

HOLDEN LANE PRIMARY SCHOOL



COMPLAINTS POLICY

March 2023

School Complaints Policy

AIMS: To develop a partnership between governors, staff and parents as we work together to ensure that the children in our school have a voice.

- Continue with our commitment to listen to concerns, criticism and challenge from all members of our community, and to provide a means to respond positively in order to bring about improvement.
- Ensure the view that all members of the school community are entitled to have their points of view heard.
- Avoid unhealthy conflict as a result of unresolved concerns and complaints.
- Ensure parents have a clear understanding of the way in which the school will receive and deal with their concerns and complaints.
- Ensure that staff and governors respond positively and promptly to complaints from parents.

Definition: A complaint can be defined as a clear statement of dissatisfaction about any aspect of the school's work. Complaints may be written, made by telephone or in person. Complainants can be anyone with an interest in the work e.g. the school, although it is expected that it will be mainly parents/carers that will make use of the following procedure.

Key principles of this policy and procedure: This policy sets out the procedures which will be followed if a complaint is received. A summary of the various stages is given below:

- Informal discussion and resolution informal stage school staff
- Investigation by the Headteacher
- Investigation by the Chair of Governors
- Complaints Committee review
- LA review
- Further recourse
- Formal stage school staff
- Governing Body
- LA
- Other

Each of these stages will usually occur in order and there will usually be no return to previous stages. It is stressed, however, that the majority of complaints are resolved on an informal basis (step 1).

Circumstances under which this procedure will not be used: If your concerns relate the following areas, you should contact the school office, where you will be advised on the appropriate procedures:

- The National Curriculum
- Collective Worship
- Religious Education
- Admissions
- Exclusions
- Child Protection

Guidelines: How a complaint can be made.

Complaints can be made in person, by telephone or in writing. A person with a complaint should normally seek to contact the members of staff responsible for the relevant issue. However, all staff will endeavour to seek to help, even when the issue is not that individual's area of responsibility. Care will be taken to:

- Clarify the nature of the complaint
- Clarify the outcomes sought
- Check whether the person making a complaint requires support of any kind, for example with translation where English is an additional language
- Explain the complaints procedure.
- The school does not wish to receive anonymous complaints and will not undertake to act on any information received in this way.

Code of Conduct: There is an expectation that all members of staff dealing with a person making a complaint will act in a courteous and respectful manner. All complaints will be taken as a matter of serious concern. The school also expects that people making the complaint will also conduct themselves in a courteous and respectful manner.

Step 1 – Informal Stage: Complainants may raise concerns with school staff without any formality. At this stage it may be unclear whether the parent is making a complaint, seeking information or has misunderstood the situation. If the concern is not resolved immediately and a complaint is identified then the following procedure will be instigated:

1. Complainants are given the opportunity to discuss their complaint with the appropriate member of staff.
2. The member of staff endeavours to resolve the complaint straight away. The complainant is made aware what action (if any) the school proposes to take.
3. If the informal process has been exhausted and no satisfactory solution has been found **within 10 school days** complainants are asked by the member of staff dealing with the complaint whether they wish their complaint to be considered formally (i.e. Stage 2 and onwards).

Step 2 – Formal Stage: referral to the Headteacher

1. The complainant is invited to put their complaint in writing with the offer of assistance by the school staff if this is necessary.
2. The Headteacher acknowledges the letter **within 5 school days** and provides an opportunity to meet the complainant to discuss the complaint.
3. The Headteacher investigates the complaint and a written response should be made **within a further 10 school days** of the receipt of the complaint. If this is not possible a letter should be sent explaining the reason for the delay and providing a revised target date. The written response should include what action has been taken.
4. School proposes to take to resolve the complaint, or, if the decision goes against the Complainant, a full explanation as to why.
5. If the complainant still remains unsatisfied she/he is advised that in order to progress the complaint she/he must notify the Chair of Governors in writing within 10 days of the written response from the school.

