



**The Federation of Snape Community and
Thornton Watlass C E Primary Schools**

Two great schools, together

Document Status			
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COMPLAINTS PROCEDURE

Scope of Procedure

This procedure is for use in dealing with complaints concerning the general running of the Federation and the implementation of its policies and practices.

It does not cover the following for which there are separate procedures:

- Delivery of the national curriculum and the provision of collective worship and religious education in accordance with the Education Act 1996
- School admissions
- School exclusions
- Special educational needs (statutory assessments and statements)
- Sex education
- Child protection

Nor does it cover complaints on matters that are the responsibility of the Local Education Authority.

These are complaints about Council policies or on matters covered by legal processes.

All references to "parents" include guardians and carers.

Using the Procedure

Stage 1: The first contact – informal consideration by staff and/or Headteacher

- 1.1 Parents are always welcome to discuss any concerns with the appropriate member of staff, who will clarify with the parent the nature of the concern and reassure them that the school wants to hear about it. The member of staff may explain to the parent how the situation happened. It can be helpful to identify at this point what sort of outcome the parent is looking for.
- 1.2 If the member of staff first contacted cannot immediately deal with the matter, he/she makes a clear note of the complaint, the date, name, contact address or phone number, and refers the complaint to the person with responsibility for the particular issue raised. He/she will check within 3 working days that the referral has been dealt with.
- 1.3 If the matter is brought to the attention of the Headteacher at this stage, he/she may decide to deal with the concerns directly.
- 1.4 The staff member dealing with the matter should make sure that the parent is clear what, if any, action or monitoring of the situation has been agreed. Although not always necessary, consideration should be given to confirming in writing what has been agreed – either by letter or a copy of a file note.
- 1.5 If no satisfactory solution can be found within 3 working days and they wish their concern to be considered further parents are advised to write to the Headteacher. This must be within 10 working days of the initial complaint and the Headteacher will confirm to the parent that the complaint has been received.

Stage 2: Formal Investigation by the Headteacher

- 2.1 The Headteacher acknowledges the complaint in writing within three working days of receiving the written complaint. The acknowledgement gives a brief explanation of the school's complaints procedure (or a copy of the school's Information Leaflet For Parents) and a target date for providing a response to the complainant – normally within seven working days. If thereafter it is not possible to respond within the seven days, a letter is sent explaining the reason for the delay and giving a revised target date.

- 2.2 Ordinarily the Headteacher provides an opportunity for the complainant to meet him/her to supplement any information provided previously. It should be made clear to the complainant that he/she may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or her behalf. The Headteacher may be accompanied by an adviser if the circumstances warrant this.
- 2.3 Where necessary, following the meeting, the Headteacher will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil concerned and others present at the time, should be interviewed. Pupils would normally be interviewed with parents present unless this would seriously delay the investigation of a serious or urgent complaint or where a pupil has specifically said he/she would prefer that parents were not involved. In such circumstances another member of staff with whom the pupil feels comfortable should be present. If the complaint is against a member of staff, he/she must subsequently be allowed to explain his/her version of events.
- 2.4 The Headteacher must keep written records of all meetings and telephone conversations, which he/she should sign and date, and other related documentation.
- 2.5 Once all the relevant facts have been established, the Headteacher may wish to meet the complainant to discuss and, if possible, resolve the matter directly. Within the seven days of acknowledging receipt of the complaint, a written response should always be sent, including a full explanation of the decision and the reasons for it. Where appropriate, the letter will indicate what action the school will take to resolve the complaint. The complainant must be advised that should he/she wish to take the complaint further he/she should notify the designated governor within 10 working days of receiving the letter. The designated governor is the Chair of Governors.
- 2.6 If a complaint is against the action of the Headteacher (or if the Headteacher has been very closely involved at stage 1) the designated governor will carry out the stage 2 procedures shown below.

Stage 2: Investigation by the Designated Governor

- 2.7 The governing body have designated the Chair of Governors to deal with complaints. When the designated governor receives notice of a complaint, he/she will decide whether it is appropriate to seek an informal resolution of the issue. It could be a complaint against the Headteacher or a complaint the Headteacher has not been able to resolve, but further discussion with the complainant prior to referral to the Complaints Review Committee is considered to be worthwhile.

2.8 If so, the designated governor will:

- Telephone or meet the parent to hear their side of the story.
- Talk to the Headteacher to hear the other side of the story.
- Discuss with the Headteacher how the issue might be resolved.
- Agree with the Headteacher whether it would be helpful for the designated governor to act as facilitator/mediator between the Head and the parent.
- Seek to resolve the matter to the satisfaction of both the Headteacher and the parent within 5 working days.
- Where the designated governor is not the Chair of Governors, keep the Chair of Governors informed of the fact that he/she is handling a complaint, without disclosing any details, and stress the need for confidentiality at this stage so as not to prejudice any later hearing.

If the designated governor decides that this informal action is not appropriate, or having tried this approach the matter is still not resolved, then within the five working days he/she must write to the parent to let him/her know that the matter will be referred to the Complaints Review Committee. The letter should also explain that the complainant has the right to submit any further documents relevant to the complaint. The designated governor must keep written records of all meetings and telephone conversations, which he/she should sign and date, and other related documentation.

Stage 3: Consideration by the governors' Complaints Review Committee

- 3.1 The governors' Complaints Review Committee will be three members, drawn from the relevant committees.
- 3.2 The Clerk to the Governors will convene the Committee within 10 working days of the referral from the designated governor. The Clerk will ask the Headteacher to prepare a written report for the Committee in response to the complaint. The Headteacher should additionally ask members of staff directly involved in matters raised by the complainant to prepare reports.
- 3.3 The Clerk to the Governors will write and inform the complainant, Headteacher, any relevant witnesses, and members of the committee at least five working days in advance, of the date, time and place of the meeting. All relevant correspondence, reports and documentation about the complaint should be included with the letter. The complainant should also be informed of his/her right to be accompanied to the meeting by a friend, representative or advocate. The letter will also explain how the meeting will be conducted and the complainant's right to submit further written evidence to the Committee.

- 3.4 Subject to the prior agreement of the Chair of the Committee, the Headteacher may invite members of staff directly involved in matters raised by the complainant to attend the hearing. Members of staff may also be accompanied by an adviser.
- 3.5 It is the responsibility of the Chair of the Committee to ensure that the meeting is properly minuted.
- 3.6 The aim of the meeting should be to resolve the complaint and achieve a 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 his or her complaint has at least been taken seriously.
- 3.7 The Committee should remember that many parents are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the Committee. The Chair of the Committee will therefore ensure that the proceedings are as informal as possible.
- 3.8 The meeting should allow for:
- The complainant to explain his/her complaint and the Headteacher to explain the school's response.
 - The Headteacher to question the complainant and the complainant to question the Headteacher and/or other members of staff about the school's response.
 - Committee members to have an opportunity to question the complainant, the Headteacher and any witnesses as appropriate.
 - Final statements by both the complainant and the Headteacher.
- 3.9 The Chair of the Committee will explain to the complainant and the Headteacher that the Committee will consider its decision, and that written notice of the decision will be sent to both parties as soon as possible but in not more than 5 working days. The complainant, Headteacher, other members of staff and witnesses will then leave.
- 3.10 The Committee will then consider the complaint and all the evidence presented in order to:
- Reach a unanimous, or at least a majority, decision on whether to dismiss or uphold the complaint.
 - Decide any action to be taken to resolve the complaint
 - Where appropriate, recommend to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.

- Decide if it wishes to recommend to the governing body that the LEA should review the process by which it has arrived at its decision.
- 3.11 A written statement outlining the decision of the Committee including any actions and/or recommendations will be sent to the complainant and Headteacher within 5 working days of the meeting. A statement should be included saying that there is no mechanism for a further appeal to the governing body. If the complainant feels the governing body has acted unreasonably or has failed to discharge its duties he/she should be advised to write to the Secretary of State for Education & Skills. If the Committee has decided to recommend to the governing body that the LEA reviews the process by which the Committee has arrived at its decision, this should be said in the letter.
- 3.12 The school should ensure that one copy of all correspondence and notes are kept but that all other copies are destroyed. These records should be kept separately from the pupil's personal records.
- 3.13 All matters are strictly confidential to the Complaints Review Committee.

Concerns and Complaints about the School.

Guidance Notes for Parents

If you have a concern or complaint please let us know as soon as possible. No matter what you wish to tell us, our support and respect for you and your child in the school will not be affected in any way. We always welcome suggestions for improving our work in the school and want to know of any concerns. To ensure that speedy action is taken by everyone concerned we have added a response time at several stages but we hope to be able to act quicker than these dates. It is, however, difficult for us to investigate properly an incident or problem that happened some time ago, so depending on circumstances, the governing body may decide it cannot consider a complaint about something that occurred more than two months ago.

What to do first

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

However, if you have a concern which you feel should be looked at by the Headteacher in the first instance you can contact him/her straightaway. It is usually best to discuss the problem face to face, so you may need an appointment, but this can be done easily by ringing or calling in to the school office. You can take a friend or anyone else to the appointment with you if you like.

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 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 it will be possible to achieve what you think is a satisfactory outcome 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.

If you are still concerned.

We will do all we can to resolve matters straight away but if you are not entirely satisfied with the teacher's response (or with the Headteacher's initial reaction if he/she has already been involved) you can make a formal written complaint to the Headteacher. The Headteacher will acknowledge receipt of the complaint within 3 working days.

You may find it helpful at this stage to have a copy of the full statement of the governing body's complaints procedure as this explains in detail how complaints are dealt with. This is available from the school office.

The Headteacher will contact you to discuss the problem. Usually you will be invited to a meeting and again you may take a friend or someone else with you if you wish. The Headteacher will then 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 within 10 days.

If you are still unhappy

We expect to have been able to resolve any problem by this stage. However, if you are still not satisfied you may wish to make a formal complaint to the governing body. This should be done within 10 days of your receipt of the Headteacher's letter. You should write to the Chair of Governors who has been designated by the governing body to deal with complaints in the first instance. Your letter should be addressed to the school but noted as "personal" to the Chair of Governors. He/she will see if there is a way forward. [Note that at this stage your complaint will not be made known to other governors. This is so that if it is necessary for the governors to hold a formal hearing of your complaint they will be able to maintain impartiality.] The Designated Governor will speak to you personally and you will receive a formal reply within 5 working days of receiving your letter.

If the designated governor is unable to resolve the matter, your complaint will be heard by a committee of three governors - the Complaints Review Committee. They will be able to make a fresh, unbiased assessment. You will be invited to attend the committee meeting, accompanied by a friend or representative if you wish, and to put your side of the matter. The Headteacher will also attend to give his/her account. The governing body's complaints procedure explains how these meetings are conducted. You will be informed in writing of the Committee's decision. This meeting will be held within 15 working days of your formal submission and you will be informed in writing of the decision within 5 working days of the meeting. The decision of the Complaints Review Committee will be final.

If your complaint is about an action of the Headteacher personally then you should contact the Designated Governor who will discuss the matter with you and attempt to resolve the problem. If you are not satisfied with the outcome of this process you will be asked to detail your complaint in writing and it will be considered by the Complaints Review Committee of the governing body.

Further action

Complaints about school problems are usually settled within schools but in exceptional cases it may be possible to refer the matter to an outside body such as the local education authority or the Secretary of State for Education and Skills. If necessary the chair of the Complaints Review Committee of the governing body will let you have further information.

All references to "parents" include guardians and carers.

