



# Red Hall Primary School

## Complaints Policy and Procedure

### Introduction

Customer and People Satisfaction are important elements within Red Hall Primary School's systems of School Self Review which includes consultation with pupils, parents and stakeholders regarding perceptions of our performance.

Through such procedures and systems we hope to keep complaints to a minimum. However, when complaints are made we aim to deal with them quickly, objectively, consistently and in confidence. It is therefore important that the complaints procedure is open, accessible and clearly understood.

Parents/guardians are always welcome to discuss any concerns with the appropriate member of staff.

We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty that is not resolved quickly and fairly can soon become a cause of resentment, which could be damaging to relationships and also to our school culture. We intend that parents and pupils should never feel – or be made to feel – that a complaint will be taken amiss or will adversely affect a pupil or his/her opportunities.

### Scope of the Procedure

This procedure is for use in dealing with complaints from parents concerning the general running of the school and the implementation of its policies and practices. However, it does not cover the following for which there are separate procedures:

- The provision of collective worship and religious education in accordance with the Education Act 1996;
- School admissions;
- School exclusions;
- Special educational needs (statutory assessments and statements);
- Sex education;
- Child protection.

Nor does it cover complaints on matters that are the responsibility of the Local Education Authority. These are complaints about Council policies or practices.

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. To that end, all staff will be made aware of the complaints procedure so that they know what to do when they receive a complaint.

### **Stage One: Informal Complaints**

**1. Concerns:** Most concerns, where a parent/carer seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include dissatisfaction about some aspect of teaching, disciplinary matters or issues outside the classroom. Parents/carers should raise the concern initially with the Class Teacher or the Head Teacher as appropriate. The school will ensure that informal complaints are resolved within 10 working days of being raised.

**2. Unresolved concerns:** A concern which has not been resolved by informal means within ten working days from the receipt of the complaint can be notified as a formal complaint in accordance with Stage 2 below.

**3. Record of concerns:** In the case of concerns raised under Stage 1 of this procedure, the only record of the concern and its resolution will be file notes by the person dealing with the complaint and/or file correspondence between the person raising the concern and the respondent.

### **Stage 2: Formal Complaints**

**4. Notification:** An unresolved concern under Stage 1, or a complaint which needs investigation, or a more serious dissatisfaction with some aspect of the School's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and full contact details for the attention of the Head Teacher or the Chair of Governors, as appropriate (complaints regarding the Head Teacher should go to the Chair of Governors). Should a formal written complaint be received by another member of the school's staff, this should be immediately passed to the Head Teacher, the appropriate Senior Leadership Team Member or Chair of Governors.

**5. Acknowledgement:** The complaint will be acknowledged in writing normally within 3 working days of receipt during term time and as soon as practicable during the holidays. The acknowledgement will indicate the action that is being taken and the likely timescale for resolution.

**6. Investigation and resolution:** The Head Teacher may deal with the matter personally or delegate a senior member of staff to act as "investigating officer." The "investigating officer" may request additional information from the complainant and will fully investigate the issue. In most cases the Head teacher or investigating officer will meet or speak with the parent/carer to discuss the matter.

**7. Outcome:** The aim is to inform any complainant of the outcome of an investigation and the resolution to the complaint within 15 working days from the receipt of the complaint. Please note that any complaint received during a School holiday or within 15 working days of the end of term or half term may take longer to resolve.

**8. Record of complaints:** Written records will be kept of any meetings and interviews held in relation to the complaint.

**9. Unresolved Complaints:** Where the complainant is not satisfied with the school's response to their complaint they may have their complaint considered by an independent Complaints Panel.

### **Stage Three: Complaint Heard by Governing Body's Complaints Appeal Panel**

If the complainant is not satisfied that the complaint has been addressed at stages 1 or 2, the complainant needs to write to the Chair of Governors giving details of the complaint. The Chair will convene a meeting of Governing Body Complaints Panel through the Clerk to the Panel. The governors' appeal hearing is 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 a panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The Governing Body Complaints Panel will consist of 3 governors and will have delegated powers to hear complaints. Its membership will be specified in the Governing Body's Committee Structure and may provide for a number of governors to be drawn from a pool of governors, which would normally preclude anyone who works at the school. Its terms of reference will include:

- drafting procedures for approval by the full Governing Body;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

The panel will choose its own chair.

### **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'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, the Governing Body will 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 will 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 that 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.
- d. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, the parent will be given the opportunity to say which parts of the hearing, if any, the child needs to attend.
- e. The governors sitting on the panel need to be aware of the complaints procedure.

## **Roles and Responsibilities**

### **The Role of the Clerk**

The Governing Body will ensure that a Clerk is appointed to the Complaints Panel. The Clerk to the Complaints Panel will be the contact point for the complainant and will:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties;
- collate any written material and send it to the parties in advance of the hearing;
- if appropriate, meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

## **The Role of the Chair of the Governing Body**

The Chair of Governors will:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the clerk to arrange the panel;

## **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;
  - 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
- 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.

## **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, with the panel's response, within 3 school days. The letter will explain that, if not satisfied with the outcome of the school complaints procedure, the complainant may refer their complaint to the Secretary of State for Education and Skills.

