complaints.

### **Stage 1:**

- 1.1 Parents are always welcome to discuss any concerns with their child's class teacher, who will clarify with the parent the nature of the concern and reassure them that the school wants to hear about it. The teacher may explain to the parent how the situation happened.
- 1.2 If the member of staff first contacted cannot immediately deal with the matter, he/she will refer the matter to the Headteacher (or the Deputy Head in the Head's absence.)
- 1.3 The Headteacher should make sure that the parent is clear what, if any, action or monitoring of the situation has been agreed. This will be confirmed in writing and a copy kept in the complaints file.
- 1.4 Where no satisfactory solution has been found within ten days, parents are asked if they wish their concern to be considered further. If so they are advised to write to the headteacher or, if the complaint relates to the headteacher, to the Chair of Governors. *Note that, on grounds of possible bias, the Chair of Governors would subsequently be ineligible to sit on a complaints review panel established under stage 3.*

### **Stage 2: Formal involvement of the headteacher**

- 2.1 The headteacher acknowledges the complaint in writing within three working days of receiving the written complaint. The acknowledgement gives a brief explanation of the school's complaints procedure and a target date for providing a response to the complainant - normally within ten working days. If thereafter it is not possible to respond within the ten days, a letter is sent explaining the reason for the delay and giving a revised target date.
- 2.2 Ordinarily the headteacher provides an opportunity for the complainant to meet with her to supplement any information provided previously. It should be made clear to the complainant that he/she may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on

his or her behalf. The headteacher may be accompanied by an advisor if the circumstances warrant this.

- 2.3 Where necessary, following the meeting, the headteacher will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil concerned and others present at the time, should be interviewed. In such circumstances another member of staff with whom the pupil feels comfortable should be present. If the complaint is against a member of staff, he/she must subsequently be allowed to explain his/her version of events.
- 2.4 The headteacher must keep written records of all meetings and telephone conversations - which should be signed and dated - and other related documentation.
- 2.5 Once all the relevant facts have been established, the headteacher may wish to meet the complainant to discuss/resolve the matter directly. In any event a written response should always be sent, including a full explanation of the decision and the reasons for it. Where appropriate, the letter will indicate what action the school will take to resolve the complaint. The complainant must be advised that should he/she wish to take the complaint further he/she should notify the Chair of Governors within five weeks of receiving the letter.
- 2.6 If a complaint is against the action of a headteacher the Chair of Governors will carry out all the stage 2 procedures.

### **Stage 3: Consideration by the governing body.**

#### **Designated Governor**

- 3.1 When the Chair of Governors receives notice of a complaint, he will decide whether it appears appropriate to seek an informal resolution to the issue.
- 3.2 If so, he will:
  - \* either telephone and/or meet with the parent/guardian to hear their side of the story;
  - \* talk to the headteacher to hear the other side of the story;
  - \* discuss with the headteacher how the issue might be resolved;
  - \* agree with the headteacher whether it would be helpful for the governor to act as facilitator/mediator between the head and the parent;
  - \* seek to resolve the matter to the satisfaction of both the headteacher and the parent.
- 3.3 If the Chair of Governors decides that action as at 3.2 is not appropriate in the circumstances, or having tried this approach the matter is still not resolved, then he/she must write to the parent to let him/her know that the matter will be referred to the complaints review panel. The letter should also explain that the complainant has the right to submit any further documents relevant to the complaint.

## **Complaints Review Panel**

- 3.4 According to the arrangements concerning membership of the complaints review panel as agreed by the governing body, the clerk to the governors will seek to convene the panel within 20 working days. *The panel members must be governors with no prior involvement with the complaint. The vice-chairman should chair the panel. It is not appropriate for the headteacher to sit on the panel. The advantages of having a parent governor on the panel should be considered.*
- 3.5 The clerk will ask the headteacher to prepare a written report for the panel in response to the complaint. The head should additionally ask members of staff directly involved in matters raised by the complainant to prepare reports.
- 3.6 The clerk to the governors will write and inform the complainant, headteacher, any relevant witnesses, and members of the panel at least five working days in advance, of the date, time and place of the meeting. All relevant correspondence, reports and documentation about the complaint should be included with the letter. The complainant should also be informed of his/her right to be accompanied to the meeting by a friend/representative/advocate. The letter will also explain how the meeting will be conducted and the complainant's right to submit further written evidence to the panel.
- 3.7 Subject to the prior agreement of the chairman of the panel, the headteacher may invite members of staff directly involved in matters raised by the complainant to attend the hearing.
- 3.8 It is the responsibility of the chairman of the panel to ensure that the meeting is properly minuted.
- 3.9 The aim of the meeting should be to resolve the complaint and achieve a reconciliation between the school and the complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations which will satisfy the complainant that his or her complaint has at least been taken seriously.
- 3.10 The panel should remember that many parents are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the panel. The chairman of the panel will therefore ensure that the proceedings are as informal as possible.
- 3.11 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.
- 3.12 The meeting should allow for:
- \* the complainant to explain his/her complaint and the headteacher to explain the school's response;

- \* the headteacher to question the complainant about the complaint and the complainant to question the headteacher and/or other members of staff about the school's response;
- \* panel members to have an opportunity to question both the complainant and the headteacher;
- \* any party to have the right to call witnesses (subject to the approval of the chairman) and all parties having the right to question all the witnesses;
- \* final statements by both the complainant and the headteacher.

3.13 The chairman of the panel will explain to the complainant and the headteacher that the panel will now consider its decision, and that written notice of the decision will be sent to both parties within two weeks. The complainant, headteacher, other members of staff and witnesses will then leave.

3.14 The panel will then consider the complaint and all the evidence presented in order to:

- \* reach a unanimous, or at least a majority, decision on the complaint;
- \* decide upon the appropriate action to be taken to resolve the complaint;
- \* where appropriate, recommend to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.

3.15 A written statement outlining the decision of the panel will be sent to the complainant and headteacher. The letter to the complainant should explain whether a further appeal can be made, and if so, to whom.

3.16 The school should ensure that a copy of all correspondence and notes are kept on file in the school's records. These records should be kept separately from the pupil's personal records.