

Heckmondwike Primary School procedures for dealing with concerns/ complaints

The majority of concerns from parents, carers and others are handled under the following general procedures

*(Please note: each stage of the process must be completed before the matter can be escalated to the formal stage. The term “**Complaint**” is only used once the matter has escalated to the formal stage).*

To ensure you receive an effective response to your concern/ complaint, it will be helpful if you:

- co-operate with the school in seeking a solution to the concern/ complaint;
- express your concerns in full as early as possible;
- respond promptly to request for information or meetings or in agreeing the details of the concern/ complaint;
- ask for assistance if needed; and
- treat all those involved in the complaint, with respect. The procedure is divided into three stages;

The informal stage(s) – aim to resolve the **concern** through informal contact at the appropriate level in school

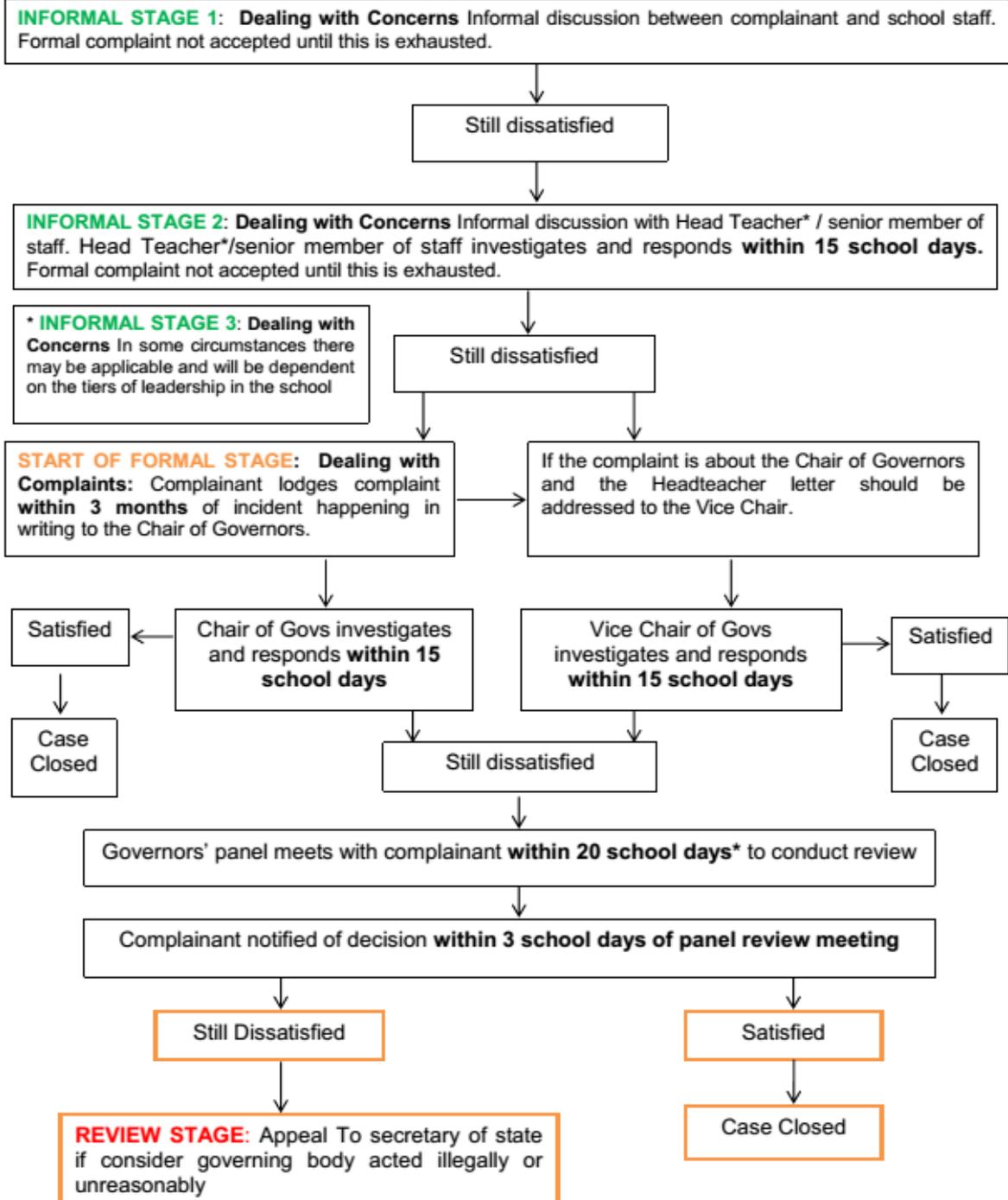
Stage one - is the first formal stage at which written complaints are considered by the chair or the designated governor, who has special responsibility for dealing with complaints. The chair investigates and responds within 15 school days.

- If the complainant is still not satisfied with the way in which the complaint has been handled the case can be referred to a panel of governors **Stage two – A meeting of the complaints panel is the last school based stage of the process.**

Secretary of State Review – Complainant may appeal to the Secretary of State if they consider the Governing Body acted illegally or unreasonably.

How each of these stages operates as shown in the flow chart and as explained below:

DEALING WITH CONCERNS/ COMPLAINTS ABOUT SCHOOLS - FLOWCHART



(*In some circumstances this may not be possible in which case the complainant will be advised of a possible delay).

Informal stage – your initial contact with the school

1. Many concerns will be dealt with informally when you make them known to us.

The first point of contact should be your child's class teacher.

2. Once your concern is made known to us, we will see you, or contact you by telephone or in writing, as soon as possible. If it is necessary, all members of staff know how to refer to the appropriate person with responsibility for your particular issues. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.

3. Any actions or monitoring of the situation that has been agreed, will be communicated clearly and we will confirm this in writing to you.

4. If necessary we will contact appropriate people who may be able to assist us with our enquiries into your concern.

5. We will normally update you on the progress of our enquiries within **10 school days**. Once we have responded to your concern, you will have the opportunity of asking for the matter to be considered further.

6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

Stage one - 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 above.

1. 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"

2. We will acknowledge your complaint in writing as soon as possible after receiving it. This will be within three school days.

3. We will enclose a copy of these procedures with the acknowledgement.
4. Normally we would expect to respond in full within **15 school 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.
5. 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.
6. The head teacher, or chair of governors may also be accompanied by a suitable person if they wish.
7. Following the meeting, the head teacher, investigating officer 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.
8. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
9. 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.
10. The head teacher or chair of governors will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
11. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give an explanation of the head teacher's 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.
12. If you are unhappy with the way in which we reached our conclusions, you may wish to proceed to stage two, as described below. If you wish to move your complaint to stage two, you should contact us within **10 school days**.

Stage two - consideration by a governors appeal panel

The Chair of Governors decides whether to convene the Complaints Committee to look into the complaint or commission the LA to start an investigation which will be charged at the consultancy rate. If the complaint is about the headteacher then the Chair is advised to seek guidance from LA before proceeding. The LA will determine whether the matter is actually a complaint, which should be addressed through the governing body complaints committee or a disciplinary matter, which should be dealt with through the appropriate process with the assistance of your HR Provider. If the complaint has already been through stage one & two and you still remain dissatisfied with the outcome as a result of the way in which the complaint has been handled, you can take it further to a governors' appeal panel. This is a formal process, and the ultimate recourse at school level.

- The purpose of this arrangement is to give you the chance to present your arguments in front of a panel of governors who have no prior knowledge of the details of the case and who can, therefore, consider it without prejudice.
- However, the aim of a panel is not to rehear the complaint. It is there to review how the complaint has been investigated and to determine whether this has been conducted fairly. It is there to establish facts and make recommendations which will reassure you that we have taken the complaint seriously. The governors' appeal panel operates according to the following formal procedures:

1. The governing body will convene a panel of three governors and will aim to arrange for the panel meeting to take place within **20 school days**.
2. You will be asked whether you wish to provide any further written documentation in support of your appeal.
3. The head teacher or complaint investigator will be asked to prepare a pack of the documentation related to the investigation and the outcome for the panel (the pack will contain for eg: letters/emails, written responses from the school). The panel can request additional information from other sources if necessary.

4. You will be informed, at least **five school days** in advance, of the date, time and place of the meeting. We hope 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.
5. With the letter, you will receive any relevant correspondence or reports regarding stage one and you will be asked whether you wish to submit further written evidence to the panel. Any additional documentation should be submitted prior to the review panel meeting.
6. The letter will explain what will happen at the panel meeting and 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.
7. In exceptional circumstances, and if it is necessary in the interests of the ratifying the investigative process, the complaint investigator may, with the agreement of the chair of the panel, invite relevant witnesses directly involved in matters raised by you to attend the meeting.
8. 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.
9. 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.
10. The chair of the panel will ensure that the meeting is properly minuted. You will receive the written outcome of the panel meeting which should give you all the information you require.
11. However, if you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance as such minutes usually name individuals and

are understandably of a sensitive and therefore confidential nature. The clerk can then be asked maintain confidentiality in the minutes.

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

- the panel to hear you explain your case and your argument for why it should be heard at stage two;
- the panel to hear the complaint investigator's case in response;
- you to raise questions via the chair;
- you to be questioned by the complaint investigator through the chair;
- the panel members to be able to question you and the complaint investigator; and
- you and the head teacher/complaint investigator to make a final statement.

13. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to you and the head teacher **within three school days**. All participants other than the panel and the clerk will then leave.

14. The panel will then consider the complaint and all the evidence presented in order to:

- reach a unanimous, or at least a majority, decision on the case;
- decide on the appropriate action to be taken, if necessary; and
- recommend, where appropriate, to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.

15. The clerk/chair of the panel will send you and the head teacher a letter outlining the decision of the panel. The letter will also explain that you are entitled to have the handling of the complaint reviewed by the Secretary of State for Education (only if you feel that the process has not been followed) .

16. We 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 and/or the LA will feel that it needs, regrettably, to close a complaint where the complainant is still dissatisfied.
- We, and the local authority where appropriate, will do all we can to help to resolve a

complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".

- If a complainant persists in making representations to the school – to the head teacher, designated governor, chair of governors or anyone else – or the local authority, this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.
- For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and the complaint has exhausted our official process. The local authority will support us in this position, and especially where the complainant's action is causing distress to staff and/or pupils.

Secretary of State Review

Where you have been through the school's internal complaints procedures and are still unhappy with the outcome or decision from the governing body, you can contact the Secretary of State for Education via the DfE website www.education.gov.uk, by telephoning 0370 000 2288 or by writing to the address below: The School Complaints Unit (SCU) Department for Education Piccadilly Gate Store Street Manchester M1 2WD Please enclose with your letter to the DfE a copy of the complaint outcome. This will save time in that the DfE will not need to ask for our view of what has happened.

We would advise parents that, unless the school is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken, as governing bodies are empowered to deal with many issues without reference to either the Local Authority or the Secretary of State.

Other sources of information and advice If your concern is about an aspect of **special educational needs provision**, which might include information about relevant voluntary



organisations and support groups in Kirklees, you might like to email:

victoria.bruce@kirklees.gov.uk or Tel: 01484 221000

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