



Complaints Procedure and Guidelines

Policy agreed by Whole Governing body: mar 15

Review Date: Mar 18

PARTNERSHIP

We value the contributions made by parents, families and friends to the life of the school. Most concerns can be dealt with effectively by the Class teacher. Concerns can be raised with the Head teacher at any time in person, by telephone or in writing. We will endeavour at all times to keep you informed our actions. Effective communication is important for both parties when dealing with concerns.

If all attempts to sort the problem fails then you have a right to complain to the Governors, so it is not only important to tell us when you are pleased with us. We would also like to hear from you if you have any concerns. We would rather hear directly from you, rather than through playground gossip. We hope that we have a good enough relationship to withstand minor problems and would deal with any concerns before they reach the formal stage.

The school has a code of practice for dealing with complaints if relationships break down.

Definition: *A complaint can be defined as a clear statement of dissatisfaction about any aspect of the school's work which has progressed beyond a question or general concern.*

Availability

A copy of this procedure is available to all parents on request and is also on the School's Website

Formal Complaints Procedure

Stages of the Procedure

It is in everyone's interest that complaints are resolved at the earliest possible stage. All staff know the Complaints Procedure and aware what to do should they receive a complaint. A complaint may be made in person, by telephone or in writing, but it is helpful in the first instance to put your views in writing. There is a standard form which is used in the later stages of the procedure and this is attached at Appendix 1. The School procedure makes clear the time limit within which a complaint may be made. Time also needs to be allowed for the Head Teacher to implement any changes following a complaint being upheld.

After informal discussions with the Class teacher and/ or Head Teacher. A complainant can move to the formal stages of the procedure. There are three formal stages in the procedure. A complaint may be reconsidered or withdrawn at any stage during the procedure.

Complaints Procedural Guidelines and Appendices

The complaints procedure has three stages

Stage One	an informal stage, where your complaint is dealt with informally between you and members of staff
Stage Two	an investigation stage, where your complaint is investigated and considered by the Headteacher or the Chair of the Governing Body
Stage Three	a Governors Complaints Panel is convened to consider your original complaint and the way it has been dealt with by the school

Scope of the procedure

A complaint is defined as a clear statement of dissatisfaction about any specified aspect of the school's work. Complaints may be made by telephone, e-mail, in person or by letter.

This procedure deals with day-to-day complaints about the management and/or operation of the school and which fall outside the scope of the following procedures:

- Complaints which have an alternative statutory avenue of appeal or complaint (for example, admissions, exclusions, SEN assessments, Section 409 Curriculum Complaints and those covered by the Education (School Records) Regulations 1989).
- Serious complaints which must be dealt with by specific employment or other procedures (e.g. allegations of professional abuse, criminal offences or those that are potentially staff disciplinary issues).

If at any stage in the procedure it becomes apparent that your complaint falls outside this general complaints procedure, you will be informed.

Anyone may make a complaint: parents, guardians, grandparents, neighbours of the school or anyone with an interest in the work of the school. However, it is expected that it will be mainly parents or guardians who will make use of this procedure.

If you initially complain to a Governor, they will refer you to the Headteacher and explain the school's procedure. Individual Governors cannot deal with complaints in case they are needed to sit on a Governors' Complaints Panel at a later stage of the process.

Stage One: Informal stage

If you feel your concern has not been addressed through informal discussion with the class teacher /senior teacher, and you wish to have the matter formally investigated by an appropriate person from the school.

We aim to resolve most complaints at this stage in a speedy and effective way.

You can raise concerns and complaints with members of staff either in person, by telephone, by email or by letter. At this stage, it may be unclear whether you are making a complaint, seeking information or simply need to better understand a situation.

If the concern cannot be resolved immediately, you will be able to discuss the complaint with an appropriate member of staff (for example, the Headteacher, Deputy Headteacher or the Year Group Leader). If there is a complaint against the Headteacher, the discussion will be with the Chair of the Governing Body

During any informal discussion with the member of staff:

- You may be accompanied by a friend or relative.
- The member of staff dealing with the concern should make sure that you are clear as to what action or monitoring (if any) of the situation has been agreed.
- A note will be kept recording the outcome. A copy of the note should be given to you.

If necessary, the designated member of staff will make further enquiries with the aim of resolving your complaint as soon as possible. You will be informed of the outcome of those enquiries and what action, if any, the school proposes to take

If the informal process has been exhausted and no satisfactory solution has been found, you will be asked by the member of staff dealing with the complaint whether you want the complaint to be investigated formally.

Stage Two: Formal Investigation

If you want the complaint to be investigated formally, you must put the complaint in writing to the Headteacher using the form attached in the Appendix. You should do this promptly and in any event not more than **five school days** after your informal meeting or, if later, when you are informed of the outcome of the informal stage.

The person investigating your complaint at Stage Two will be either the Headteacher or the Chair of the Governing Body, depending on who dealt with it at Stage One:

- if the complaint was dealt with by the Headteacher at Stage One, the Chair of the Governing Body will investigate;
- if the complaint was dealt with by another staff member, the Headteacher will investigate.

The person investigating your complaint at Stage Two will:

- acknowledge your complaint within **five school days** of receipt;
- meet you to discuss the complaint;
- investigate the complaint; and
- send you a written response, normally within **ten school days** of receipt of your written complaint. If a considered response is not possible within this timescale, a letter will be sent explaining the reason for the delay and providing a revised date for the expected response.

The final written response will include full reasons for the conclusions reached and what action, if any, the school proposes to take to resolve the matter. The response will also explain the process for your complaint to be referred to the Governors' Complaints Panel if you are unsatisfied with the outcome of Stage Two

Stage Three: Review by the Governors' Complaints Panel

Complaints only rarely reach this level. However, when the need arises, the Governors' Complaints Panel (GCP) will be convened to consider your complaint.

If you are dissatisfied with the outcome of Stage Two, you must write to the Clerk to the Local Committee (Governing Body) requesting that the matter be reviewed by the Governors' Complaints Panel (Stage Three). You must do this **within ten school days** of receiving the written response to the Stage Two investigation. You should include your original complaint form. You will receive a written acknowledgement from the Clerk within **five school days**.

Before the GCP hearing

For the hearing you may:

- submit any further documents in addition to the complaint form. These documents must be made available to the Clerk to the Governing Body within **five school days** of your receiving the acknowledgement letter
- call witnesses, subject to the approval of the Chair of the GCP
- be accompanied by a friend or relative.

These rights will also be explained in the acknowledgement letter.

The Clerk to the Governing Body will send a copy of your complaint and the letter of acknowledgement to the Chair of the Governing Body and the Headteacher. Either the Headteacher or the Chair of the Governing Body must prepare a written report to the GCP in response to the complaint within **five school days** of the notification from the Clerk. The Headteacher or Chair of the Governing Body (as the case may be) should include with their report any documents they wish to refer to at the hearing and details of any witnesses they wish to call.

The Clerk to the Local Committee (Governing Body) will then convene a GCP hearing having consulted with the Local Committee (Governing Body) as to the composition of the GCP (see 'Who will be on the GCP?' below). The Clerk to the Governing Body will consult with the participants as to convenient times and endeavour to convene the hearing within **twenty school days** of your letter to the Clerk to the Local Committee (Governing Body.)

At least **five school days** before the hearing, the Clerk to the Governing Body will send you, the Chair of the Local Committee(Governing Body), the Headteacher and each GCP member:

- the date, time and venue for the hearing
- the names of all parties and witnesses (if any) to attend the hearing
- all relevant documents to be referred to at the hearing.

What can the Governors' Complaints Panel do?

The GCP can;

- dismiss your complaint in whole or in part
- uphold your 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.

Who will be on the GCP?

The Governing Body decides who will be on the GCP, taking into account the following matters:

- The Governors' Complaints Panel (GCP) should consist of two members of the Governing Body (Local Committee), and one independent panel member; one of whom should be appointed as Chair. If it is deemed by the Clerk to the Local Committee (Governing Body) that there are not a sufficient number of Local Committee Members (Governors) who are judged impartial to the case, additional independent panel members may take the place of local committee members.
- The GCP will normally be made up of members of the Local Committee but they may select alternative members depending upon the nature of the complaint and the availability of members of the Local Committee or Governance within the Nexus Education Schools Trust Multi Academy Group of Schools .
- It is important that the appeal hearing is independent and impartial and that it is seen to be so. At least one member of the GCP should be independent of the management and running of the academy. The panel cannot be made up solely of governing body members because they are not independent of the management and running of the academy. The academy should identify suitably independent individuals who can fulfil the role and responsibility of being the independent member. The academy is part of a Multi academy trust group of schools who would be able to provide independent members.
- No member of the GCP should have had prior involvement with the complaint or the circumstances surrounding it. As the Chair of the Governing Body may be involved at an earlier stage in the procedure (particularly where the complaint is about the Headteacher) it is preferable not to include them as a member of the GCP.