## **Further Action**

If the complainant is not satisfied their complaint can be referred to the Secretary of State for Education and Skills, if the complainant believes that the Governing Body has acted unreasonably. Complaints regarding 2 year olds may be directed straight to OFSTED by contacting them on 0300 123 1231

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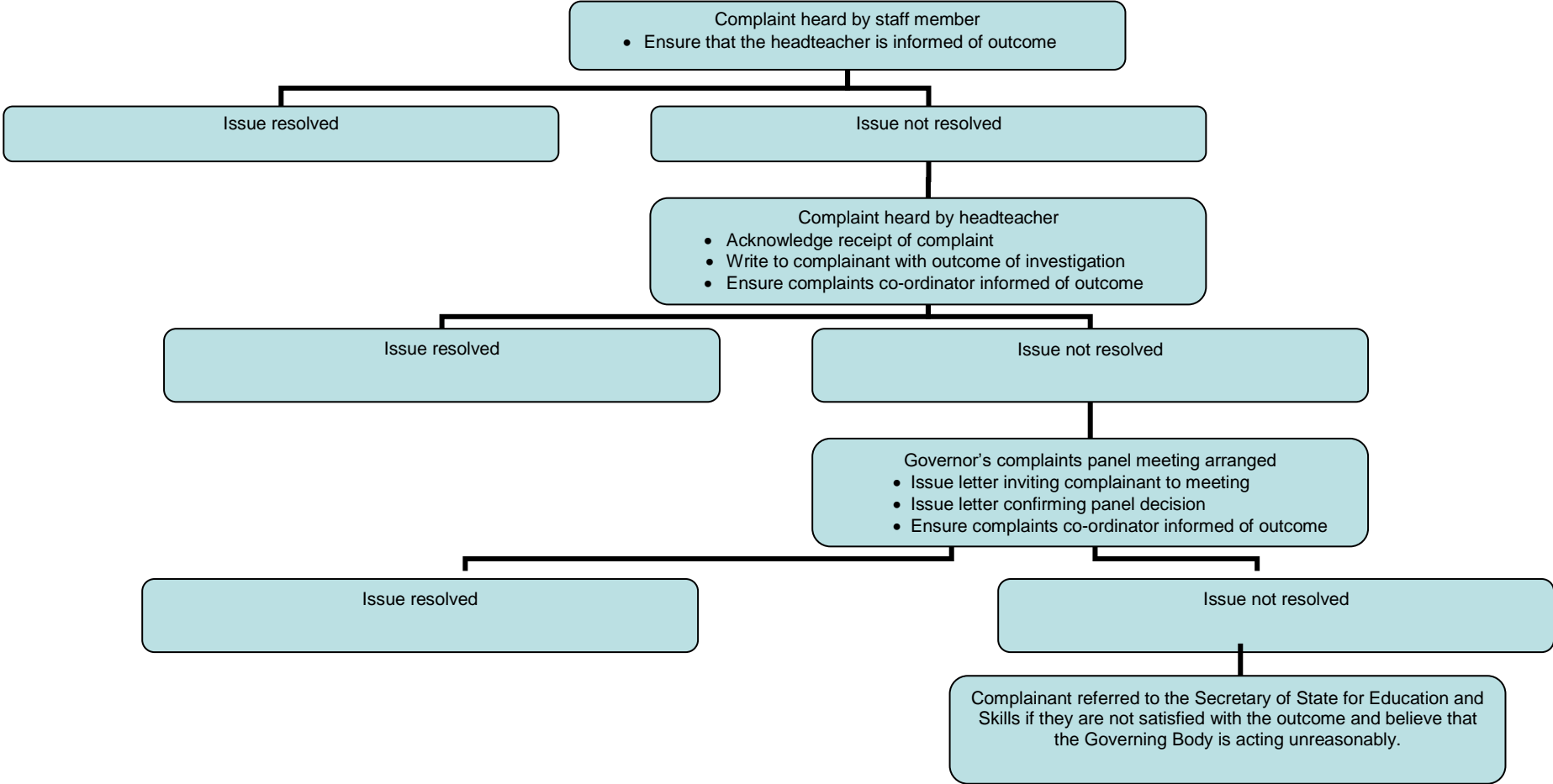
### **Checklist for a Panel Hearing**

The panel will 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.

# Flowchart

## Summary of Process for Dealing with Complaints



**COMPLAINT FORM  
RED HALL PRIMAY SCHOOL**

**Please complete and return to the headteacher 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:**

**Red Hall Primary School**

**Complaints Procedure**  
**Guidance and Good Practice**

When approached by a parent with a complaint;

- Take the matter seriously. Never be dismissive, show irritation or impatience, even with attention seekers.
- Show that you are listening carefully and maintain eye contact.
- Be non-judgemental; gather information rather than offer opinion.
- Ask questions to clarify details.
- Decide if you are able to deal with the complaint personally, or whether you need to refer the matter to another member of staff.
- Make a note of the complainant's details, the date and contact number.
- Do not allow teaching and learning time or supervision levels to be compromised by lengthy complaints. Ask for an appointment to be made at a mutually agreeable time, preferably for the same working day.
- Ensure privacy. Never discuss complaints in front of other children or parents.
- When meeting, take notes, check details and assure the complainant you will investigate and feedback.
- Never compromise personal safety. Always inform a colleague when and where you are meeting to discuss a complaint. If a complainant appears violent, never agree to meet with them alone. If you feel threatened or intimidated immediately send for the nearest available colleague and refer the complainant directly to the headteacher.