



NONSUCH PRIMARY SCHOOL

COMPLAINTS POLICY

Date of Policy: Sept 2015
Date of review: Sept 2018
Author: Sue Hawker

This policy should be read in conjunction with the latest version of the [School Complaints Toolkit](#) (currently August 2014) which outlines the Act covering complaints, roles and responsibilities, a checklist for a panel hearing and further information.

1. Introduction

1.1 We believe that our school provides a good education for all our children, and that the head teacher and other staff work very hard to build positive relationships with all parents. We endeavour to create effective procedures for concerns (a concern may be something causing anxiety or worry) or complaints (where a concern has not been addressed or resolved satisfactorily) from parents, pupils or members of the public. The following policy sets out the procedure that the school follows in such cases (summary Appendix A).

2. Aims and objectives

2.1 Our school aims to be fair, open and honest when dealing with any concern or complaint. We give careful consideration to all concerns and deal with them as swiftly as possible. We aim to resolve any concern through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any concern to be fully discussed, and then resolved.

3. The complaints process

How to share a concern (informal stage)

3.1 If a parent, pupil or member of the public is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher or a member of staff most directly involved with the concern. Most matters can be dealt with in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they always want to know if there is a problem, so that they can take action before the problem affects the child's progress.

3.2 Please request a meeting with the member of staff most directly involved with your concern, using either the school contact book or via the school office, letting us know the best time of day and way to contact you and we will arrange to meet with you at the earliest mutually convenient

time.

3.3 The school may 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, if appropriate

We would also encourage the person raising the concern to state what actions they feel might resolve the concern.

What to do if the matter is not resolved through informal discussion (formal stage)

3.4 Where a parent, pupil or member of the public feels that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the head teacher. The head teacher will consider any such complaint very seriously and investigate each case thoroughly. Most complaints are normally resolved at this stage. An unsatisfied complainant can always take a complaint to the next stage.

Sharing a concern about the head teacher

3.5 Should a parent have a complaint about the head teacher, s/he should first make an informal approach to the chair of the governing body, who will investigate it (the chair may also nominate another governor to investigate in their stead and this possibility will be discussed with the complainant). The governor will do all s/he can to resolve the issue through a dialogue with the school, but if a parent remains unhappy with the outcome, s/he can make a formal complaint, as outlined below.

3.6 if agreed by both the complainant and the school, the chair of the governing body (and also the head teacher at 3.3) may offer the opportunity to meet with an independent governor to act as a facilitator (Appendix C). They should not have prior knowledge of the complaint and may meet separately with the complainant and the school in an attempt to resolve the complaint.

Alternatively, if both parties agree, a joint meeting may be arranged. Another option available is formal mediation provided by external mediators: Merton and Sutton Mediation

(<http://www.mertonandsuttonmediation.com>) at a cost that will be shared equally between the school and the complainant.

How to take the matter further

3.7 After these options have been explored, and should the complaint remain unresolved (we would expect to have made progress towards resolution within six school weeks), may a formal complaint be made to the governing body. This complaint must be made in writing (normally within six months of the event), stating the nature of the complaint and what still remains unresolved. A model form can be found as Appendix D at the end of this policy. The complainant will send this written complaint for the attention of the chair of governors or the clerk to the governing body. The envelope should be marked 'FOR IMMEDIATE ACTION' 'PRIVATE AND CONFIDENTIAL' and staff in the school office should ensure that the letter is forwarded without delay.

3.8 Either the chair of the governing body will contact the clerk to the governing body or the clerk directly will arrange a meeting of the complaints panel (a group of nominated governors who have not been involved with the complaint up to this point and who can provide an independent view on the issues-see Appendix B for more information) to formally review the complaint. The clerk will invite the complainant and the school to attend a meeting, so that the panel can consider the complaint in more detail. The meeting will be arranged within 15-30 school days.

3.9 Any documents from either the complainant or the head teacher to be considered by the panel, and the names of any witnesses who might be called must be received by the clerk at least seven school days before the meeting. Copies of all papers submitted plus the agenda should be sent to the panel, complainant, head teacher and the chair of governors at least five school days before the meeting date-I need to check that a clerk expects to be asked to do this before stating in the policy. The head teacher may copy relevant papers to any member(s) of staff named in the complaint. The outline for the meeting is covered in the appendices

3.10 After hearing all the evidence, the governors consider their decision and inform the parent about it in writing (this should be within 10 working days). The governors do all they can at this stage to resolve the complaint to the parent's satisfaction.

The panel can:

- 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.

Who to appeal to next

3.11 If any parent is still not content that the complaint has been dealt with properly, then s/he is entitled to appeal to the Secretary of State for Education:

The School Complaints Unit (SCU) at:

Department for Education

2nd Floor, Piccadilly Gate

Manchester

M1 2WD

What will the Department for Education do?

