



## Comet Nursery School and Children's Centre

### Complaints Policy

#### Introduction

A complaint is an expression of significant dissatisfaction about any aspect of a child's education; this includes the practices or policies of the school, the conduct of members of the school community and about the quality of teaching.

It is important to remember that not all expressions of concern constitute a complaint. Problems and expressions of concern should be dealt with as far as is possible, at the point of first contact. This would usually be the class teacher/room lead, however in the case of a serious matter this will be dealt with by the Headteacher immediately.

It is in everyone's best interests in our school and community to communicate well with one another and to ensure that any concerns and complaints are dealt with as quickly and appropriately as possible. In addition, concerns and complaints brought to the attention of the school/centre can be an opportunity to inform, review and help improve school procedures.

- The vast majority of complaints and concerns can be resolved informally
- Parents must feel able to raise concerns and complaints with members of staff without formality, either in person, by telephone or in writing
- A concern or unresolved problem becomes a complaint only when the parent or carer asserts that a school has acted wrongly in some significant decision, action or failure to take action.
- Even when a complaint has been made it can be resolved or withdrawn at any stage.
- Although the Hackney Learning Trust has no formal responsibility for resolving complaints, officers in the Admissions and Pupil Benefits Team can provide advice and guidance to schools and parents on the procedures. Mediation can also be offered at any point during the informal stage and during stage 1 with the agreement of both parties.

#### Special Circumstances

- Any complaint or other notice that suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual interference or neglect may be referred without further notice to Hackney's Children's Social Care and/or to the Social Care department for the area in which the child lives. If Social Care decides to investigate a situation this may postpone or supersede investigation by the Headteacher or Governing Body.

#### Other Solutions to Complaints

Where a matter can be resolved through a legal appeal it will not be considered as a formal complaint. The key areas are: certain decisions relating to formal assessment of special educational needs; and decisions to permanently exclude a child.

#### Dealing with concerns informally

- The parent will be given an opportunity for discussion of their concern with the appropriate member of staff. An appointment may need to be made. In many cases, particularly on major issues, the Headteacher will be the appropriate member of staff at this stage
- The parent/s will be able to bring a friend to any discussion if they choose

- The member of staff dealing with the concern should make sure that the parent is clear what action (if any) or monitoring of the situation has been agreed
- This stage should be completed speedily and concluded in writing with appropriate detail
- Where no satisfactory solution has been found, the parent will be informed that s/he will need to consider whether to make a formal complaint in writing to the Headteacher. See complaint forms. (example attached)

## **The Stages of the Complaints Process**

### **Stage 1 (also known as the Informal Stage)**

The complainant raises and discusses their concerns/issues with the class teacher. Most concerns can be resolved satisfactorily at this stage. However, the staff member may feel it more appropriate to refer the complainant to the Headteacher who will try to resolve the concern informally.

### **Stage 2**

If the complainant remains unhappy, they should then contact the Headteacher either by arranging an appointment to see them or putting their concerns in writing. The Headteacher (or their nominated representative) will then investigate the concerns and respond within agreed timescales. An acknowledgement will be made of the concern/complaint within five school working days. The Headteacher will respond to the issues raised within 14 school working days of receiving the complaint. If it is not possible to meet these timescales, then the headteacher will contact the complainant to discuss reviewing these.

If the concern or complaint is against the headteacher, in the first instance the complainant will need to write in confidence to the chair of governors at the school. The chair of governors will seek to resolve the issue informally before, if necessary, moving to Stage 3.

### **Stage 3 (also known as the Formal Stage)**

If the Headteacher is unable to resolve the concern to the satisfaction of the complainant, the complainant may write to the chair of governors at the school. The chair of governors will acknowledge the complaint within five school working days and arrange a panel of governors to be formed to hear the complaint (within agreed timescales). These governors will have no previous involvement or knowledge of the case. The chair/clerk of the complaints panel will contact the complainant with the arrangements. Both parties may bring their representative with them.