In the case of a complaint about the Headteacher, the Chair of the Governors Board should be contacted.

N.B. At any point between the beginning of Step 1 and Step 2 (3) the Headteacher may choose to intervene or respond to a request for a meeting in order to resolve the complaint quickly. If the complaint is not resolved the complainant is given the opportunity to take it further, i.e. Step 2 (4)

Step 3 - Formal Stage: review by Governors

It is important that this review is not only independent and impartial but that it is seen to be so therefore **the full** Governors Board should not consider complaints as a serious conflict of interest can arise:

1. A written acknowledgement of the complaint is sent by the Chair of the Governors within 5 school days.
2. The letter informs the complainant that the Governor Complaints Panel will hear their complaint within **20 school days** of receiving the complaint. It will also inform the complainant of his/her right to submit any further documents relevant to the complaint.
3. The Chair/Vice Chair should invite the Headteacher to prepare a written report for the panel in response to the complaint.
4. The Chair of the Governors convenes a Governors' Complaints Panel (which will normally consist of three members).
5. All relevant correspondence, including additional material from the complainant and a written report from the Headteacher, should be given to each panel member as soon as possible and, in any event, at least **5 school days** prior to the meeting.
6. The Chair /Vice Chair of the Governors Board will inform the complainant, Headteacher and members of the panel at least **5 school days** in advance of the date, time and venue of the meeting.
7. The notification letter to the complainant should inform them of their right to be accompanied by a friend/advocate/interpreter.
8. Subject to prior approval of the Chair, either party may call named witnesses to the meeting.
9. Either party must inform the Chair (via the school) at least **48 hours** in advance of the meeting if they intend to exercise this right.
10. Either party, subject to the approval of the Chair, may call witnesses to the meeting. The involvement of staff other than the Headteacher is also subject to the discretion of the Chair.
11. The meeting will be held and a written decision will be sent to both the complaint and the Headteacher **within 7 school days** of the meeting.
12. The written statement sent to the complainant at Step 3 will include an explanation that the decision of the Governor Complaints Panel is final.
13. It should be noted that, if the complainants remain dissatisfied their complaint can be taken to the Secretary of State for Education on the grounds that the Governors are acting or proposing to act unreasonably, or failed to discharge their duties.

The Secretary of State may contact the Governors for more information in order to consider the complaint.

Points to note:

1. Complainants should be fully informed about the next stage of the procedure if they are likely to be dissatisfied by the outcome of previous stages.
2. At any stage of the procedure it may become apparent that the complaint falls outside this general complaints procedure. Complainants need to be informed if this happens, especially if this general complaints procedure is abandoned or postponed until the appropriate procedure is completed e.g. child protection.
3. School days are when pupils are attending: staff INSET days are excluded.
4. Counting begins on the day after the receipt of the complaint.

Presence of pupils at meetings:

1. It is unlikely that the resolution of a complaint would be assisted by the presence of pupils at any meeting between the Headteacher, other staff and the complainant.
2. In the exceptional circumstances of it being necessary for a pupil to attend a meeting related to a parental complaint, to clarify facts, there would need to be an undertaking from all parties that confidential matters relating to named members of staff would not be discussed. The Headteacher would consult with parents before any meeting where their child is being asked to clarify facts concerning a parental complaint, and would ensure that pupils do not participate in any discussions where they might witness confrontation between adults.
3. Children will be asked to leave the meeting if it is felt by either side that the child is becoming distressed.

Monitoring complaints: All complaints will be monitored by the handling and outcomes at the formal stage, by:

1. The number of complaints and their categories.
2. Whether complaints are dealt with within agreed timescales.
3. The stages at which complaints were ended satisfactorily.
4. The effectiveness of the school's overall policy.
5. The various types of redress and their frequency.
6. The impact upon the home-school links.

Publicity and communication: There is a legal requirement for the school to publicise its complaints policy and procedures.