- It is not considered appropriate for the Headteacher to be a member of the GCP. The role of the Headteacher would be to attend the GCP hearing to give evidence. They may invite those members of staff directly involved in the matters raised by you to attend (subject to the approval of the Chair of the GCP).
- In deciding the make-up of the GCP, the Governing Body will try and ensure that it comprises a cross-section of the categories of Governor and is sensitive to issues of gender, race, colour, disability, religion, nationality and ethnic or national origins.

What happens at the hearing?

The aim of the hearing, which should be held in private, will always be to resolve your complaint and achieve reconciliation between you and the school. However, it has to be recognised that you might not be satisfied with the outcome if the hearing does not find in your favour.

It may, however, be possible to establish the facts and make recommendations which will satisfy you that your complaint has been taken seriously and considered in the proper way.

The GCP will acknowledge that you may feel nervous and inhibited in a formal setting. For example, parents often feel emotional when discussing an issue that affects their child. Although the hearing will follow the structured order below, the Chair of the GCP will ensure that the proceedings are as welcoming as possible.

The GCP hearing will be conducted as follows:

- After introductions, you will be invited to explain your complaint, followed by your witnesses' statements.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- The Headteacher may question both you and your witnesses after each has spoken.
- The Headteacher will then be invited to explain the school's actions and be followed by the School's witnesses.
- You may question both the Headteacher and the School's witnesses after each has spoken.
- Members of the GCP may ask questions at any point.
- You will then be invited to sum up your complaint.
- The Headteacher is then invited to sum up the School's actions and response to the complaint.
- The Chair of the GCP explains that both parties will hear from the GCP within a set timescale.
- Both parties leave together while the GCP decides on the issues.
- The introduction of new information or witnesses, previously not notified to all parties, would be reason to adjourn the meeting so that everyone has time to consider and respond to the new information.

The Role of the Clerk

The Complaints Appeal Panel should be clerked. The Clerk to the Governing Body will be your contact point for the complaint at Stage Three. Their job is to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to all of 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 GCP's decision.

The Role of the Chair of the GCP

To ensure that:

- no member of the GCP has a vested interest in the outcome of the proceeding or any involvement in an earlier stage of the procedure;
 - the remit of the GCP is explained to the parties and each party has the opportunity of putting their case without undue interruption;
 - you are put at ease, particularly if you are a parent or carer who is not used to speaking at such a hearing;
 - the layout of the room and the setting is appropriate and not adversarial.
 - the issues are addressed;
 - key findings of fact are made;
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- the hearing is conducted in an informal, although structured, manner with each party treating the other with respect and courtesy;
 - 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 all parties should be given the opportunity to consider and comment on it;
 - the GCP is seen to be open minded and acting independently; and
 - the meeting is properly minuted.

Notifying you of the GCP's decision

A written decision will be sent to you, the Chair of the Governing Body (Local Committee) and the Headteacher by the Chair of the GCP within **ten school days** of the hearing. The letter will explain that the decision of the Governors' Complaints Panel is final but that complaints can be taken to the Secretary of State for Education under the Education Act 1996, on the grounds that:

- a Governing Body is acting or proposing to act unreasonably; or
- the Governing Body has failed to discharge its duties under the Act.

Parents who are not satisfied with the handling of their complaint should contact the Education Funding Agency via the schools' complaints form, found at:

https://form.education.gov.uk/fform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1

Record keeping

We keep records of all conversations and meetings with you to resolve complaints, as well as copies of relevant correspondence and notes. These are all stored securely and *separately from individual pupil records*. We may refer back to these documents if there are recurring complaints about the same or similar matters.

Monitoring and review

This policy will be reviewed on an annual basis with minor changes made as appropriate. A full review will be carried out every 3 years

Appendix

Farnborough Primary School Complaints Procedure Complaint form (Stage two and/or Three)

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Post Code:

Day time telephone number:

Evening telephone number:

Email:

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?)**

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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:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

School's Actions, with dates

Final Outcomes

Date