



Complaints Policy & Procedure

Rationale

St Andrew's CE (VA) Infant School endeavours to provide the best education possible for all its pupils in an open and transparent environment. We welcome any feedback that we receive from parents, carers and third parties, and we accept that not all of this will be positive. Where a parent/carers raises concerns or a complaint with the school, these will be dealt with fairly in accordance with this procedure.

St Andrew's CE (VA) Infant School makes its complaints procedure available to all parents and carers, by being available on the school's website and by asking at the school office.

Purpose

- To outline the three stage process and procedure (informal, formal and panel hearing).
- To give clear timescales for each stage and in line with particular requirements set out.
- To outline the arrangements for record keeping, confidentiality of correspondence, statements and records.

What Constitutes a Complaint?

The majority of complaints can be dealt with without resorting to the procedure. Where you have a concern about any aspect of the school or your child's education or wellbeing, raise this with your child's class teacher in the first instance via the phone or in person. Ideally, they will be able to address your concerns immediately, or may arrange a meeting with you to discuss the issue.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. All concerns will be dealt with confidentially, unless of a child protection nature. The staff member may need to take notes if they feel that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of the Data Protection Act 1998.

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the school as a whole, about a specific year group, staff team or about an individual member of staff. A complaint is likely to arise if a parent believes that the school has done something wrong, or failed to do something that it should have done, or acted unfairly.

Timeframe for Dealing with Complaints

All complaints will be handled seriously and sensitively. They will be acknowledged within five working days if received during term time and as soon as practicable during school holiday periods. It is in everyone's interest to resolve a complaint as quickly as possible. The aim is to complete the first two stages of the procedure within 28 days if the complaint is lodged during term-time and within three months during holiday periods. Stage 3, the Appeal Panel Hearing, will be completed within a further 28 days, if the appeal is lodged during term-time, and as soon as practicable during school holiday periods.

All complainants should be made aware that publicising their complaint through social media or any other means of communication will be likely to prejudice any investigation and may make it impossible to explore their complaint further.

Recording Complaints

Following resolution of a complaint, the school will keep a written record of all complaints and whether they are resolved at the preliminary stage or proceed to a panel hearing. At the school's discretion, additional records may be kept which may contain the following information:

- Date when the issue was raised
- Name of parent
- Name of pupil

- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name of member (s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations).

Correspondence, statements and records relating to individual complaints will be kept confidential except under a Safeguarding duty or under other legal authority.

There are three stages within the procedure of this policy:

Stage 1 – Informal Resolution

It is hoped that most complaints and concerns will be resolved quickly and informally.

If parents have a concern or complaint, they should contact their son/daughter's class teacher in the first instance. In many cases, the matter will be resolved straightaway to the parents' satisfaction. If the teacher cannot resolve the issue alone, it may be necessary for him/her to consult the Headteacher or Deputy Head in her absence. The teacher will make a written record of all concerns or complaints and the date on which they were received. Should the matter not be resolved within two working weeks or, in the event that the member of staff and the parent fail to reach a satisfactory resolution, then the parents will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.

Stage 2 – Formal

If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Headteacher on the form attached (Appendix 1). The Headteacher will decide, after considering the complaint, the appropriate course of action to take. In most cases, within 7 working days, the Headteacher will speak to the parents concerned to discuss the matter. If possible, a resolution will be reached at this stage. It may be necessary for the Headteacher to carry out further investigations. The Headteacher will keep written records of all meetings and interviews held in relation to the complaint. Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Headteacher will also give reasons for his/her decision.

If the complaint is against the Headteacher, the complainant should put their complaint in writing (on Appendix 1) to the Chair of the Governing Board. Once the Chair is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents/carers will be informed of the decision in writing. The Chair will give reasons for his/her decision.

Stage 3 - Panel Hearing

If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they will be referred to the Clerk to the Governing Board who has been appointed by the Governors to call hearings of the Complaints Panel. The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of at least three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the school. The Clerk, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 14 working days.

If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties normally not later than 7 days prior to the hearing.

The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not be appropriate.

If possible, the Panel will resolve the parents' complaint without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Panel will make findings and may make recommendations.

The Panel will write to the parents informing them of its decision and the reasons for it, normally within 7 days of the hearing. The decision of the Panel will be final.

A written record will be kept of all complaints and of whether they are resolved at the preliminary informal stage or proceed to a Panel hearing. A copy of those findings and recommendations will be:

- (i) provided to the complainant and, where relevant, the person complained about; and
- (ii) available for inspection on the school premises by the Chair of Governors and the Headteacher.

Notes

St Andrew's CE (VA) Infant School will provide Ofsted, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint. The record of any such complaints will be kept for at least three years.

Parents may also complain directly to Ofsted if they wish. The addresses are detailed below:

Ofsted

Piccadilly Gate
Store Street
Manchester
M1 2WD
03001231231

Consultation, Monitoring and Review

This policy will be reviewed annually by the Headteacher and the Governing Board.

Policy written and approved by the Governing Board: February 2016

Appendix 1**School Complaint Form**

Please complete and return to the Headteacher/Clerk to the Governing Board who will acknowledge receipt and explain what action will be taken.

