



# Goat Lees Primary School

## Complaints Procedure

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Date Agreed	
Signed by Headteacher	
Signed (Chair of Governors	
Date Policy to be Reviewed	

## **GOAT LEES PRIMARY SCHOOL**

### **How to raise concerns or to make a complaint about the school**

#### ***Guidance for Parents and Carers***

##### **If you have a concern or complaint**

At Goat Lees Primary School, we pride ourselves on our open and transparent approach. However, occasionally there may be a situation that you are concerned about and you would like to tell us about it. We welcome suggestions for improving our work in school. Be assured that no matter what the problem is, our support and respect for you and your child in school will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate properly an incident or problem that happened some time ago.

##### **What to do first**

Most concerns and complaints can be sorted out quickly by speaking with your child's class teacher.

If you have a complaint that you feel should be looked at by the Headteacher in the first instance, you may make contact straightaway if you prefer. It is usually best to discuss the problem face to face. You may need an appointment to do this, and can make one by ringing or calling into the school office. You can take a friend or relation to the appointment with you if you would like to.

All staff will make every effort to resolve your problem informally. They will make sure that they understand what you feel went wrong, and they will explain their own actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case they will come round to your point of view but it will help both you and the school to understand both sides of the question. It may also help to prevent a similar problem arising again.

##### **What to do next**

If you are dissatisfied with the initial response, or if you do not want to discuss the matter informally, you can make a complaint to the Headteacher. This will need to be in writing and a formal complaint form can be obtained from the school office.

If your complaint is about an action of the Headteacher personally, then you should refer it to the Chair of the Governing Body. Contact details can be obtained from the school office.

You will be offered a meeting to discuss the problem. You may bring a friend or someone else for support. The Headteacher will conduct a full investigation of the complaint and may interview any members of staff or pupils involved. You will

receive a written response to your complaint.

**If you are still unhappy**

The problem will normally be solved at this stage. However, if you are still not satisfied you may wish to contact the Chair of the Governing Body to ask for a referral of your complaint to a Governors' Complaints Panel. It will then be heard by a group of three governors who have no previous knowledge of the problem and so will be given a fresh assessment. You will be invited to attend and speak to the panel at a meeting that the Headteacher will also attend. The Complaints Procedure sets out in more detail how this process operates.

**Further Action**

Complaints about school problems are almost always settled within schools but if they remain unresolved they can be referred to the Secretary of State for Education. The Department for Education will expect the complaint to have been considered by the school governors first. Further details can also be found on the Department for Education website ([www.education.gov.uk/schoolcomplaints](http://www.education.gov.uk/schoolcomplaints)).

## GOAT LEES PRIMARY SCHOOL

### *Guidance for Staff and Governors on the Complaints Procedure*

#### General Principles

- This procedure is designed to ensure that wherever possible an informal resolution is attempted.
- All stages of the complaints procedure should be investigatory rather than adversarial.
- The procedure is intended to extend to those persons who may have a legitimate complaint relating to the school and where that complaint may not be pursued through statutory complaints procedures.
- The responsibility for dealing with general complaints lies solely with the school.
- Any anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances. These would include serious concerns such as child protection issues, bullying allegations, where the school would either involve outside agencies or else conduct its own internal review to decide whether there is any evidence which might trigger a formal investigation.
- There should be a mechanism for determining spurious complaints and those brought by vexatious complainants.
- In the event that a complainant believes that the proper procedures have not been followed by the person dealing with the complaint, the complainant may make a request that the governing body review the process that has been followed to ascertain whether the procedure has been adhered to.
- Any review request that is based solely on dissatisfaction with the outcome rather than any identified failure to deal with the complaint according to procedure will not be accepted.
- Any governors involved in the process should receive appropriate training for their role.

- It is important that any potential complainant is aware of the correct channel through which to pursue their complaint. This will reduce the likelihood of letters of complaint being sent to other parties including the Local Authority, Secretary of State, Councilors, MP, local paper, individual governors, etc. Reference will be made to the existence of the general complaints procedure in the school prospectus.
- It is helpful to place a limit on the time after which a complaint will normally not be considered. Complaints should be raised within one month of the event.
- The procedures should be designed to facilitate the resolution of the concerns with a minimum of conflict. Therefore, it is important that procedures adopted carry the confidence of all interested parties so that it secures closure.
- The use of a formal complaints form will assist the process by focusing the complainant on the importance of being specific about the nature of their complaint and the need to provide evidence or at least be able to cite relevant incidents.

### **Vexatious complaints**

The majority of complaints are resolved by informal contact. Problems arise where the complainants are unreasonable and are not seeking to have a situation remedied but are determined to extract retribution for some real or imagined wrong. It is these latter circumstances which can lead to a school which is acting very reasonably to be locked into an ongoing saga with letters flying back and forth with each reply demanding more and more answers to more and more questions. Often an attempt to clarify the situation will trigger a multitude of questions, none of the answers to which serve any constructive purpose. It is these vexatious complainants from which schools need protection.

- An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances.
- To allow for proper investigation, complaints should be brought to the attention of the school as soon as possible. Any matters raised more than one month after the event being complained of, will not be considered save in exceptional circumstances.
- The investigation of any complaint or review request will begin within 10 days of receipt of the same save in exceptional circumstances. The investigation will be completed as soon as it is reasonably practicable.

## **Carrying out an investigation into formal complaints**

The investigation of an allegation or complaint should always be carried out thoroughly and responsibly, irrespective of whether the complaint appears to be trivial or serious. The outcome of such an investigation will have significance, not only for the complainant but also for the member of staff against whom the complaint has been made. An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances. Where the Headteacher or Chair of Governors receives a complaint, it should be acknowledged formally and a commitment made that the complaint will be investigated and the outcome of the investigation notified to the complainant in due course.

The member of staff against whom a complaint has been made should be notified that a complaint has been received, provided with a copy of the complaint and informed that an investigation will be carried out.

It is essential that there is a clear understanding of the complaint. Where necessary the nature of the complaint should be confirmed with the complainant.

Once the complaint has been confirmed the investigator should establish who they wish to interview and what documentation they will need to review.

Arrangements should be agreed that accurate notes can be taken of all interviews and the outcome of the investigation be accurately recorded. The complainant and the member of staff should be given opportunities to offer documentation or to identify potential witnesses or sources of evidence.

The member of staff subject to the complaint should be advised that they may be accompanied by a friend or trade union representative when invited to be interviewed.

Where children are potential witnesses, discretion should be exercised over their involvement. Pupils should only be interviewed when the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available. Only in very extreme circumstances will younger pupils be allowed to be interviewed.

Any interviews should be conducted as soon as possible to ensure that recollections are as fresh as possible and to minimise the possibility that evidence will become tainted through witnesses discussing alleged incidents with other persons.

In conducting interviews the investigator should prepare the questions to be asked prior to interview. An interviewee should be given the opportunity of providing other relevant information at the end of the interview.

Interviewees should therefore be advised that their response must be confined to the substance of the complaint.

The investigator should avoid reaching conclusions or passing judgments until the investigation has been completed.

The summary of the processes undertaken and the outcome of the investigation should be provided to both the complainant and the member of staff against whom the complaint has been made. (Caution must be exercised in reporting back to the complainant as revealing certain details may prejudice the ability of the employee to remain in post).

The complainant should be advised that he or she may, if they are not satisfied that the proper procedure has been followed, request a review of that process by the Governing Body.

### **Information**

The complainant is not entitled to access to any details of the investigation except for any statements that may have been provided by their child. Any information relating to the application of disciplinary procedures is strictly confidential.

If a complainant believes the Governing Body has acted illegally in handling the complaint, then the complainant may make representation to the Secretary of State for Education.

## GOAT LEES PRIMARY SCHOOL

### **COMPLAINTS PROCEDURE**

#### **General**

The governing body is required by the Education Act 2002 (section 29) to have a policy for dealing with parents and carers complaints.

The school's complaints policy allows parents and carers complaints about school issues to be dealt with efficiently and sensitively and at the appropriate level.

Complaints can cover a wide variety of matters that concern the school community. The school expects ALL complaints to be taken seriously and to be dealt with comprehensively and as far as possible in confidence.

#### **Aims**

The policy aims to ensure that all complaints from parents, carers, pupils and others are dealt with as quickly, fairly, honestly and sensitively as possible and by the person best able to do so.

As far as possible all concerns should be dealt with as informally as possible.

A member of the school community or other complainant should be able to expect to have a response, even if not the final response, to their complaint within 2 working days.

If parents, carers, pupils or other complainants wish to register a formal complaint they will be asked to complete the school's Formal Complaint Form and return to the Headteacher or Chair of Governors as appropriate.

The procedures must be published under arrangements made by the Headteacher and approved by the Governing Body.

#### **Types of Concerns and Complaints**

The majority of complaints received by the school fall into the following categories:

- **Financial and administrative;**
- **Academic** (area of study, unsatisfactory teaching, too much/too little homework, progress in a particular subject etc);
- **Pastoral** (discipline/indiscipline, inappropriate sanctions, bullying, overall progress of the child, unhappiness of child, etc);

- **Child Protection** (allegations against staff, handling of sensitive issues).

## Responsibilities

**Governing Body:** for approving the policy, procedures and guidelines, hearing and deciding on appeals, receiving reports and advising the Head. The Governing Body will monitor the level and nature of complaints and review the outcomes at termly meetings.

**Chair of the Governing Body:** to receive complaints at Stage 3, to nominate a panel to hear the appeal and to check that the correct procedure is followed.

