

Elton Primary School & Nursery

# Complaints Procedure

*In our school, the wellbeing and education of all our children comes first*

<b>Full Governors</b>	Summer 2017
<b>Review</b>	Summer 2018

## **COMPLAINTS POLICY**

### **MISSION**

**We provide a safe and inclusive learning environment where everyone is valued and encouraged to reach their full potential.**

### **BACKGROUND**

Under Section 29 of the [Education Act 2002](#), Governing Bodies of all maintained schools in England have been required to have in place a procedure to deal with complaints relating to the school. The law also requires the procedure to be publicised.

There is a difference between a concern and a complaint; taking informal concerns seriously at the earliest stage will reduce the number that develop into formal complaints. The formal procedures will need to be invoked only when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

This procedure sets out the schools approach to dealing with parental concerns and complaints.

### **PROCEDURE**

**The majority of concerns from parents, carers and others are handled under the following general procedure.**

**For a general complaint:**

#### **Informal Stage**

- **Step 1** - If a parent is concerned about anything to do with the education or support that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher; most matters of concern can be resolved positively in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress.
- **Step 2** - Where a parent feels that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the head teacher. The head teacher will consider all matters of concern very seriously and investigate each case thoroughly. Most complaints would normally be resolved at this stage.
- **Step 3** – (Commencement of the formal stage: see below). Only when an informal complaint fails to be resolved by the head teacher should a formal complaint be made to the governing body. This complaint must be made in writing using the complaint form in Appendix B. The form will collate details of the complaint including the nature of the complaint, who has been spoken to already, and the preferred outcome. The parent should send this written complaint marked for the attention of the Chair of Governors via the school

office. An acknowledgement of receipt will be sent to the complainant within 3 working days.

### **For a complaint about the head teacher:**

#### **Informal Stage**

- **Step 1** If a parent is concerned about anything to do with the behaviour, leadership or management of the head teacher, they should, in the first instance, discuss the matter with the head teacher; most matters of concern can be resolved positively in this way.
- **Step 2** Where a parent feels that a situation has not been resolved through contact with the head teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the chair of the governing body. The chair will consider all matters of concern very seriously and investigate each case thoroughly. Most complaints would normally be resolved at this stage.
- **Step 3** (Commencement of the formal stage: see below). Only when an informal complaint fails to be resolved by the chair should a formal complaint be made to the governing body. This complaint must be made in writing using the complaint form in Appendix B. The form will collate details of the complaint including the nature of the complaint, who has been spoken to already and the preferred outcome. The parent should send this written complaint marked for the attention of the Governing Body via the school office. An acknowledgement of receipt will be sent to the complainant within 3 working days.

#### **Formal Stage**

- **The complainant must complete the form in Appendix B in full and send it to the Chair of Governors.**

#### **Governing body complaints committee**

- The governing body must consider all written complaints **within 21 school working days** of receipt.
- The chair of governors will nominate a governor to co-ordinate the procedure and will appoint a **complaints panel** consisting of 3 governors who are not employees of the school. The nominated co-ordinator will chair the complaints panel.
- The co-ordinator will arrange a meeting of the complaints panel to discuss the complaint and will invite the person making it to attend the meeting so that they can explain the complaint in more detail. The school will give the complainant at least five days notice of the meeting. If the complainant cannot attend the suggested date, a further date will be set. If the complainant does not attend the second date, a third and final date will be set, at which time the meeting will proceed without the complainant present.
- The head teacher will write a report addressing the complaint and ensure that the complaints panel members and the complainant receive a copy 4 days before the meeting. (If it is a complaint about the head teacher, the Chair of Governors will write the report).
- The complainant is also invited to write an additional report / statement to support the information contained in the original complaint form if they feel this would help the complaints committee in their considerations. They must ensure that the complaints panel members and the head teacher (or Chair of

Governors) receives a copy 2 days before the meeting. Other written evidence will not be accepted at the meeting, except in exceptional circumstances.

