

Pendock Church of England Primary School Complaints Procedure (Non-Curricular) Policy



Pride in Pendock

Positive attitude – We find good in all people and all situations

Respect – We treat everyone with kind words and actions

Individuality – We believe in ourselves and celebrate difference

Determination – We welcome challenges and always try our hardest

Excellence – We strive to be the best that we can be

We have

PRIDE in ourselves

PRIDE in each other

PRIDE in **PENDOCK!**

The School publishes details of its Complaints Procedure and any out-of time limits the Governors have prescribed in the following ways:

- On the school website
- At the Parent Information Point in the School Entrance

A complaint will usually be considered as 'out of time' if it is raised more than 3 months after the matter in question being known to the complainant. However exceptions will be considered by the Chair of Governors and/or the Headteacher.

There are other specific complaints procedures available for certain specialist areas (as listed below). If the complaint relates to any of the following, the appropriate procedure should be followed:

complaints about :

- the National Curriculum
- collective worship
- religious education
- pupil admissions
- pupil exclusion
- special educational needs
- safeguarding
- employee grievances and disciplinary proceedings.
- school re-organisation proposals
- whistle-blowing

A. General Principles. This procedure contains advice for resolving complaints; flowcharts to indicate time limits; and advice on the conduct of meetings.

Every attempt will be made to adhere to the time limits specified in the flow charts and detailed procedures which follow, but these may in exceptional circumstances be

exceeded. In such cases the School/Governors will advise the reasons and set a new time-scale.

The aim of this policy is to resolve concerns at the earliest opportunity, and effect reconciliation if there has been friction. If the complaint needs to be formalised, the complainant will be asked to write down the substance of the complaint on a form which will be made available if required. This form will also invite a view about what actions might be felt to resolve the problem.

B. Possible resolutions. Many concerns may be resolved by explanations, others by a simple apology. Other complaints may result from a school procedure which could have been handled differently. Such an acknowledgement would be an appropriate resolution, as would assurances that events complained about, (if justified) will not recur. Others may be resolved by an undertaking to review school policies in the light of a complaint.

C. Later Stages. Where concerns are not resolved on an early timescale, the procedure allows for formal consideration by the Headteacher, and later still, by a Governors' Complaints Panel.

D. Unresolved Complaints. Occasionally, a complainant may remain dissatisfied, even though this procedure has been used through all its stages. However, it will not normally be possible to re-open the same issue. In such circumstances, the Chair of Governors will inform the complainant that the procedures have been exhausted and that the matter is closed.

E. School Complaints Stages in Detail

This school will monitor and record complainant compliments, concerns and complaints. This will endorse and ensure the continuation of our good practice.

Stage 1 (Informal)

Where any member of staff becomes aware of a voiced concern, they should deal with it themselves if it is appropriate, and they feel comfortable in doing so. Many concerns can be resolved by simple clarification or the provision of information. It is anticipated that most concerns can be readily resolved at this informal stage. Where the person approached feels uncomfortable with dealing with the matter directly, they should involve the Headteacher.

In the case of serious concerns (or where the school deems it more appropriate to do so) it may be necessary to refer these matters directly to the Headteacher.

Where the complaint is specifically about the Headteacher, similarly the complainant should discuss this with him/her at this stage first.

It is not appropriate for a complaint to be directed through a Governor. Any Governor receiving a complaint will give advice that there is an established procedure, and refer the complainant to the appropriate person. (This is because a Governor acting unilaterally could prejudice the involvement of Governors at a later stage)

The concern will be noted (including the outcome) and reported to the Headteacher. Where the subject of the complaint is the Headteacher, he/she will copy the record to the Chair of Governors.

Where informal attempts by the school have failed to bring about a satisfactory resolution for the complainant, the complainant is entitled to request that the complaint be treated more formally. Unless the complaint directly concerns the Headteacher, it will be him/her who deals with this next stage (Stage Two).

If the complaint is specifically about the Headteacher, and s/he has had the opportunity in Stage one to discuss the matter, the complainant can then directly contact the Chair of Governors about Stage 2.

Stage 2 (Formal) Dealt with by Headteacher

If the complaint concerns the Headteacher, the Chair of Governors is personally responsible for following the procedures in Stage 2. Otherwise, the Headteacher deals with this Stage.

This stage can be initiated if/when dissatisfaction with the outcome of stage one is received by the school. At this point, a copy of these Procedures and Policy will be sent to the complainant within 3 school days, together with the formal complaint form.

The form is structured so that each party has a common understanding about the complaint. As the main purpose of the process is to achieve reconciliation, complainants are also asked what actions might resolve the problem.

After the formal complaint form is returned, it will be acknowledged within 3 school days and the investigation will commence.

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

Before proceeding with a formal investigation, the Headteacher may wish to meet with the individual and discuss his/her concerns and wishes. It may still be appropriate and satisfactory to reach an informal resolution at this point. If not, the Headteacher will decide whether the individual's complaint will be dealt with by this policy or another statutory procedure. In the latter case, the Headteacher will advise the complainant on what will need to be done.

The head may delegate the task of collating the information to another staff member, but not the decision on the action to be taken. The investigation should involve the review of any relevant documentation and information. If necessary, witnesses will need to be interviewed and statements taken from those involved. If the complaint centres around a pupil, the pupil will also usually be interviewed.

The outcome of the investigation should be communicated to complainant, either at a meeting (followed up in writing) or as a written response. This response should explain the outcome and should be supported by reasons for reaching this decision and what action, if

any, will be taken. (If management action is subsequently required against an employee of the school, the complainant will not have access to this information). **This response should be provided within 10 school days of acknowledging the complaint.**

If the complainant is still dissatisfied with the response given and would like to take the complaint further, they should make this clear in writing to the Headteacher. On receipt, s/he will send on the complaint form and all associated information to the Chair of Governors. In the case of the Headteacher, if the complainant is still dissatisfied, and wishes to take it further, the Chair should be so advised, and Stage 3 initiated.

Stage 3 (Formal) Dealt with by Complaints Panel

If the complainant is not satisfied with the response of the Headteacher or if the complaint is about the Headteacher then a Complaints Panel made up of governing body members will hear the complaint.

On receipt of the information from the complainant, the Chair of Governors will verify that the complainant has properly exhausted all stage 2 procedures. If not satisfied, the Chair will refer the matter back to the Headteacher.

If, however, the complaint is about the Headteacher, at this point a copy of these Procedures and Policy will be sent to the complainant within 3 school days, together with the formal complaint form (Appendix 1). The process will follow as detailed above in Stage 2.

When satisfied, the Chair will contact the Clerk and liaise with him or her to make preparatory arrangements for the Governors' Complaints Panel Meeting. Independence and impartiality is a crucial part of the credibility of the panel and they will act accordingly.

In exceptional circumstances a local agreement between Castlemorton C E Primary and Pendock may be entered into so that impartial Governors can be drawn upon.

The outcome of the investigation should be communicated to the complainant, either at a meeting (followed up in writing) or as a written response. This response should explain the outcome and should be supported by reasons for reaching this decision and what action, if any, will be taken. (If management action is subsequently required against an employee of the school, the complainant will not have access to this information). This response should be provided within 10 school days of acknowledging the complaint.

The Chair of Governors or Clerk to the Governors' Complaints Panel will acknowledge (to the complainant) receipt of the information from the Headteacher within 5 school days. This letter will inform the complainant that the complaint will be heard by the Complaints Panel within 15 school days. In exceptional circumstances, the complainant will be notified where this timed period will need to be extended and the reasons for this.

The Clerk of the Panel will convene a meeting of the Complaints Panel, (as identified by the Chair of Governors), and arrange a time and date for the meeting. All relevant documentation from the Headteacher and the complainant will be distributed to all parties, (including the Panel members) in advance of the meeting.

The Panel has discretion as to how it will carry out its duties. As part of this, complainants will be asked to attend a meeting of the Panel (with accompanying relative or friend if desired). Good practice guidance will be followed, which suggests where possible all parties will discuss the complaint openly with each other and the panel.

As a result of the appeal the panel can:

- Dismiss the complaint either fully or partially
- Uphold the complaint either fully or partially
- Decide on the appropriate form of action to be taken
- Recommend to the Governing Body changes to policy

The Chair of the Panel needs to ensure that the complainant is notified of the Panel's decision in writing within 5 school days of the meeting. The response will include action (if any) that needs to be taken and where appropriate, suggest changes to, or review of, the school's systems or procedures to ensure that similar problems do not happen again.

If the complainant is dissatisfied with the response they have been given, and would like to take the complaint further, they should be referred to stage 5 of this procedure.

Equally, if the Headteacher perceives due process has not been followed, s/he may wish to refer the matter to Stage 4.

Stage 4 (Formal) Complainants are entitled to complain in writing to The Secretary of State for Education if they believe that their complaint was not handled fairly and in accordance with the school's complaint procedures. The Complaints must be submitted in writing to:

The School Complaint Unit (SCU)

Department for Education

2nd Floor, Piccadilly Gate,

Manchester. M1 2WD

<http://www.education.gov.uk/aboutdfe/complaintsprocedure/b00212240/making-complaint-school/how-to-complain>

The SCU will:

- examine policies- adherence to education legislation;
- See if policies were followed

They do not re-investigate the substance of the complaint.

If they find any breaches in the adherence to the policy the Secretary of State has the power to intervene.

In order to intervene, the Secretary of State must first be satisfied that a governing body:

- Has, or is proposing to exercise power unreasonably
- Has, or is proposing to perform a duty unreasonably
- Has, failed to discharge a duty.

Unreasonably- acting in a way that no reasonable governing body would have acted, or proposed to act.

Reviewed: 22nd March 2016

Date for further review: Spring Term 2017

Complaint Form to be supplied with a copy of the adopted procedure

Please complete and return to the Headteacher who will acknowledge receipt.
The Procedure, at Stage 2, explains what action will be taken after receipt.

Your name:

Pupil's name (if relevant):

Your relationship to the pupil (if relevant):

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint.
(Whom did you speak to, when, and what was the response)?

The form continues overleaf.....

What actions do you feel might resolve the problem?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By whom?:

Complaint referred to:

Date: