

Carr Hill Primary School: Complaints Policy 2012-13

Principles: Listening to Parents, Pupils and the Community

We aim to make our school a happy, safe and caring place so that pupils may benefit from the best possible education. All of our staff, both teaching and non-teaching, are dedicated to this aim. If you think we are not living up to your expectations of us we want to know about it so that we may have the opportunity to put things right. We would also like to hear about the things you think we do well.

This policy sets out the procedures which Carr Hill Primary School will follow whenever it receives a complaint for which there are not alternative statutory procedures. A summary of the various stages is given below:

- 1 Informal discussion and resolution with school staff
- 2 Formal Investigation by head teacher
- 3 Governors complaints panel review
- 4 Referral to Secretary of State for Education

Each of these stages will usually occur in order and there will usually be no return to previous stages (exceptions to this are noted within the procedure).

It is stressed that the majority of complaints are resolved on an informal basis (stage 1).

Circumstances under which this procedure should not be used include complaints about the national curriculum, collective worship, religious education, non-approved external qualifications or syllabuses, temporary withdrawal of pupils from all or part of the national curriculum, pupil admissions, pupil exclusions. Issues related to child protection, criminal investigations and employee grievances must also all be handled separately from this policy.

This policy sets out the most suitable and effective process for dealing with the majority of complaints. In most cases any concern or complaint, regardless of whose attention it is initially brought to, should be discussed informally (stage 1) before being submitted at any of the following consecutive formal stages. However, occasionally there will be circumstances under which it is unsuitable for complaints to be dealt with in this way.

In all cases where the complaint concerns the school's head teacher directly, stage 2 will be missed out and the formal complaints procedure will begin at stage 3. In some cases, it may be deemed inappropriate for individuals to discuss their concerns informally. In such cases, complainants may be directed to contact the head teacher directly (i.e. begin at stage 2). Complainants may choose to contact the head teacher directly of their own accord. In these cases it will be at the discretion of the head teacher as to whether or not it is appropriate for the complainant to discuss the matter informally (i.e. return to stage 1).

At all formal stages of the complaints procedure, the following information should be recorded (a printed form is available from the school office for this purpose):

- The name of the complainant;
- The date and time at which complaint was made;
- The details of the complaint;
- The desired outcome of the complainant;
- How the complaint is investigated (including written records of interviews held);
- Results and conclusions of investigations;
- Any action taken;
- The complainant's response (satisfaction or further pursuit of complaint).

1: Informal Stage - discussion and reporting of concerns by Parents/Carers

The vast majority of concerns and complaints can be dealt with informally. There are many occasions where concerns are resolved straight away without the need to submit a formal complaint. Indeed, many concerns raised at this level might not be classified as complaints. Individuals may decide to raise their concerns with a member of school administrative staff, class teacher, senior teacher, governor or head teacher depending on their wishes and the type of issues they want to discuss. If you are not a parent/carer of a child at the school, or your complaint relates to out of hours lettings, then please address your concerns to the head teacher.

It is not necessary to record or monitor complaints at this level. Whilst there are no specific time scales for dealing with concerns at this stage, the school will resolve to respond within 24 hours, and issues will be considered and dealt with as quickly and effectively as possible.

The individual who raised the issue should be informed of any action to be taken to resolve the issue. If appropriate, this might be confirmed in writing.

If the individual is dissatisfied with the response they have been given and would like to take their complaint further, they should be referred to the school's complaints procedure and told how to move on to the next stage.

2: Formal Stage - Reporting of Concern to head teacher

This is the first stage of the formal complaints process and, as a result, all communications between parties will be carefully recorded and monitored as indicated previously.

Before proceeding with a formal investigation, the head teacher will meet with the individual and discuss their concerns and wishes. It may still be appropriate and satisfactory to reach an informal resolution at this point. If not, the head teacher will decide whether the individual's complaint will be dealt with by this policy or another statutory procedure and advise them on what they will need to do.

By this stage it must be clear that the concern is a definite complaint which will be dealt with according to this policy and should be formally submitted in writing to the head teacher. All complainants have the right to submit formal complaints, at this or any stage, which have been written by another individual on their behalf.

The head teacher will endeavour to formally acknowledge the complaint within 24 hours (1 school day) of receiving it and begin an investigation.

