



COMPLAINTS POLICY

Mission Statement

We want Salterlee School to be a caring, welcoming environment, in which everyone works together, valuing and respecting all in the community, creating firm foundations for success.

DEALING WITH COMPLAINTS

Every well governed and well managed school will from time to time have to deal with complaints from parents. Governors will know that most parental concerns and complaints are resolved informally by the school staff and Headteacher. Comparatively few complaints lead to a formal process, but some do, and governors must be sure that informal procedures are in place, understood and followed.

Communication, written or spoken, is valued as part of the partnership between home and school. Co-operation between parents, staff and governors leads to a shared sense of purpose and a good atmosphere in the school. A general complaints procedure that sets out clear procedures to be followed in the event of a complaint gives a structured opportunity for all concerned to express and resolve concerns at an early stage.

What kind of complaints?

This document describes the policy for dealing with complaints which the Governing Body has adopted.

- It can be used to resolve complaints about the way school is run or about the way a school policy has been implemented. Most of these complaints are about decisions which affect a particular pupil or pupils.
- It cannot be used to resolve matters where other legal procedures already apply. For example staff discipline, special educational needs, Sex Education, Child Protection Investigations, admissions, exclusions, and some National Curriculum matters. Queries about how these matters should be dealt with should be addressed to the Group Director, Children and Young People's Services, in the first instance.

Who can complain and when?

This policy procedure applies to complaints made by:

- Parents of pupils currently or recently at the school;
- People who either have 'parental responsibility' for a pupil or who care for him or her, but are not the pupil's parents;

Complaints must be presented within three months of the action or matter complained of.

What action should the governing body take?

The Governing Body must:

1. Approve and adopt a written Complaints Procedure;
2. Appoint two or three governors to sit on the Appeals Committee (it would be useful to appoint several governors from which to choose two or three for a particular complaint). Staff and

Teacher Governors are advised not to serve on the committee due to the potential for conflicts of interest.

3. The membership of this committee is reviewed at the first meeting in each autumn term in the same way as all other standing committees of the Governing Body;
4. The Governing Body has given the Appeals Committee full delegated powers to investigate and make decisions about complaints which are referred to it;
5. All the usual rules about governors' meetings apply, including declarations of interest. Minutes of the Committee meetings are to be confidential and refer to the person making the complaint, the pupil, or anyone involved, by initials rather than by name.

How does the policy procedure work?

- The policy is based on informal and formal stages. The informal stage involves trying to resolve the matter as quickly as possible with first the class teacher or the Headteacher and must be tried first. Only if the complainant is dissatisfied with the outcome or the matter cannot be resolved by this individual should the matter be referred to the formal stage, with the Headteacher or the Governing Body.
- Where a complaint is initially made to the Chair of Governors or another member of the governing body he/she should refer the matter to the Headteacher for it to be dealt with under the procedures below.

Exceptions

There are two exceptions to the procedure above;

1. A complaint may appear to be sufficiently serious that it should be referred straight to the formal procedure, or
2. A complaint may clearly relate to breaches of discipline by a staff member, in which case this procedure would not apply and personnel advice should be sought.

STAGE ONE - INFORMAL STAGE

Where to complain?

Appropriate member of staff

- Parents should be given the opportunity to discuss their concerns with an appropriate member of staff, such as the class teacher.
- In many cases parents' concerns and complaints are resolved at this early stage of the informal stage.
- If the concern remains unresolved the staff member should advise the parent that they may complain to the Headteacher.

STAGE TWO – INFORMAL STAGE CONTINUED

Headteacher

The Headteacher should:

- Meet with the person making the complaint and obtain full details of the complaint;
- Discuss this with the member of staff involved;
- Where a complaint concerns a pupil that pupil should normally be interviewed;
- Ensure written records are kept of all meetings, telephone discussions, and any other relevant documents;
- Consider all the facts and reach a conclusion or an agreed compromise;
- Write to the person making the complaint giving a full explanation of the decision, the reason for it and, where appropriate, what actions the school proposes to take. The letter

should inform the parent that if they are not satisfied with the outcome they may complain in writing to the Chair of Governors within ten school days.

Chair of Governors

- If a complaint has been through Stage One AND Stage Two (the two informal stages mentioned above), the Chair would normally pass the complaint straight to the Appeals Committee unless it is clear that the matter can be immediately resolved.
- A complaint against the Headteacher should be referred straight to the Chair of Governors.
- A complaint about a member of the Governing Body should be referred to the Appeals Committee and the appropriate procedures followed.

Dealing with a complaint against the Headteacher

- This type of complaint would involve the Chair speaking with the person making the complaint and the Headteacher to ascertain whether or not the complaint can be resolved at this informal stage;
- If the matter cannot be resolved and the complaint falls within the scope of the procedure the Chair should then refer the complaint to the Appeals Committee;
- If the Chair has had some prior involvement in the matter which is being complained of he/she should ask the Vice Chair to undertake this role instead of the Chair.

STAGE THREE - FORMAL STAGE

The Appeals Committee of the Governing Body deals with any complaint which has reached the formal stage.

This involves:

1. Receiving the complaint
2. Investigating the complaint
3. Making decision on the complaint
4. Reporting the decision of the Appeals Committee to the Governing Body.

1. Receiving the Complaint

- The Appeals Committee should try to meet as soon as possible after the complaint is received to agree and be clear about what needs to be done and draw up a timetable for doing it;
- The Clerk to the Governing Body on behalf of the Chair of Appeals Committee should write to the person making the complaint to:
 - Explain that the Committee is now dealing with the complaint;
 - Confirm that the Committee has received a copy of any written complaint;
 - Set out what appears to be the nature of the complaint and invite the complainant to send any further written information about the complaint;
 - Set out the Committee's timescale for dealing with the complaint;
 - Invite the person making the complaint to meet with the Committee to give full details of their complaint, and inform them they may be accompanied by a friend or representative;
 - Set a reasonable deadline for reply by the person making the complaint, and make it clear that if there is no response by this deadline the Committee will proceed on the basis of the information it already has;

If the person making the complaint accepts the invitation to meet the Committee, arrangements should be made to make this as easy as possible. The Committee may wish to consider the most appropriate time and place for the meeting to take place and whether other facilities such as providing an interpreter would be helpful.

The Clerk to the Governing Body should also write to the person(s) complained of informing him/her of the complaint and explaining that they will be given the opportunity to give their version of events.

The purpose of all the above is to find out precisely what the complaint is about and to inform the complainant of the procedure and timescale.

Role of the Clerk to the Governing Body

The Clerk to the Governing Body should write to the complainant to acknowledge receipt of the written request to refer the matter before the Appeals Committee. The acknowledgement should inform the complainant that the Governing Body's Appeal Panel will hear the complainant within 20 working days.

The Clerk should convene a meeting of the Appeals Panel within the agreed timescale. The Clerk should be responsible for making all the arrangements for the meeting, including the time and place. The complainant, Headteacher and members of the Appeals Panel should be informed at least five working days in advance of the date, time and place of the meeting. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/advocate/interpreter. The letter should also explain how the meeting will be conducted.

2. Investigating the complaint

- The Committee must meet to discuss the complaint and decide what information they need, who they may need to interview in addition to the person(s) complained of and what questions will need to be asked;
- The interviews can proceed with prepared questions followed by other questions if necessary, and the people being interviewed should be asked if they have anything to add. Answers to the questions should be carefully recorded and the people interviewed should be asked to sign the record of answers;
- The investigation is not a staff disciplinary investigation;
- Following interviews with staff it may be necessary to ask for further information from the person making the complaint;
- The complainant and the person(s) who is the subject of the complaint should be informed if there is any delay in the investigation process;
- When the Appeals Committee is satisfied that it has all the available information it will consider the complaint and all the evidence. Governors serving on the committee should all try to reach an agreed decision on what should be done to resolve the complaint.

3. Making the decision

The Appeals Committee should consider the complaint and all the evidence presented and:

- The Appeals Committee must make their decision on the basis of the information in their possession;
- Reach a majority decision on the complaint;
- Decide upon the appropriate action to be taken to resolve the complaint;
- They should produce an investigation report which documents their decision. This would need to be produced if the complainant was to refer the matter to the Secretary of State;
- The report should be written by the Chair of the Committee;
- The investigation report will be brief with a view to:
 - Summarise the evidence gathered;
 - Give the decision made by the Appeals Committee;

- Give any recommendations made by the Appeals Committee to prevent a similar problem occurring again;
- Where conflicting versions of events have been given it should be clear from the report why one version has been preferred over the other;

Note: In very few cases it may be that one of the recommendations is for the Governing Body to hold a formal disciplinary investigation to find out if staff disciplinary action is necessary. In this case the Appeals Committee should seek advice from the local authority before the investigation report is presented to the Governing Body.

The decisions and recommendations of the Committee should be:

- Sent to the person making the complaint with the information that if the Governing Body's response has failed to satisfy the person making the complaint he or she may refer the matter to the next stage of the process (see below for details);
- Sent to the Headteacher;
- Sent to the person(s) complained of.

4. Reporting the decision of the Appeals Committee to the Governing body

The outcome of the complaint should be reported back to the Governing Body as an information only item. The report should include:

- Short paragraph briefly summarising the complaint, the investigation and the outcome;
- The Committee's recommendations;
- No names of pupil(s) involved.

Following the completion of the investigation process it may be a decision of the committee members to recommend a review of one or more of the school's systems or policy documents in order to ensure that problems of a similar nature do not occur again. Any such recommendation should be included in the report to the Governing Body.

STAGE FOUR - Complaint to the Local Authority

If the complainant wishes to pursue the matter further, the Local Authority will only consider the case if the complainant is one deemed under Section 409 of the Education Act 1996 (Complaints and enforcement). Such a request must be addressed to the Group Director, Children and Young People's Services Directorate and be received within 15 days of the date of the letter giving the outcome of the meeting held at Stage Three of the General Complaints Procedure.

The Local Authority has a statutory responsibility to consider a relevant complaint about the curriculum which has not been resolved by the Governing Body. The procedures for dealing with such a complaint are contained in the Local Authority's "Arrangements for the consideration of Complaints about the School Curriculum and Related Matters".

There is no further appeal to the Local Authority.

STAGE FIVE - Complaint to the Secretary of State

If a complainant wishes to pursue the complaint he/she has recourse to the Secretary of State.

Complaints can be taken to the Secretary of State for Education and Employment under Section 496 of the Education Act 1996, on the grounds that a Governing Body or Local Authority is acting or proposing to act unreasonably, or under Section 497 of the same Act, on the grounds that either the Governing Body of the LEA has failed to discharge its duties under the Act. The Secretary of State may contact the Governing Body or the Local Authority for more information in order to consider the complaint.

REVIEW AND EVALUATION

This policy will be reviewed annually by Staff and Governors.