### **Chair of the Panel at Stage 3:**

To ensure that:

- ✓ The parties understand the procedure;
- ✓ The issues are addressed;
- ✓ Key findings of fact are established;
- ✓ Complainants are put at ease;
- ✓ The hearing is conducted as informally as possible;
- ✓ The panel is open-minded and acts independently;
- ✓ No member of the panel has a vested interest in the outcome or has been involved in the issues previously;
- ✓ All parties have the chance to be heard;
- ✓ Any written material is seen by all decisions.

### **Clerk to the Governing Body**

The Clerk must act as the reference point for the complainant at Stage 3 - the Clerk must:

- ✓ Set convenient dates, times and venues for hearings;
- ✓ Collate any written material and forward it to the parties;
- ✓ Meet and welcome the parties;
- ✓ Record the proceedings;
- ✓ Notify the parties of the decision.

**Headteacher:** for the overall management of the procedures, for hearing complaints at the second stage, ensuring that the procedures are monitored and reviewed and termly reports made to the Governing Body. For dealing with and where possible resolving complaints about academic matters/programmes of study/teaching methods at Stage 1 of the procedures.

**Deputy Head / Senior Member of Staff:** for the efficient operation and management of the policy and procedures, for training staff on how to deal appropriately with complaints, for keeping parents, pupils and others informed of the procedures plus compiling reports for the Head as required.

**Office Administrator / Bursar:** for administrative, environmental and financial queries and complaints.

**All Staff:** for hearing any concerns brought to them by members of the School Community and reassuring them that it is dealt with as soon as possible by the appropriate member of staff and for informing the relevant staff and Headteacher of the concerns.

## Complaints Procedure

Stage 1 - Informal Stage

Stage 2 - Formal Stage

Stage 3 - Review/Appeals to the Governing Body

### Stage 1 Informal Stage

The complainant is expected to arrange to communicate directly with the member of staff concerned. This may be by letter, telephone, email to school office, in person or by appointment. Many concerns can be resolved by clarification of simple information or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

### Stage 2 Formal Stage

If the complaint is not resolved at the informal stage the complainant must put the complaint in writing, using the formal complaint form, which should be returned within **3 working days** to the Headteacher. The complainant should include details which might assist the investigation such as the names of potential witnesses, dates and times of events and copies of relevant documentation.

The Headteacher will acknowledge the complaint in writing within **2 working days**. If the complaint is judged to be vexatious then the complainant will be informed that their complaint will not be accepted and will not be investigated.

Following this response and within **10 working days**, the Headteacher will arrange to collect such evidence as he or she determines necessary. In exceptional circumstances a longer time-scale can be agreed, either by agreement with all parties or by a decision of the Chair of the Governing Body if no agreement is reached. When the investigation has been concluded the complainant and the member of the staff concerned will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach the conclusion so the complaint cannot be upheld;
- The concern is not substantiated by the evidence;
- The concern was substantiated in part or in full;

- The matter has been fully investigated and proper procedures have been followed and are strictly confidential.

The complainant will be told that consideration of their complaints by the Headteacher is now concluded.

### **Stage 3 Review/Appeals to the Governing Body**

The complainant will be advised that should s/he wish to take the complaint further s/he should notify the Chair of Governors within **15 working days** of receiving the letter; the formal response to the complaint.

Any review of the process followed by the Headteacher or Chair shall be conducted by a panel of three members of the Governing Body.

The review would normally be conducted through a consideration of written and verbal submissions from the complainant and the Headteacher.

The panel will receive written evidence from the complainant and the hearing must be within **15 working days** of the Chair receiving notice of the complaint.

The panel will then invite the Headteacher or the Chair, as appropriate, to make a response to the complaint.

The panel may also have access to the records kept of the process followed.

The complainant and the Headteacher or the Chair, as appropriate, will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion so the complaint cannot be upheld;
- The concern is not substantiated by the evidence;
- The concern is substantiated in part or in full but the procedural failure did not affect the outcome significantly so the matter is now closed;
- The concern is substantiated in part or in full and the Governing Body will take steps to prevent a recurrence or to rectify the situation.

The Governing Body's decision is binding. The decision at this stage must be communicated to the parties within **five working days** of the panel meeting.

### **Reporting and Recording**

In all cases where a complainant wishes to make a formal complaint, it is important for staff to use the school's "Complaints Form" so that records of the complaint and the action taken can be recorded and traced. Supporting documents should be attached to the form.

The Headteacher or member of staff operating under the direction of the Headteacher will consider the handling of complaints from time to time and will

discuss issues with staff as necessary.

The Headteacher will report to staff from time to time and to the Governing Body each term on the number and type of complaints received and their outcomes.

### **Monitoring and Review**

The governing body monitors the complaints procedure, in order to ensure that all complaints are handled properly. The Headteacher logs all formal complaints received by the school and records how they are resolved. Governors have a verbal report from the Headteacher at main Governing Body meetings and consider the need for any changes to the procedure on an annual basis.