Your name:	
Pupil's name:	
Your relationship to the pupil:	
Address:	
Postcode:	
Daytime 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? (Who did you speak to and what was the response?)	
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: Complaint referred to:	By whom: Date:

Appendix 2

Guidance for Staff Investigating Complaints

It is suggested that at each stage, the person investigating the complaint, makes sure that they:

- Establish **what** has happened so far, and **who** has been involved
- Take details of the complaint to clarify the nature of the complaint and what remains unresolved
- Meet with the complainant or contact them (if unsure or if further information is necessary)
- Clarify what the complainant feels would put things right
- Interview all persons identified by the complainant as being relevant to the matter (and any others deemed appropriate) 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.

You should normally offer an appointment to discuss the issue as quickly as possible, as this will give both parties time to talk about it calmly and politely without being interrupted. Complaints need to be considered and resolved, as quickly and efficiently as possible, however where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

At each stage in the procedure you will want to consider ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- An apology
- An explanation
- An admission that the situation could have been handled differently or better
- An assurance that the event complained of will not recur
- An explanation of the steps that have been taken to ensure that it will not happen again
- An undertaking to review school policies in light of the complaint and, if found appropriate to modify practice and protocols accordingly.

It is useful if complainants are encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence†.

An effective complaints procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

†If a complaint is upheld which does lead to disciplinary action being taken against a member of staff, such detailed information cannot be divulged to the complainant, who should merely be informed that appropriate management action has been taken.

Appendix 3

Guidance for Governing Body Complaints Appeal Panel Hearing

The Complaints Appeal Panel will be made up of three persons, two of whom may be school governors with no previous involvement in the case but one of whom must be wholly independent of the management and running of the school. Normally the panel will be chaired by the chair of governors although another governor may be nominated to lead the process (and this may be necessary when the complaint is directed against the head of school).

It is important that the appeal hearing is independent and impartial; no individual may sit on the appeal panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.

The aim of the hearing, which should be held in private, is to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that the complainant may not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The parent or carer may, should they wish, be accompanied at the hearing. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.

The Role of the Clerk

The clerk is the contact point for the complainant and is required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- collate any written material and send it to the parties in advance of the hearing, ensuring that complainants are aware that they may be accompanied
- meet and welcome the parties as they arrive at the hearing
- record the proceedings
- notify all parties of the panel's decision

The Role of the Chair of the Panel

The chair of the panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption
- the issues are addressed (and that in the event of a new issue arising during the course of the hearing, all parties are afforded the opportunity to consider and comment on it)
- key findings of fact are made
- parents and others who may not be used to speaking at such a hearing are put at ease
- the hearing is conducted in a manner that allows each party to treat the other with respect and courtesy
- the panel is open minded and acting independently
- no member of the panel has a vested interest in the outcome of the proceedings or has had any involvement in an earlier stage of the procedure
- each side is given the opportunity to state their case and ask questions
- written materials are seen by all parties

Before the meeting:

- The formal complaints letter should be passed to the vice-chair if the chair will be unable to receive the letter within seven days.
- Members of the panel should have no prior knowledge of the complaint and it is, therefore, unlikely

that staff governors will be members of the panel.

- The letter inviting the parent/carer to attend should indicate that they may be accompanied by a friend.

At the meeting:

- The panel must be made up of three members and a clerk.
- One member of the panel must be completely independent from the school.
- Although this is a formal meeting, every effort should be made to make it as informal as possible for all concerned and parent / carer put at ease - the parent or carer may, should they wish, be accompanied at the hearing.
- The clerk should take notes of the meeting, listing who is present and make everyone aware of the confidential nature of the process.
- The chair of the panel should open the meeting, introducing panel members and stating the purpose and the format of the meeting to clarify this to all in attendance. The chair should note that the meeting will be minuted and that its outcome will be final, indicating that a record of the complaint and its outcome will be forwarded to the complainant.
- Other persons present should introduce themselves stating their reason for being at the meeting.
- The chair of the panel should request a verbal statement from the complainant in support of his or her written letter of complaint and why he or she feels the issue has not been resolved. The panel members can ask questions to make sure they understand the issue from the parent's point of view.
- The chair of the panel should request a verbal statement from the Headteacher (or his or her representative) in support of his or her written account of the complaint and the steps taken to resolve the issue. The panel members can ask questions to make sure they understand the issue from the Headteacher's point of view.
- Members of the panel should make sure they fully understand the issues and ask any further questions to clarify any points that are still not clear to them.
- The chair of the panel must ask the complainant and the Headteacher (or his or her representative) if they are satisfied that they have provided all the information they wanted to present or if there is something they wish to add and if they feel they have had a fair hearing.
- When the panel members understand all the issues, the chair will ask all parties to leave except the panel members and the clerk.

After the meeting:

- The panel members will need to consider the information presented in order to come to a decision and suggest a way to resolve the issue taking into account the best interests of the child or children.
- The panel members will discuss the issues in private and the clerk will remain to record their decision.

The panel can:

- Dismiss the complaint in whole or in part.
- Uphold the complaint in whole or in part.
- Decide on the 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.
- When the panel have reached a decision the clerk will inform everyone concerned in writing as soon as possible, but in any event, within seven working days of the panel meeting. The letter will also contain what the complainant should do if they wish to take the matter further, although it should be noted that if the correct procedure has been followed, the decision of the panel will be final.
- A record should be kept of the outcome of the hearing.
- Written records of complaints will be kept and reported on an annual basis to governors.