3.12 If a complaint has exhausted the local procedures, SCU will examine if the complaints policy and any other relevant policies were followed in accordance with the provisions set out. SCU also examines policies to determine if they adhere to education legislation. However, the department will not re-investigate the substance of the complaint. This remains the responsibility of schools.

3.13 If legislative or policy breaches are found, SCU will report them to the school and the complainant and, where necessary, require remedial action to be taken. Failure to carry out remedial actions could ultimately result in a formal Direction being issued by the Secretary of State.

4. Monitoring and review

4.1 The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The head teacher logs all concerns received by the school and records how they were resolved. Governors examine this anonymised) log on an annual basis.

4.2 Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents via the website, so that they can be properly informed about the complaints process.

Appendices

Appendix A

Summary for Dealing with Complaints

Stage 1 – Complaint heard by staff member

- Ensure complaints co-ordinator informed of outcome

If not resolved, then escalate to Stage 2 – Complaint heard by head teacher

- Acknowledge receipt of complaint
- Write to complainant with outcome of investigation
- Ensure complaints co-ordinator informed of outcome
- Offer escalation to Stage 3 if dissatisfied

If not resolved, then escalate to Stage 3 - Complaint heard by Chair of Governors (or another independent governor as agreed with the complainant)

- Acknowledge receipt of complaint
- Write to complainant with outcome of investigation
- Ensure complaints co-ordinator informed of outcome
- Offer escalation to Stage 4 if dissatisfied

If not resolved, then escalate to Stage 4 – Governor’s complaints panel meeting arranged

- Clerk to governors issue letter inviting complainant to meeting
- Clerk to governors issue letter confirming panel decision
- Advise of escalation routes to the Secretary of State for Education

Appendix B

Establishing a complaints panel

The governing body may agree the composition of the complaints panel at the first meeting of the governing body each year.

As governors may not be available at all times governing bodies are advised to agree the names of 4 or 5 possible governors from whom a panel of three may be drawn. The decision about the membership of a particular panel will depend on factors such as availability, whether any governors have prior knowledge or have a conflict etc. and the decision will be made by the chair of governors.

When the clerk of governors receives a copy of the complaint form he/she will inform the governing body that a complaint has been received and that it has been passed to the panel to deal with. **No further information about the complaint should be shared with other governors.**

There are several points which any governor sitting on a complaints panel needs to remember:

- a) It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- b) The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant
- c) The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is not intimidating and not adversarial

The Chair of the Panel may be nominated by the Chair of Governors or by the panel themselves and is responsible for ensuring that both complainant and Head teacher are given a fair hearing and that the panel arrives at its judgment without fear or favour.

Some notes on exceptional circumstances

For the sake of clarity, the description above does not cover exceptional circumstances which might include that the chair of governors may not be able to find three governors who have no prior knowledge of the case: If a case has become a major talking point around the community, the chair can nominate three governors with minimal prior knowledge.

If there are still insufficient governors able to sit on a panel, the governing body in consultation with the Local Authority will put in place an alternative fair process. Please consult Governor Services.

There may be exceptional circumstances in which the complaint is against the chair of governors

—e.g. for refusing to deal with a complaint. In those circumstances the procedures would be adapted and every reference to 'Head teacher' would be read as 'chair of governors'.

Appendix C

Facilitation/Mediation

The benefits of facilitation and mediation

Recourse to facilitation and mediation must be with the agreement of both parties and is intended to help arrive at a mutually agreeable solution—it is not possible to impose this on either party. Nor does it prevent a complainant having recourse to formal appeals procedures as detailed.

In-house Facilitation

Many chairs of governors and other governors already have the skills - or can acquire the skills - to conduct a mediation process between their Head teacher and a complainant. The skills and attributes include:

- ability to listen impartially to both sides
- ability to control a dialogue so that both sides listen to each other
- ability to summarise the arguments and focus the dialogue
- ability to identify areas of agreement that might form a basis for resolving one or more of the issues relating to the complaint
- understanding that solutions cannot be imposed and that both parties need to be satisfied with whatever is resolved.
- understanding that facilitation does not always work and there is a further step available to complainants.

Independent Mediation

Mediation can be a good way to resolve a complaint because:

- It gives both complainant and Head teacher another opportunity to hear each other's points of view (with a third party facilitating)
- It gives the third party an opportunity to help Head teacher and complainant explore and build on areas of agreement
- It gives Head teacher and complainant a structure within which they can resolve remaining differences.
- If both complainant and Head teacher emerge from the mediation satisfied, that is the best foundation for a continuing positive relationship between them.
- Even if the complaint continues to a governors' panel, the issues to be considered should be much clearer.

Mediation may elicit one or more of the responses listed below from either party:

- an acknowledgment that the complaint is valid in whole or in part.
- 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;
- a commitment to review school policies in light of the complaint.

Appendix D – Example Complaint Form

Please complete and return to the chair of governors or the clerk to governors who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
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?

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

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