### **Check list for a panel hearing**

The panel must take the following points into account:

- the hearing is as informal as possible;
- after introductions, the complainant is invited to explain their complaint (with the support of parent partnership or other advocate if required. **NB. The role of the advocate is not a legal one but a supportive one and as such the advocate may ask questions on behalf of the complainant and clarify responses for the complainant**);
- the panel members and head teacher (or Chair of Governors) may ask questions;
- the head teacher (or Chair of Governors) is then invited to explain the school's actions (with support of AHT, SENCo or other supporter if required);
- the panel members, complainant or the complainant's support may ask questions;
- the complainant is then invited to sum up their complaint;
- the head teacher (or Chair of Governors) is then invited to sum up the school's actions and response to the complaint;
- the chair of the panel explains that both parties will hear from the panel within 3 working days;
- both parties leave the meeting while the panel decides on the issues.

When the panel has fully investigated the complaint, the chair of the panel, on behalf of the governing body, will write to the complainant confirming the outcome of the complaint and any agreed action to be taken. The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on 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.
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### **Investigating Complaints**

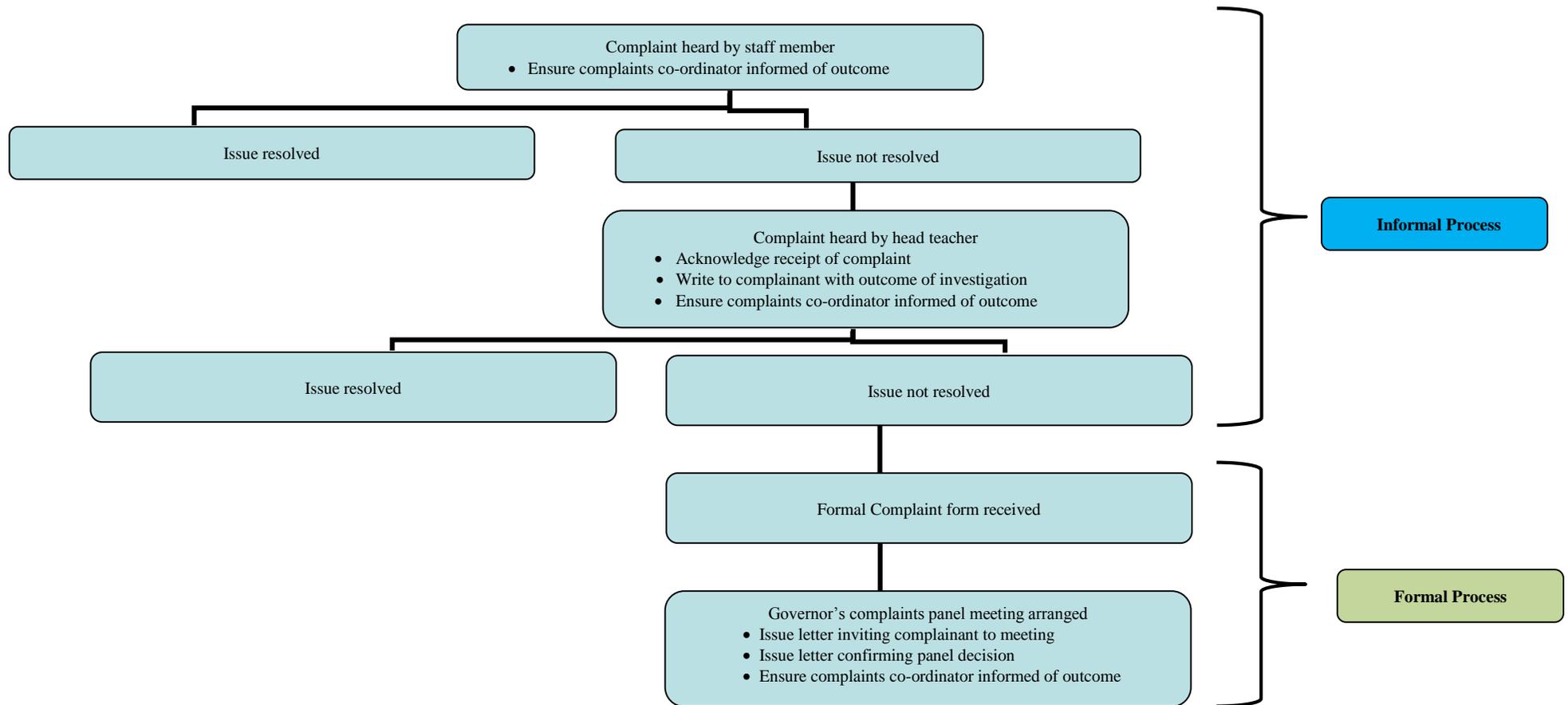
At each stage, the person investigating the complaint should make sure that they:

