



# HOTSPUR PRIMARY SCHOOL COMPLAINTS POLICY AND PROCEDURE

## Introduction

Misunderstandings and mistakes happen; what matters is how the consequences of these are handled. Although formal complaints are few, they can be very stressful for all involved. This document sets out the general principles for handling complaints at Hotspur and gives a clear procedure to follow.

## Two caveats

1. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints. A complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service (e.g. at Treehouse), will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.
2. Safeguarding is not covered by this policy. If safeguarding is, or thought to be, an issue the Head teacher or the Deputy Head teacher, as 'Designated persons', should be contacted directly.

## General principles

The Complaints Procedure is intended to:

- encourage resolution of problems by **informal** means wherever possible;
- be easily **accessible** and **publicised**;
- be **simple** to understand and use;
- be **impartial**;
- be **non-adversarial**;
- allow **swift** handling with established **time-limits** for action and keeping people informed of the progress;
- ensure a full and **fair** investigation by an independent person where necessary;
- respect people's desire for **confidentiality**;
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
- provide **information** to the school's senior leadership team so that services can be improved.

## The Stages of Complaints

A flow chart of these stages can be found in Appendix 2. There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between

the complainant and the member of staff directly involved and further investigations may be required by the head teacher after a meeting with the complainant.

There are five school-based stages, including an informal first stage:

- Stage one: the complainant approaches the class teacher or the individual delivering the service. If the complainant feels that he/she would have difficulty in discussing this with the particular member of staff, then, in the first instance, a complaint can be made to another staff member who will listen to the complaint and explain the procedure available. Similarly, if a first approach is made to a governor he/she should listen to the complaint and explain the procedure available ;
- Stage two: If the issue has not been resolved the complainant should be referred to the School Business Manager who will help the complainant fill in the form in Appendix 1 and, after ascertaining the nature of the complaint, will refer it to the appropriate member of the Senior Leadership Team;
- Stage three: complaint heard by appropriate member of the Leadership Team. Annie Walker, if it concerns SEND; Jenn Findlay, if it concerns EYFS/Key Stage 1; Carol Jackson, if it concerns Key Stage 2; Steve Crosthwaite, if it concerns Extended Services provision; Jennifer Marshall, if it concerns administration functions;
- Stage 4: complaint heard by the Headteacher;
- Stage 5: complainant writes to the Chair of Governors who sets up a GB complaints appeal panel to hear the complaint.

If the complaint is still not resolved, the complainant can take it to:

- The Secretary of State for Education.
- The Local Government Ombudsman if it is about the following local authority services – SEN, school admissions, permanent exclusions, school transport.
- Ofsted if it is about the quality of the education provided, pupil achievement, the school's leadership and management, misuse of resources or neglect of pupils personal development and well-being

The Local Authority no longer has a duty to consider complaints.

### **Investigating Complaints**

At each stage, the person investigating the complaint will make sure that they:

- establish **what** has happened so far, and **who** has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;

- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

### **Resolving Complaints**

At each stage in the procedure those involved should try to keep in mind ways in which a complaint can be resolved, identify areas of agreement between the parties and try to clarify any misunderstandings that might have occurred. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

An admission that the school could have handled the situation better is not the same as an admission of negligence.

### **Time-Limits**

Complaints will be considered, and resolved, as quickly and efficiently as possible. Wherever possible, a full written response will be made within 15 working days or, where this is not possible, a reply will be sent indicating progress to date and an estimate of time to make a full response.

## APPENDIX 1: COMPLAINT FORM

Please complete and return to the School Business Manager who will acknowledge receipt and explain what action will be taken.

**Your name:**

**Pupil's name:**

**Your relationship to the pupil:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Please give details of your complaint.**

**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?**

**What should the School do to put things right?**

**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**

## Appendix 2: Complaints Flow Chart