The head teacher will need to investigate the complaint and review any relevant documentation and information. If necessary, the head teacher will interview witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil may also usually be interviewed. All individuals have the right, at this or any other stages, to be accompanied or represented by a friend or relative at discussions and hearings. This includes the right of teachers to be accompanied by a representative from their Trade Union. When pupils are interviewed, an additional member of staff should always attend.

The head teacher will provide the complainant with a full written response within 10 school days of acknowledging it. This response will determine whether or not the complaint has been upheld, the reasons why, and what action (if any) will be taken.

If the individual is dissatisfied with the response they have been given and would like to take their complaint further, they should be referred to the school's complaints procedure and told how to move on to the next stage.

3: Governors' Complaints Panel

It should be noted that complaints only rarely reach this formal level.

Upon receiving a formally submitted complaint at this stage the Chair of governors will usually choose to deal with it by holding a Governors Complaints Panel hearing. However, in some cases, it may be possible and appropriate for the Chair of governors to resolve the issue with the complainant by other means without the need for a complaints committee review.

The complaints panel hearing must be clerked. The clerk may be a member of the school staff, the clerk to the governing body or another governor. When stage 2 has been missed out, this is the first stage under which a formal complaint about the head teacher will be dealt with. The Governors Complaints Panel will generally consist of three governors who have not previously been involved with dealing with the complaint.

The complainant must submit a written request to the Chair of governors for their complaint to be considered by a complaints panel. The Chair of governors will acknowledge receipt of this letter within 5 school days if possible but no more than ten at most by writing to the complainant. This letter will inform them that their complaint will be heard by a complaints committee within 15 school days.

The Chair of governors will then contact the clerk and ask him or her to begin making preparatory arrangements. The clerk will convene a meeting of the complaints panel. The membership of the complaints panel will be confirmed, a date and time will be arranged for a hearing and all existing relevant documentation will be given to the three appointed governors.

The clerk will then formally write to the complainant, the head teacher and any other relevant staff or witnesses and inform them:

- Of the date, time and venue of the hearing;
- Of the aims and objectives of the hearing and how it will be conducted;
- That any documentation they wish the committee to consider must be returned to the Clerk no later than 5 school days before the hearing takes place;
- Of the rights of equal access, accompaniment and representation as set out within this document;
- How and when the committee will reach their decision.

It is the responsibility of the clerk to ensure that all parties receive all relevant documents at least 3 school days before the date of the hearing so as to allow individuals to familiarise themselves with them.

The hearing should allow each party involved to explain their understanding or interpretation of events and for other parties to question them. The hearing will, therefore, usually incorporate the following elements:

- The chair will introduce all parties to one another and explain the principles, objectives and format of the hearing
- The complainant will be given the opportunity to explain their complaint. Following this the head teacher and the complaints panel will be allowed to ask the complainant questions.
- The head teacher will then be given an opportunity to explain the school's official response, interpretation or view about the complaint. Following this the complainant and panel will be allowed to question the head teacher.
- Every party will be given the opportunity to call witnesses and question witnesses called by other parties.
- The head teacher and the complainant will both be given the chance to give final statements.

The hearing will be concluded by the chair who should explain that the panel will consider its decision and write to both parties within 5 school days informing them of the outcome. Ultimately, the chair of the meeting has control over its proceedings.

The panel will then consider the complaint and all the evidence presented and:

- Reach a unanimous, or at least a majority decision, on the complaint;
- Decide upon the appropriate action (if any) to be taken;
- Where appropriate, suggest changes to, or request a review of, the school's systems or procedures to ensure that problems of a similar nature do not happen again.

This information will be included in both the letters to the head teacher and the complainant.

If the individual is dissatisfied with the response they have been given and would like to take their complaint further, they should be referred to the school's complaints procedure and told how to move on to the next stage.

4: Referral to the Secretary of State for Education

This is the end of the school's complaints process. In the very rare case that you remain dissatisfied you may pursue your complaint with the Secretary of State for Education. The Secretary of State has the power to consider complaints that the governing body has acted unreasonably in the discharge of any of its statutory duties.

The DfE National Enquiry Line can be contacted on:

Telephone: 0870 000 2288

Fax: 01928 79 4248

Web site: www.education.gov.uk/aboutdfe/complaintsprocedure

If you wish to write to the Secretary of State for Education by post:

Secretary of State for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT