



CALMORE INFANT SCHOOL

COMPLAINTS POLICY

Written by: Mrs. N Cowcher

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CALMORE INFANT SCHOOL

COMPLAINTS POLICY

RATIONALE: This policy sets out how the school will deal with general complaints. It is not intended to cover those aspects of school life where the law sets specific complaints procedures, e.g. admissions, exclusions.

What should I do when things are going well?

We all like to know this. It is a natural part of life and it holds true for children, teachers, parents and governors as well as the wider community of neighbours, LA officers and politicians who have responsibility for the success of schools. We encourage parents to tell us what has gone well, to acknowledge the hard work and efforts of their child's teachers and senior leaders

Parents who are not satisfied with an LEA's decision about special needs assessments may appeal to the SEN Tribunal.

Further details about these procedures are available within school.

AIMS

- ❖ To provide an accessible and easily understood procedure for complaints.
- ❖ To aid communication between parents and school.
- ❖ To encourage parents to express their views at the earliest opportunity, through the appropriate channels.
- ❖ To help parents feel confident that their concerns will be dealt with as quickly and effectively as possible.

PROCESS

Informal Approach – Preliminary Stage – This is the most vital stage.

- 0.1 The vast majority of concerns and complaints can be resolved informally. Parents need to speak with an appropriate member of staff as soon as they have a concern. This will usually be the class teacher, member of the admin team, Headteacher or Chair of Governors, depending on the nature of the concern.
- 0.2 If the person first contacted cannot deal with the matter immediately, s/he will make a note of the concern and deal with it at the earliest possible time.
- 0.3 Appointments can be made with the Headteacher to discuss a concern.
- 0.4 Concerns expressed to Governors will be referred to the relevant member of staff or the Chairman, where appropriate.
- 0.5 The Headteacher may decide to deal directly with certain concerns at this stage.
- 0.6 If the concern relates to the Headteacher, the parent needs to contact the Chair of Governors.
- 0.7 The person dealing with the concern will make sure that the parent is aware of what (if any) action or monitoring will take place.
- 0.8 If no satisfactory solution has been found, parents may wish their concern to be considered further.

If parents' concerns cannot be settled following the above process, then:

Stage 1 – Formal Complaint to Headteacher

- 1.1 When a formal, written complaint is made, it will be acknowledged within 3 to 5 working days. The acknowledgement will give a brief explanation of the school's complaints' procedure and the intended date for response. This will normally be within 10 working days – but may be up to 20 days.
- 1.2 An opportunity will be provided by the Headteacher, or designate, for the complainant to meet with them to supplement any information provided previously. Complainants may be accompanied by a friend, representative, or advocate who can speak on their behalf, and they should make it clear before the meeting if they have any special requirements the school needs to be aware of, e.g. wheelchair access, signing etc.
- 1.3 If necessary, the Headteacher, or designate, will interview witnesses and take statements from those involved.
- 1.4 The Headteacher, or designate, will keep written records of meetings, telephone conversations and other documentation.
- 1.5 Once all relevant facts have been established, the Headteacher, or designate, will either meet the complainant to discuss/resolve the matter directly, or give a written response.
- 1.6 Governors' Complaints Panel will carry out all Stage 2 procedures if the concern is

regarding the Headteacher, or if the Headteacher has been very closely involved at Stage 1.
1.7 Parents who remain unsatisfied will be referred to Stage 3.

Stage 2 – Formal Complaint to Chair of Governors

- 2.1 Parents need to write to the Chair of Governors, outlining their complaint, and explaining their reasons for pursuing beyond the Headteacher, and enclose any relevant paperwork.
- 2.2 The timescales for acknowledging the complaint and making a response will be as those for the Headteacher dealing with the issue.
- 2.3 This stage offers a positive opportunity for achieving conciliation between all parties.

Stage 3 – Formal Complaint to Governing Body

- 3.1 Parents need to write to the Clerk of the Governing Body, outlining the complaint, explaining their reasons to go beyond previous responses and enclose any relevant documents.
- 3.2 The Clerk to the Governing Body will write to parent to acknowledge receipt of the written request. (Contact for Clerk see website or ask at office)
- 3.3 The Clerk will arrange to convene a Governors' Complaints Panel elected from members of the Governing Body.
- 3.4 The Chair / Vice Chair will ensure that the complaint is heard by the Panel within 20 working days of receiving the letter at 3.1.
(All relevant correspondence will be given to each panel member as soon as the composition of the panel is confirmed. If correspondence is extensive, the Chair of the panel will prepare a thorough summary for sending to panel members.)
- 3.5 The Chair / Vice Chair of Governors will write and inform all relevant parties at least 5 days in advance of the date, time and place of the meeting.
- 3.6 Following the meeting, the panel will consider all presented evidence. It will then
 - (a) reach a unanimous, or at least majority, decision;
 - (b) decide upon appropriate action to be taken to resolve complaint;
 - (c) where appropriate, suggest recommended changes to school systems or procedures to ensure problems of a similar nature do not re-occur;
 - (d) send a written statement on the decision to parents and the school within 15 working days.
- 3.7 The aim of the panel is to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations which will satisfy the

complainant that the matter has been taken seriously.

Stage 4 – The Local Authority

If, having gone through Stages 1, 2 and 3 you are still unhappy with the way your complaint has been dealt with, you can take your concerns to the Local Authority.

Your complaint needs to be put in writing and will be acknowledged by receipt, within three working days. The designated officer in the authority will investigate and review as appropriate, although they have limited powers to intervene and will usually be able to do no more than express a view about the complaint and the means of resolving it.

You should receive a full response within 15 working days. Where this is not possible, you will be informed and given a set date by which you can expect to receive a full response. Should you be dissatisfied with the way the Local Authority handled your complaint, you can take it to the Local Government Ombudsman. The Ombudsman deals with complaints about maladministration, but does not cover matters to do with Council or school policy. Further information about how to complain to the Ombudsman can be obtained from most County Council reception points.

Your final resort is to write to the Secretary of State for Education and Employment.

In Summary

Remember that this process exists so that parent's views can be heard, and so parents can hear the views of those responsible for the education of children. You have rights and responsibilities and so do your children. Teachers and governors have rights and responsibilities too, as do the officers of the LA. The aim must be to ensure that each complaint should be dealt with fairly and properly for all concerned. Regular communications with the school and by the school will ensure that the need for complaints is reduced.

The latter stages of the process are rarely used, but remain part of the process. The services offered to parents and the relationships between partners are improved by a positive response from everyone to compliments, concerns and complaints.

GUIDANCE DOCUMENT FOR PARENTS

Calmore Infant School – Summary Grid

The following table may help to clarify where to complain in the first instance. It is not intended to be a specific statement but is offered for guidance.

Nature of complaint	To whom it should be addressed in the first instance
Lack of progress of own child	Class teacher
Behaviour of own child	Class teacher
Behaviour of other children	Class teacher
<i>If, in any of the above cases, the situation is not resolved, the complaint should be taken to a more senior member of staff e.g. Assistant Head or Deputy Headteacher. The majority of complaints are settled at this point.</i>	
Competence of class teacher	Head Teacher
Complaint about the curriculum	Head Teacher (if still unresolved, the complaint should be taken to the Chairman of Governors, who may send it on the LA depending upon the nature of the complaint).
Dissatisfaction with the way the Head Teacher has handled the complaint.	Chair of Governors
Complaint about the Head Teacher	Chair of Governors
Dissatisfaction with the way the Governing Body has handled the complaint	Local Authority
Dissatisfaction with the way the Local Authority has handled the complaint	Ombudsman

What to do when things go wrong

If you have a concern

We would prefer that you tell us about it, as soon as possible. It is difficult for us to investigate properly an incident or problem which has happened some time ago.

Who should I talk to?

Most concerns can be dealt with most quickly and effectively through informal discussion with your child's teacher.

Will what I say be kept confidential?

You can expect that matters you raise will be treated in confidence, but parents also need to understand that to resolve problems, and find the best way forward, the teacher may have to make further enquiries. Any investigation undertaken by the school is conducted with sensitivity and care.

What if it is difficult to talk to my child's teacher about my concern?

Should it prove awkward to approach your child's teacher, you should seek help from the Headteacher. The Headteacher recognises that some situations can be difficult and sensitive, and will take appropriate steps to follow up your concerns, and to discuss the outcome with you. Clearly, time needs to be allowed for this, but contact will usually be made with you in a relatively short space of time (we aim for 3 to 5 working days).

Can I talk to somebody who is independent of the school staff?

It is possible to approach a School Governor with a concern. However, Governors will always encourage you to speak with the class teacher in the first instance, and then the Headteacher if necessary, if you have not already done so.

What is the difference between an Informal and Formal complaint?

Each of the situations above is an example of how concerns can be addressed informally. Good communication and discussion of problems allow issues to be dealt with quickly. The process is a verbal one, which usually directly involves you, as the parent, and a member of staff or the Headteacher. Dealing with matters informally is a very effective method of resolving issues satisfactorily.

A complaint becomes formal when the concern is too serious to be dealt with informally, or when informal approaches have not been adequately dealt with.

A formal complaint should be made to the Headteacher. The Headteacher will ask to meet you for a discussion about the problem. You may take a friend or someone else with you if you wish. The Headteacher will conduct a full investigation and you will receive a written or verbal response to your complaint.

Should the complaint relate to the Headteacher, then the complaint needs to be in writing to the Chair of the Governing Body, via the School Office.

Certain types of complaint are already covered by Statutory Procedures laid down by Hampshire County Council and the Government; these cover complaints about the curriculum, admissions and exclusions from school.

You can expect to receive written acknowledgement of your complaint within 5 working days of the school receiving your letter, and if the complaint is covered by one of the Statutory Procedures, the school will provide you with details in how these procedures work.

What happens if matters still have not been resolved?

It is very rare that a complaint will reach this stage, but if it does, the next step is to involve an independent and impartial review panel, made up from the Governing Body.

You should write to the Clerk to the Governing Body. The Clerk will acknowledge receipt of your letter and advise you of the process to be undertaken. The meeting of the Governors' Complaints Panel will conduct a full and independent investigation, including interviews of those involved. They will deliberate on the issues and you will receive a written response to your complaint and be advised of the appeals process.

Any appeals process will normally involve the Local Education Authority and ultimately the Secretary of State for Education. It is extremely rare that a complaint will progress to this stage.

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Parents' Reference – General Complaints' Procedure

Aims of Guidance

- ❖ early resolution of concerns through informal discussion;
- ❖ provision of well defined time-scales and named contacts;
- ❖ focus on resolution and review rather than blame;
- ❖ promotion of confidentiality and discretion;
- ❖ fair (and transparent) investigative processes for all (staff and complainants);

Principles

- ❖ School complaints procedure will be published and accessible;
- ❖ School staff and Governors to be familiar with the procedures;
- ❖ complaints related to school issues will normally be considered internally, until this procedure has been exhausted;
- ❖ School will keep a record of complaints;

Process

The school will use a 3 stage approach to dealing with complaints, to help parents/guardians feel confident that their concerns will be dealt with as quickly and effectively as possible. The stages will be followed sequentially. However, the school and LEA feel very strongly that there is a vital preliminary stage to the following procedures.

Preliminary Stage – Informal Approach

Parents' opportunity to speak informally with an appropriate member of staff as soon as they have a concern. This will usually be the class teacher.

Stage 1 – Headteacher

Parents should make an appointment to speak with the Headteacher about their concern.

If parents' concerns cannot be allayed following a conversation with the Headteacher, then information will need to be gathered and it may require parents to list their concern and enclose any appropriate paperwork.

If this is so, the Headteacher, or senior member of staff, will endeavour to respond in writing as soon as possible (approximately 5 days). For more in depth enquiries and a response, approximately 20 days.

Parents who remain dissatisfied will be referred to Stage 2.

Stage 2 – Chair of Governors

Parents need to address concerns in a letter to the Chair of Governors / Clerk to the Governors. The letter needs to outline their complaint, explaining the reasons for pursuing it beyond the Headteacher response and enclosing any relevant paperwork.

The Chair of Governors / Clerk to the Governors will give a written response acknowledging the complaint (approximately 5 days).

The Chair of Governors decides who is responsible for dealing with the issue and therefore powers available to Governors in dealing with the complaint.

This stage offers conciliation between all parties.

Stage 3 – Governing Body’s Complaints Panel – reconsideration or review

In the rare circumstance that a parent is unhappy with the outcome of Stage 2, the Chair of Governors may offer the right of appeal to the Governing Body’s Complaints Panel.

Parents need to request an appeal in writing to the Clerk to the Governors. Parents need to describe the issues in detail and say why they were dissatisfied with the outcomes at Stages 1 and 2.

Parents should only write to the Clerk and not individual Governors as this can jeopardize setting up an impartial committee.

Parents will be made aware by the Clerk, that an appeal to Governors would be either a reconsideration or a review of the issue.

The process of reconsiderations (considering afresh) or reviews is dependent upon the nature of the issue.

Finally: This is as far as the school’s general complaints procedure goes, unless the matter related to National Curriculum or provision for collective worship or religious education. In this case, Stage 4, parents can ask the school for further details or contact the LEA.

CALMORE INFANT SCHOOL

General Complaints’ Procedures – Staff including HT

Dealing with concerns/complaints informally

1. It is important that parents feel able to raise concerns about the school without any formality – in person, by telephone or in writing.

On occasion it may be appropriate for someone to act on behalf of the parent.

2. Initially it may be unclear if a parent is asking a question or expressing an opinion rather than making a complaint. A parent may want a preliminary discussion about an issue to help decide whether to take the issue further.
3. Clarify with parents the nature of the concern; reassure them that the school wants to hear about it and will endeavour to resolve any issues.

It could be helpful to identify the type of outcome the parent is looking for.

Formal complaint to Headteacher

One reason for having various 'stages' in a complaints' procedure is to reassure complainants that their grievance is being heard by more than one person. Normally, preliminary or Stage 1 concerns are dealt with by the class teacher, but the Headteacher may intercede at this point if it is considered necessary. If the Headteacher has been heavily involved at Stage 1, then Stage 2 would need to be carried out by the Chair of Governors.

Formal Complaint to Governors

4. **Complaints only rarely reach this formal level, but it is important that Governing Bodies are prepared to deal with them when necessary.** At this stage the school should seek advice from the LEA. This can provide a useful 'outside view' on issues.
5. **It is important that the review not only be independent and impartial, but that it be seen as so.** Hence a specially convened panel and not the entire Governing Body because serious conflicts of interest can arise, e.g. a complaint may result in disciplinary action against a member of staff and Governors might be required to give an unprejudiced hearing to an appeal by the staff member concerned. Similarly, some Governors might have previous knowledge of the problem which led to a complaint and would be unable to give a fair, unbiased consideration of the issue.
6. It may be necessary for the Governing Body to appoint reserves to the Panel to ensure that 3 Governors are available to carry out their task within the set time. Panel members should be Governors with no prior involvement with the complaint. If not previously involved, Chair of Governors should chair the panel otherwise the Vice Chair should do it. Governors will need to weigh up advantages of having a Parent Governor on the Panel, and be sensitive to issues of race, gender and religious affiliation. It is not really appropriate for the Headteacher to be on the Panel.
7. The Chair or Vice Chair of Governors should invite the Headteacher to attend the Panel meeting and prepare a written report for the Panel in response to the complaint. The Headteacher may also

invite members of staff directly involved in matters raised by the complainant to respond, in writing or person, to the complaint. All relevant documentation should be received by all concerned at least 5 working days before the meeting.

8. Involvement of staff, other than the Headteacher, is subject to the discretion of the Chair of the Panel.
9. It is the responsibility of the Chair of the Panel to ensure that the meeting is properly minuted and that all communications are treated with discretion and confidentiality.
10. The aim of the meeting should be to resolve the complaint and achieve reconciliation between school and complainant. However, it should be recognised that it may only be possible to establish facts and make recommendations which will satisfy the complainant that the complaint has been taken seriously.
11. The Panel should remember that many parents are unused to dealing with groups of people in a formal situation and may feel inhibited about speaking to the Panel. The recommendation, therefore, is that the Chair of the Panel ensures that the proceedings are as informal as possible.
12. The school should ensure that a copy of all correspondence and notes are kept in a file within the school records. Records to be kept separately from pupil's personal records.

If the complaint is about the Headteacher:

- 1 Parents/carers with the complaint make school aware by contacting the Chair of Governors in the first instance- contact the school office who will give the contact details
- 2 The Chair of Governors will ask the Deputy or a senior leader in school e.g. SENCO to investigate the complaint in school – by talking to the adults concerned or / the child
- 3 The outcome of the discussions will then be explained to the Chair of Governors and result in either the matter being settled or if necessary
- 4 A panel of Governors will be made available with the DHT or senior school leader invited to attend. The Ht will be invited to attend or put their side of the situation to the Panel through writing. All documentation should be received by the Panel within 5 days .
- 5 The Chair of the Panel has to ensure the meeting is minuted in detail and that all communications are treated with discretion and confidentiality.

- 6 The aim of the meeting should be to resolve the complaint and achieve reconciliation between school and complainant. However, it should be recognised that it may only be possible to establish facts and make recommendations which will satisfy the complainant that the complaint has been taken seriously.
- 7 The Panel should remember that many parents are unused to dealing with groups of people in a formal situation and may feel inhibited about speaking to the Panel. The recommendation, therefore, is that the Chair of the Panel ensures that the proceedings are as informal as possible.
- 8 The school should ensure that a copy of all correspondence and notes are kept in a file within the school records. Records to be kept separately from pupil's personal records.
- 9 The Panel will make a decision and notify both parties in writing. If the complaint is upheld the the panel will need to decide on the appropriate action

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STAFF REFERENCE – GENERAL COMPLAINTS' PROCEDURE

All staff need to:

- ❖ **Seek** advice from the LEA's Personnel Advice Service, Tel: 01962 869611. They will give information with regard to procedures that are pertinent to an individual.
- ❖ **Contact** your union as they will give specific advice and support.