

HADLEIGH INFANT & NURSERY SCHOOL



Complaints Policy

2018-2020

| Version | Supersedes all previous versions |
|------------------------------|----------------------------------|
| Document authors | Sam Proctor |
| Other contributors | - |
| Policy produced (date) | September 2018 |
| Policy approved by | FGB |
| Policy approved (date) | November 2018 |
| Policy to be reviewed (date) | November 2020 |
| Other related policies | - |
| Other paperwork attached | - |

Version History Log for this document

| Version | Date Published | Details of key changes from previous version |
|---------|----------------|--|
| | | |
| | | |
| | | |
| | | |

What is a complaint?

A complaint is an expression of dissatisfaction whether made orally or in writing. This policy addresses general complaints and not complaints raised by employees against other employees.

How does the staged approach work?

The staged approach is designed to ensure that every effort is made to deal with complaints informally at school level in partnership with the complainant. The formal stages should only be triggered in exceptional circumstances.

Stage 1

Stage 1 is an informal stage. In the case of a **complaint by a parent** the teacher will receive the first approach. If the complainant is unhappy with the outcome after the discussion with the teacher they can request to meet with a member of the Senior Leadership Team (this may not necessarily be the Head Teacher). The complainant will be seen by a member of the Senior Leadership Team, to discuss the matter further, no later than 5 working days after the request was made. The majority of issues should be resolved at this stage.

In the case of a **complaint by a member of the public**, Mrs. J. Reader or Mrs L. McCarthy should be first point of contact. A decision will then be made as to which member of staff is best placed to deal with the complaint.

Stage 2

Stage 2 is the first formal stage where written complaints are considered by the Headteacher or a designated governor, who has responsibility for dealing with complaints.

Stage 3

Stage 3 is the next step once Stage 2 has been completed and has failed to conclude the matter. It involves a complaints review panel of governors. Such a panel may be offered at the discretion of the Chair of Governors.

The policy is designed to manage all complaints but complaints vary in their nature and complexity. Therefore, the school will need to consider at which stage a complaint should be dealt with when it is initially raised and which member of staff is best placed to deal with it.

Principles and Procedures

Our principal aim is to deal with complaints:

- Openly
- Fairly
- Promptly
- Without prejudice

Our procedures for dealing with complaints will:

- Be set out on the schools' websites;
- Be available in a hard copy from the school office;
- Be simple to understand and follow;
- Be focussed on outcomes;
- Have established time limits for action;
- Keep people informed at all stages;
- Where necessary, respect people's desire for confidentiality;
- Be carefully monitored and evaluated;
- Provide information to school senior leadership teams and schools' procedures can be improved.

Guidance on each stage of the procedure

There are three stages to this procedure as set out on Page 2. The vast majority of complaints would be settled in stage 1 and all are expected to be resolved by Stage 2. Any person expressing continued dissatisfaction should be advised of the next stage of the procedure.

Stage 1 – Your initial contact with the school

- Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's teacher.
- Staff are asked to keep a brief record of any telephone calls, meetings and agreed actions after discussions with parents. These records may be used to support the school in dealing with further concerns.
- If we have not been able to resolve your concern after this meeting, you may request a meeting with one of the school's Senior Leadership Team (this may not necessarily be the Head Teacher).
- Meetings with the school's Senior Leadership Team will take place within 5 working days of your request unless you are willing to meet after this time.
- We will ensure that you are clear what action or monitoring of the situation, if any, has been agreed and will confirm this verbally or in writing to you.
- We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into your concern.
- We will discuss with you, depending on the need, (normally within ten working days) the progress of our enquiries. You will have the opportunity of asking for the matter to be considered further, once we have responded to your concern.
- If you are still dissatisfied following this informal approach, your concern will become a formal complaint. Please refer to Stage 2 for further details of how you can make a formal complaint.

Stage 2 - Formal consideration of your complaint

This stage in our procedures deals with written complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined under Stage 1 above.

- Normally, your written complaint should be addressed to the Head Teacher. If, however, your complaint concerns the Head Teacher personally, it should be sent to the school marked "For the attention of the Chair of Governors"
- We will acknowledge your complaint in writing after receiving it, this will be within five working days.
- We will enclose a copy of these procedures with the acknowledgement.
- Normally we would expect to respond in full within ten working days but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
- As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
- The Head Teacher, or Chair of Governors may also be accompanied by a suitable person if they wish.
- If the Head Teacher deems it necessary, the meeting will be minuted. A copy of the minutes will be sent to you within five working days of the meeting.
- Following the meeting, the Head Teacher and/or Chair of Governors will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
- If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
- The Head Teacher and/or Chair of Governors will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation which may be used at a later date if required as part of a Stage 3 complaint.
- Once we have established all the relevant facts, the school will send you a written response to your complaint. This will give a full explanation of the Head Teacher's and/or Chair of Governors'

decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.

- The person investigating your complaint may decide that the school has done all it can to resolve the complaint, in which case they may use their discretion to close the complaint at this point. Please see the section titled '**Closure of Complaints**' on page 8 for further information.
- If we do not close the complaint after Stage 2 and you are still unhappy that your complaint has not yet been resolved, you may wish to proceed to Stage 3. Please refer to Stage 3 for further details associated to the Complaints Review Panel.

Most complaints are expected to be resolved at the end of this stage. If the matter is not resolved, the complainant may write to the Chair of Governors to request their complaint is heard by a Complaints Review Panel. The letter must be addressed to the Chair.

Stage 3 - Consideration by a complaints review panel

If your concern has already been through Stages 1 and 2 and you are not happy with the outcome, we may agree to set up a Complaints Review Panel to consider your complaint further. This is a formal process, and your ultimate recourse at school level. The Chair of Governors has discretion to agree to this form of meeting where he or she feels it would be helpful in resolving the complaint. The purpose of this arrangement is to give your complaint a hearing in front of a panel of governors who have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice. The aim of a Complaints Review Panel is to resolve the complaint and to achieve reconciliation between the school and the parent. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously.

If the Chair of Governors agrees for the complaint to be heard by the Complaints Review Panel he will instruct Mrs. L. McCarthy to arrange the hearing. The Head Teacher and Mrs. L. McCarthy are referenced throughout this section as this would be normal practice; however, in the event of a stage 3 complaint being made against one of these members of staff the Chair of Governors will choose an appropriate member of staff to complete their role in the complaint if he deemed it necessary.

The Complaints Review Panel operates according to the following formal procedures:

- Mrs. L. McCarthy will aim to arrange for the panel meeting to take place within **20 working days**.

- Mrs. L. McCarthy will ask you whether you wish to provide any **further written documentation** in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.
- The Head Teacher will be asked to prepare a **written report** for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
- Mrs. L. McCarthy will inform you, the Head Teacher, any relevant witnesses and members of the panel by letter, at least **five working days** in advance, of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place in the school; but we will do what we can to make alternative arrangements if you prefer.
- With the letter, Mrs. L. McCarthy will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit **further written evidence** to the panel.
- The letter will explain what will happen at the panel meeting and inform you that **you are entitled to be accompanied** to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
- With the agreement of the chair of the panel, the Head Teacher may invite **members of staff** directly involved in matters raised by you to attend the meeting.
- The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to **put you at your ease**.
- As a general rule, no evidence or witnesses **previously undisclosed** should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
- The chair of the panel will ensure that the meeting is properly **minuted**. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.
- Normally, the **written outcome** of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a **copy of the minutes** it would be helpful if you could indicate this in advance. If the panel is happy for the

minutes to be copied to you, Mrs. L. McCarthy can then be asked to provide you with a copy of the confidential minutes.

During the meeting, you can expect there to be opportunities for:

- You to explain your complaint;
- You to hear the school's response from the Head Teacher;
- You to question the Head Teacher about the complaint;
- You to be questioned by the Head Teacher about the complaint;
- The panel members to be able to question you and the Head Teacher;
- Any party to have the right to call witnesses (subject to the chair's approval) and all parties to have the right to question all witnesses;
- You and the Head Teacher to make a final statement.

In closing the meeting, the chair will explain that the panel will consider its decision and that written notice of the decision will be sent to the Head Teacher and yourself **within two weeks**. All participants other than the panel and the minute taker will then leave.

The remit of the complaints panel is to:

- a) Dismiss the complaint in whole or in part;
- b) Uphold the complaint in whole or in part;
- c) Decide on the appropriate action to be taken to resolve the complaint;
- d) Recommend changes to the school's systems to ensure that problems of a similar nature do not re-occur.

Mrs. L. McCarthy will send you and the Head Teacher a written statement outlining the decision of the panel **within two weeks**. The letter will explain what further recourse, beyond the governing body, is available to you.

The school will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

Closure of complaints

- Very occasionally, a school will feel that it needs, regretfully, to close an complaint where the complainant is still dissatisfied.
- The School will do all we can to help to resolve a complaint but sometimes it is simply not possible to meet all of the complainant's wishes and it may be a case of "agreeing to disagree".
- If a parent persists in making representations to the school which are wholly or substantially similar to a complaint which has exhausted the internal procedures or where complaints or representations are made which are false or where the intention is to disrupt the smooth running of the school (in the reasonable opinion of the school), then the school reserves the right to take no further action in respect of that complaint or concern.
- In exceptional circumstances, closure may occur before a complaint has reached Stage 3 of the procedures described in this document. The Chair of Governors must be confident that calling a Complaints Review Pannel is likely to assist the process in concluding the complaint, if he is not no review will take place. Before making his decision the Chair of Governors will ensure the school has taken all reasonable steps to find a resolution to the complaint.

Who can I raise my complaint with if I am still not happy?

If you have completed all three stages of the Complaints Policy and are still unhappy with the outcome of the complaint, you may raise your complaint with the DfE. Please follow the link below -

<https://www.gov.uk/complain-about-school/state-schools>

The DfE will only consider your complaint if you have completed the school's complaints procedure.

If you are unhappy about how the school is being run, you can raise your complaint to Ofsted. You must have already followed the school's complaints procedure.

<https://contact.ofsted.gov.uk/online-complaints>

You should get a response within 30 working days. It will tell you if Ofsted will investigate or not, and why.

Reviewing the procedure

The complaints procedure will be reviewed every two years, taking into account the latest guidance issued by the DfE.

Responsibility for reviewing the procedure belongs to a committee of the Governing Body, an individual governor or the Head Teacher. Once changes are made the Head Teacher will present the policy to the Full Governing body for approval.

Information gathered through reviewing the complaints procedure will be used to continuously improve and develop the process.