


Policy: Complaints Procedure	Grazeley Parochial C of E (Aided) Primary School 	Reviewed: Mar 2017
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Review cycle:	24 months
Next review due:	March 2019

1 Policy: Complaints Procedure

2 Initial Concerns

The school needs to be clear about the difference between a concern and a complaint. It recognises that taking early action over an informal concern may reduce the number that develop into formal complaints.

The Complaints Procedure deals with formal complaints but the underlying principle is that concerns are addressed, if at all possible, without the need for formal procedures.

This Complaints Procedure is designed not to undermine the efforts to resolve a concern informally. In most cases school staff will receive the first approach and it would be most helpful if they were able to resolve issues on the spot, including apologising where necessary.

3 Formal Procedures

Formal procedures will need to 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.


In the first instance the Head teacher will have responsibility for the operation and management of the school complaints procedure. Should the complaint remain unresolved it will be heard by the Complaints Appeal Panel of the Governing Body, **a Complaints Panel will be appointed at the point at which the formal process of a complaint is instigated**, and if necessary the Diocesan Body or the Local Education Authority.

4 Framework of Principles

An effective Complaints Procedure will:

- Encourage resolution of problems by informal means where ever possible
- Be easily accessible and its availability publicised
- Be impartial
- Be non-adversarial
- Allow swift handling with established time limits for action, and keep people informed of the progress

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- Ensure 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 staff and Governing Body so that services can be improved

5 Investigating Complaints

The person investigating the complaint should make sure 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 the complainant or contact them (if unsure or further information is required)
- 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

6 Resolving Complaints

At each stage of the procedure the school must keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in the 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 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 the light of the complaint

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

Procedures will identify areas of agreement between parties and clarify misunderstandings that might have occurred, in order to create a positive atmosphere in which any outstanding issues can be discussed.

7 Vexatious complaints

If the complainant remains dissatisfied and tries to reopen the same issue the Chair of the Governing Body will inform them in writing that the procedure has been exhausted and the matter is now closed.

8 Time Limits/Stages of Complaint

All staff must be made aware of the complaints procedure and what to do if they receive a complaint

It is in the best interest of the school and complainant to resolve any complaints at the earliest stage possible

Complaints will be considered and resolved in the following time scale:

(If 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)

Stage 1: complaint heard by member of staff (though not subject of complaint)

Issue resolved (Head teacher informed as soon as practicable on the same day)

Issue not resolved

Stage 2: complaint heard by Head teacher (though not subject of complaint)

- Acknowledgement of complaint within 3 working days of hearing complaint
- Write to complainant with outcome of investigation within 5 working days of acknowledgement of complaint
- Ensure all parties concerned informed of outcome within 5 working days of complainant being informed of outcome of investigation


Issue resolved

Issue not resolved

Stage 3: complaint heard by Governing Body's complaints appeal panel

- Governor's complaints panel meets within 7 working days

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- Issue letter inviting complainant to meeting
- Issue letter confirming panel decision within 3 working days of meeting

Issue resolved

Issue not resolved

Stage 4: complaint heard by Diocesan representative, LA representative or other relevant party

- contact Diocesan/LA representative.

9 Complainants must use School Complaints Procedure Form (copy attached)

If a complaint is first made to a governor they should refer them to the appropriate person and advise them about the procedure. Governors must not act unilaterally on an individual complaint outside the formal procedure.

If a complainant has a particular issue with a member of staff and does not want to discuss the problem with them, the complaints co-ordinator can refer the complaint to another member of staff. If the complaint concerns the head teacher, the complainant will be referred to the chair of governors

10 Recording Complaints

The progress of a complaint and the final outcome must be recorded using the school complaints form. The complainant must be reassured that they and the school have the same understanding of what was discussed and agreed. Notes of meetings and telephone calls must be kept and copies of any written response added to the record.

All complaints forms, notes and correspondence will be kept on file in the head teacher's office.

11 The Governing Body Review


The whole governing body must monitor the level and nature of complaints and review the outcomes on a termly basis to ensure the effectiveness of the procedure and make changes where necessary.

The process of listening to and resolving complaints will contribute to school improvement as it will help the governors to identify any underlying problems that need to be addressed and help evaluate school performance.

12 Publicising the Procedure

To fulfil the legal requirements the school's complaints procedure will be published in the school prospectus

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13 The Complaints Appeal Panel

The governing body will nominate three (3) members with delegated powers to hear complaints at that stage and set out its terms of reference.

14 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 systems or procedures to ensure that problems of a similar nature do not recur.

The following points need to be remembered:

- Appeal hearings need to be independent and impartial and must be seen to be so.
- No governor may sit on the panel if they have had prior involvement in the complaint or in the circumstances surrounding it.
- The governors need to ensure the make-up of the panel is sensitive to the issues of race, gender and religious affiliation.
- The hearing must be held in private
- The hearing must try to resolve the complaint and achieve reconciliation between the school and the complainant
- If the hearing does not find in favour of the complainant and they are not satisfied, it might only be possible for the panel to establish facts and make recommendations which will satisfy the complainant that his/her complaint has been taken seriously.
- The panel chair must ensure the proceedings are as welcoming as possible ensuring the setting is informal and not adversarial.
- Extra care must be taken when the complainant is a child so that they do not feel intimidated.
- The views of a child must be given equal consideration as those of an adult.
- Where the complainant is a parent they must be given the opportunity to say which part of the hearing the child should attend.

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- Governors must understand and operate the Complaints Procedure as written.
- The complainant has the right to be accompanied during the hearing

15 Role of the Clerk

Complaints must be clerked, the clerk being the contact point for the complainant.

The clerk is required to:

- Set the date, time and venue of the hearing, ensuring the dates are convenient and the venue is accessible for all parties.
- 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 result of the panel's decision

16 Role of the Chair of the Governing Body or the Nominated Governor

The nominated governor must:


- Check the correct procedure has been followed.
- Notify the clerk to change the panel if a hearing is not appropriate.

17 The Role of The Chair of the Panel

The Chair of the panel must ensure that:

- The remit of the panel is explained to the parties and each party has the opportunity to put their case without undue interruption and to ask questions
- The issues are addressed
- Key findings of fact are addressed
- All parties are put at ease
- The hearing is conducted in an informal manner with each party treating the other with courtesy and respect
- The panel is open minded and acts 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

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- Any written material is seen by all parties. If a new issue arises, all parties must be given the opportunity to consider and comment on it.


18 Notification of the Panel's Decision

The chair of the panel must ensure that the complainant is notified of the panel's decision, in writing, with the panel's response in the time scale laid down in this procedure. The letter must explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

18.1 Checklist for a Panel Hearing

- 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 head teacher may question both the complainant and the witnesses after each has spoken
- The head teacher will be invited to explain the school's actions and be followed by the school's witnesses
- The complainant may question both the head teacher and the witnesses after each has spoken
- The panel may ask questions at any point
- The complainant is invited to sum up their complaint
- The head teacher is invited to sum up the school's actions and response to the complaint
- Both parties leave whilst the panel decides on the issue
- The chair explains that both parties will hear from the panel within the set timescale

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Please complete and return to _____ (complaints co-ordinator) who will acknowledge receipt and explain what action is to be taken.

<p>Your name:</p> <p>Pupil's name:</p> <p>Your relationship to the pupil:</p> <p>Address:</p> <p>Postcode:</p> <p>Day time telephone number:</p> <p>Evening telephone number:</p> <p>Please give details of your complaint.</p>
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What action, if any, have you already taken to try and resolve your complaint:
(Who did you speak to and what was the response)?

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What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.


Signature:

Date:

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<p>Official use</p> <p>Date acknowledgement sent:</p> <p>By whom:</p> <p>Complaint referred to:</p> <p>Date:</p>
