TILERY PRIMARY SCHOOL

Together Promoting Success

Model Policy for Dealing with Concerns and Complaints

For Maintained Schools in Stockton on Tees.

Produced by School and Governor Support Service

Updated September 2014

1. Introduction

The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, the school must be clear about the procedures they will apply when they receive a complaint.

The Governing Body of Tilery Primary School have adopted the following policy to deal with formal complaints from members of the school community or general public. Staff are dedicated to giving all children the best possible education and caring properly for their health, safety and welfare at all times. We are committed to working closely with parents and believe that the school and parents must work together in partnership, each carrying out their own particular responsibilities to help pupils gain the most from their time in school. However, the school is obliged to have procedures in place for dealing with all complaints whether these are from parents, legal guardians or members of the public. This model policy is a good practice guide and sets out the procedures that will apply to most general complaints received by schools. It is not intended to cover those matters for which there is a specific statutory process to object, complain or appeal.

2. Purpose of the Policy

This policy aims to reassure that any concern or complaint raised will be dealt with in a fair, open and responsive way with the aim of achieving a speedy and satisfactory resolution. The school recognises a willingness to listen to questions and criticisms and to respond positively and in a way in which improvements can be made to school practices.

3. Initial Concerns and Complaints

It is in everyone's interest that complaints are resolved at the earliest possible stage and we expect that the majority of concerns will be resolved in this way. The complainant should initially raise any concern directly with the member of staff most directly involved and if not satisfied discuss concerns with a senior member of staff.

4. Second Contact: Referral to Headteacher

If the complainant is not satisfied with the response from the senior member of staff they should:

- Raise any concerns directly with the Headteacher, preferably in writing, using the attached formal complaints form (Appendix 1).
- The Headteacher will investigate the complaint via discussions with those involved.
- Once all of the relevant facts have been established, the Headteacher will produce a written response and/or may wish to speak to the complainant to resolve the matter directly.
- The response will document the decision reached and the reasons for it. Where appropriate, it will also include what action the school will take/has taken to resolve the complaint. (It is best practice for the Headteacher to include in the letter the right for the complainant to write to the Chair of Governors if not satisfied with the decision). ***(NB In some cases it may be useful to use a recorded delivery service to ensure that written communication can be evidenced.***
- As far as is reasonable this will take place within **10 school working days** of the initial complaint being received by the Headteacher.

5. Third Contact: Referral to Chair of Governors

If the complainant is not satisfied with the Headteacher's response then they have the option to put their complaint in writing within 10 school working days of the Headteacher's response, addressing their

correspondence to the Chair of Governors or Clerk to the Governing Body c/o the school in a sealed envelope marked 'For Immediate Action' 'Private and Confidential'.

It is helpful at this point if the complainant can indicate in writing how they would like the matter to be resolved and what outcome they would like to see achieved. The Chair of Governors will acknowledge the complaint in writing within five school days of receipt.

The Chair of Governors will conduct their own investigation into the complaint and may provide an opportunity for the complainant to meet informally with them to discuss the detail, clarify the nature of the complaint and what remains unresolved and finally what they feel would put things right.

The Chair of Governors will make a decision, on the basis of the information gathered, and possible outcomes may include:

- 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.

All decisions will be recorded in writing within **10 school working days** of the Chair of Governors completing their investigation, as far as is reasonably practical, and a copy provided to the complainant. The letter/report to the complainant will offer the right of appeal to the Governing Body Complaints Committee.

If the complaint relates to the Headteacher, the complainant should write directly to the Chair of Governors, c/o the school, with their complaint.

6. Fourth Contact: Referral to the Complaints Committee

If the complainant wishes to appeal they must do so in writing to the Chair of Governors, c/o the school, within **10 school working days** providing a clear explanation as to why they wish to lodge an appeal.

Individual complaints would not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The complainant will be offered the opportunity to attend a meeting where they will be able to discuss their complaint with the committee (minimum of three governors, not previously involved) and explain why they are not satisfied with the Chair of Governor's decision. Should the complainant or school intend to call witnesses to the Committee meeting, their name/s should be notified to the Clerk to the Governing Body prior to the meeting in order that appropriate meeting room requirements can be sourced. It is the responsibility of the complainant and school to ensure that witnesses are invited to the meeting. (A checklist for a Complaints Committee meeting is attached as Appendix 2)

The complaints committee will consider the issue and write to inform the complainant within **10 school working days** of their decision. Possible outcomes may include:

- 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.

7. **This is the last school-based stage of the complaints process and is not convened to merely rubber stamp previous decisions**

Should the complainant not be satisfied with the outcome then they may complain to the Secretary of State for Education. Concerns, reasons why the complaint is being submitted and copies of all correspondence relevant to the complaint should be mailed to:

The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

8. **Anonymous Complaints**

The School/Governing Body will not consider anonymous complaints.

9. **Vexatious Complaints**

There may be occasions when, despite all stages of the procedures having been followed**,** the complainant remains dissatisfied. If the complaint becomes vexatious (e.g. the complainant tries to re-open the same issue), the Chair of Governing Body can inform the complainant in writing that the procedure has been exhausted and the matter is now closed.

10. **Monitoring**

As well as addressing an individual's complaint, the process of listening to and resolving complaints would contribute to school improvements. When individual complaints are heard, schools may identify issues that need to be addressed. The Governing Body should review this policy within their policy review cycle.

Date Adopted: 16 October 2014

To be reviewed: as advised by Governor's support

Appendix 1

Formal Complaint Form

Name:	
Address	
Postcode:	
Pupil's Name (if applicable)	
Pupil's Class Teacher (if applicable)	
Telephone Number – Daytime/Mobile	
Telephone Number – Evening	
Email Address:	
Relationship to the School i.e. parent, carer, neighbour, member of the public	

Please provide details of your concern/complaint

Have you raised this with another member of staff?	**Yes**	**No**
If so, can you please provide details		

When did you do this?	**Date:**

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.

Name: (please print)	
Signed:	
Date:	

Please return this form to the Headteacher/Principal

Appendix 2

Proposed Format for a Complaints Meeting

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- The Complainant and Headteacher will enter the room where the hearing is taking place together.
- A Chair for the Committee meeting will be appointed whom will introduce the panel members and the Clerk as well as outline the process for the meeting.
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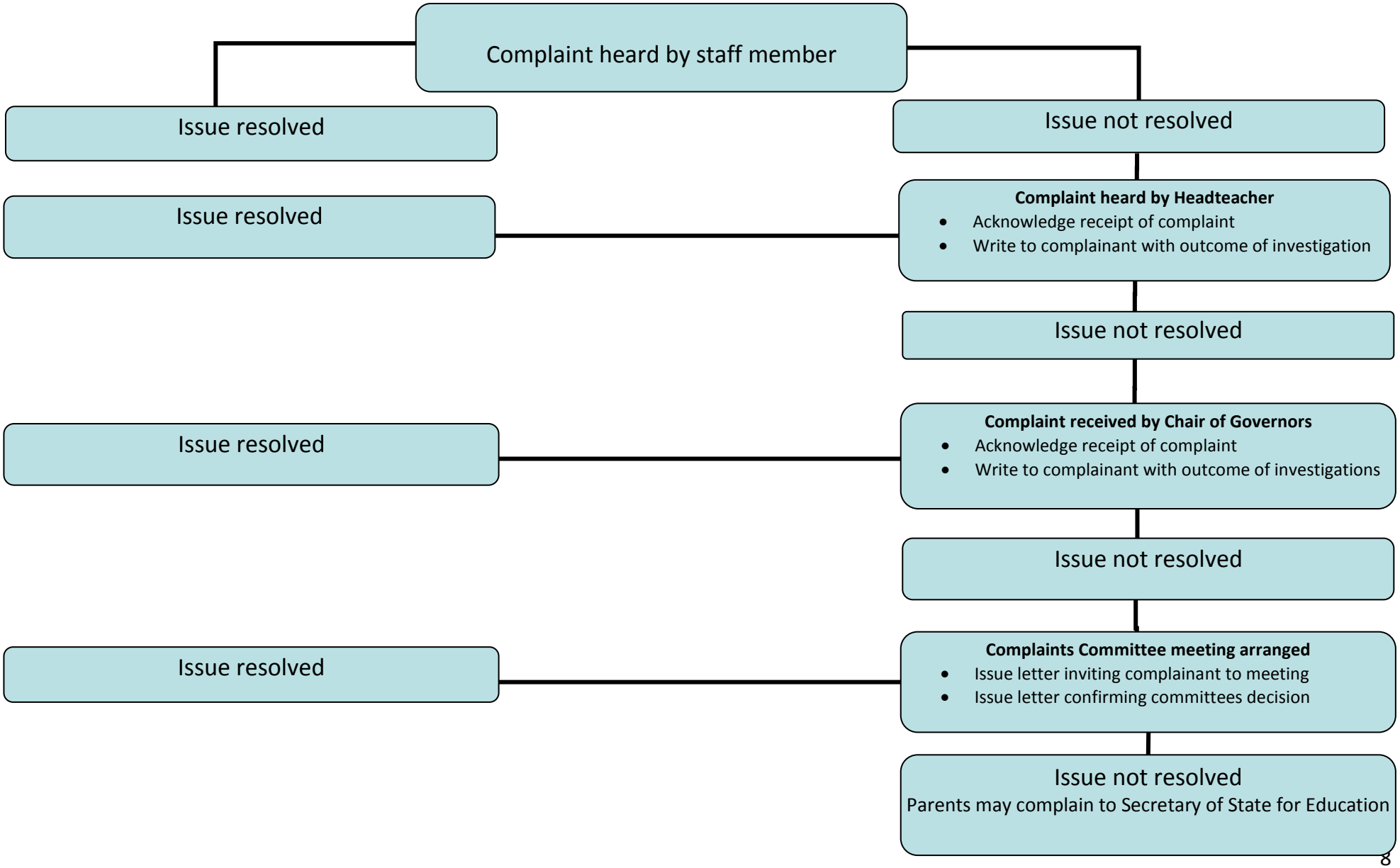
- The complainant is invited to explain their complaint, and be followed by their witnesses.
- The Headteacher may question both the complainant and the witnesses after each has spoken.
- The panel will question the complainant.
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher and the witnesses after each has spoken.
- The panel will question the Headteacher.
- The complainant is invited to sum up their complaint.
- The Headteacher is invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the Committee decides on the issues.
- The Chair of the Committee explains that both parties will hear from the Committee within a set time scale.
- The Clerk will remain with the panel to clarify any issues.


Complaint heard by staff member
Issue resolved
Issue not resolved
Complaint heard by Headteacher
Acknowledge receipt of complaint
Write to complainant with outcome of investigation
Issue resolved
Issue not resolved
Complaint received by Chair of Governors
Acknowledge receipt of complaint
Write to complainant with outcome of investigations
Issue resolved
Issue not resolved
Complaints Committee meeting arranged
Issue letter inviting complainant to meeting
Issue letter confirming committees decision
Issue resolved
Issue not resolved
Parents may complain to Secretary of State for Education