- 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;
- 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;

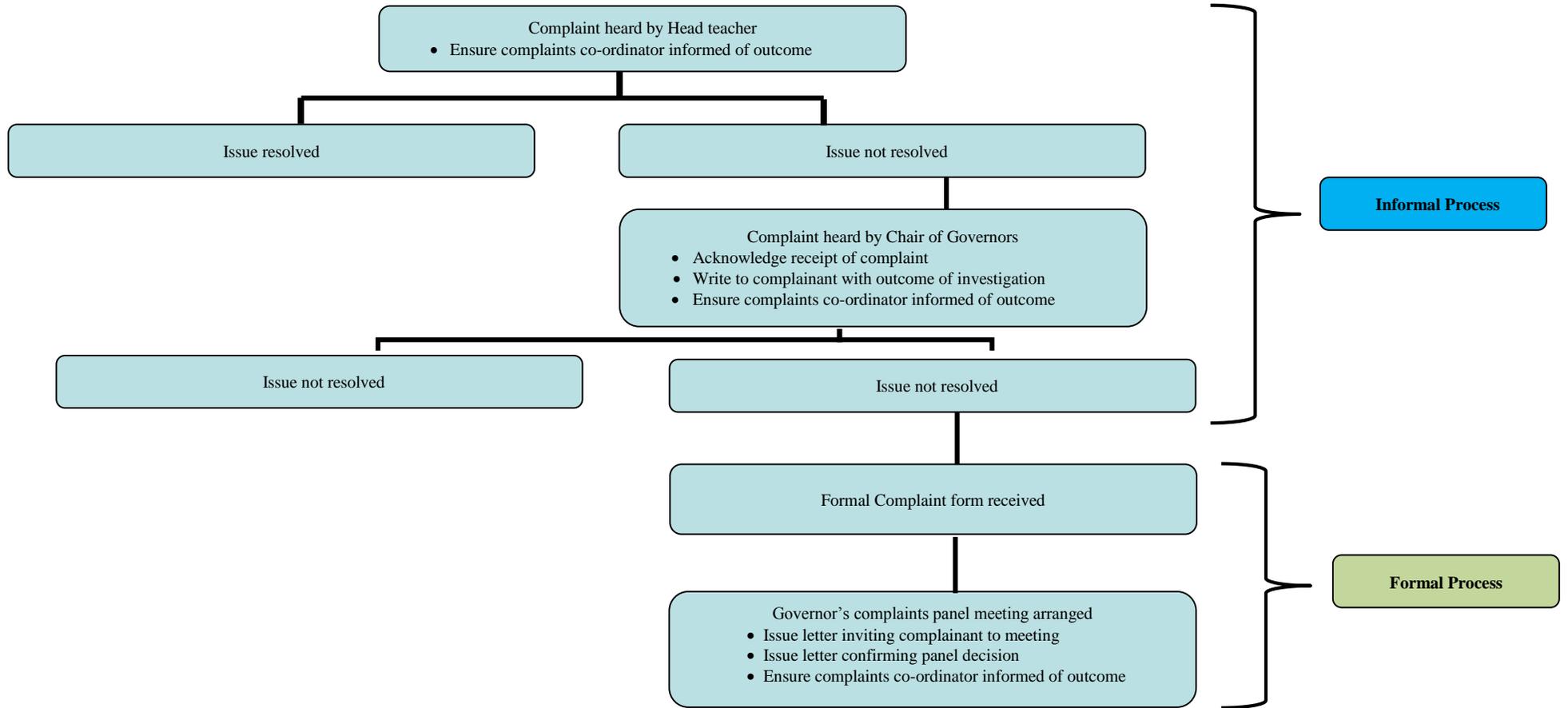
- keep notes of the interview.

Annex 1 – Flowchart of Complaints Process

Summary of Dealing with Complaint



## Summary of Dealing with Complaint against Headteacher



**Appendix B – Elton Primary School Complaint form**

**Please complete and return to the school office marked;**

- **For general complaints – Chair of Governors**
- **For complaints about the head teacher – Governing Body**

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

**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:**

**Complaints co-ordinator :**