Once the panel has been held the complainant and school will be informed of their decision within five school working days. If it is not possible to meet these timescales then the chair of the panel will contact both parties to discuss a mutually convenient date.

### **Stage 4**

If the complainant remains unsatisfied by the outcome of the governors' panel, they may contact the local authority, who will investigate if the school's complaints process has been carried out appropriately. However, the local authority cannot overturn a panel's decision.

### **Monitoring**

It is the responsibility of the Governing Body to monitor the effective deployment of this policy. This responsibility has been delegated to the Learning and Development Committee. This policy will be reviewed on a three year basis.

### **Chair of Governors**

Name \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_

### **Headteacher**

Name \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_

**Date for Review - Autumn 2019**

### **APPENDIX A**

#### **GUIDANCE NOTES FOR HEADTEACHERS AND GOVERNING BODIES DEALING WITH COMPLAINTS WHICH COULD RESULT IN DISCIPLINARY ACTION AGAINST A MEMBER OF STAFF.**

The complaints procedure is distinct from the formal disciplinary procedures for staff and this needs to be made clear to all concerned. There may, however, be occasions when a complaint against a member of staff launches the disciplinary framework and/or Child Protection Procedures. In such cases the complainant should be informed that the complaints procedure has been put on hold pending the outcome of the child protection procedure and/or the disciplinary framework. Such action will be subject to its own due process and its outcome cannot be guaranteed. Any other aspects of the complaint can, of course, be dealt with by the complaints procedure without waiting for the outcome of the child protection and/or disciplinary framework.

The complaints procedure cannot review the outcome of any other procedure and/or reinvestigate the matter. Complainants can, however, complain because the Headteacher and/or the Governing Body have failed to investigate a disciplinary issue or have not followed the correct procedures in investigating the matter. It may also be clear after any disciplinary procedures have been completed that particular responses to the complainant are required. For example, an apology or an explanation of the new policies to avoid a similar problem again.

If Headteachers/Governors have any doubts about which procedures to use they can seek advice from HLT Human Resources.

**APPENDIX B**

**An example of a letter that the Chair of the Governing Body may wish to send to the complainant upon receipt of a complaint at Stage 2 for consideration by the Governing Body**

Dear

**Complaint re:**

Thank you for your letter dated..... setting out the reasons why you are not satisfied with the Headteacher's response to your complaint about .....

I write to let you know that I will be arranging for a Committee of Governors to consider your complaint in accordance with Stage 2 of the attached complaints procedure.

As explained in the Complaints Policy of the procedure, the Clerk/Chair of the Committee will let you know in writing how the Committee intends to consider your complaint.

**{or in the case of complaints against the Headteacher**

I have received your complaint against the Headteacher of .....School.

I write to let you know that I have forwarded a copy of your complaint to the Headteacher with a request that s/he respond within 14 school days to the issues raised in the complaint.

A copy of the Headteacher's response will be sent to you as soon as possible.

If you are not satisfied with the Headteacher's response, I will arrange for a Committee of Governors to consider your complaint in accordance with Stage 2 of the attached complaints procedure.

As explained in the Complaints Policy of the procedure, the Clerk/Chair of the Committee will let you know in writing how the Committee intends to consider your complaint}.

Yours sincerely

Chair of the Governing Body

Cc     The Headteacher  
          The Clerk to the Governing Body  
Enc. Complaints Procedure



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**School Complaint Form (for Stage 1 complaints)**

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the Headteacher. (If your complaint is against the Headteacher you will need to send the form to the Chair of the Governing Body at the school address) *Please ask for a copy of the Complaints Policy from the school.*

Please continue on a separate sheet if necessary.

Your name	Address
Your child's name	Telephone (day)
Your child's date of birth	Telephone (evening)

What is your complaint and what would you like the Headteacher to do?

**When did you discuss your concern/complaint with the appropriate member of staff?**

**What was the result of the discussion?**

Signed \_\_\_\_\_ Date \_\_\_\_\_