

**COMPLAINTS POLICY**

**(based on Reading Borough Council guidelines to comply with legal requirements)**

Parents want to feel happy about their child’s learning and the school where they learn, and all schools in Reading want to give their pupils a happy and safe environment in which to learn and play. However, there are times when things go wrong or when parents are concerned about events at school and want to complain. Reading schools aim to deal with any parents’ questions and concerns as quickly as possible causing the least disruption to the child’s life at school.

Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

There is a difference between a concern and a complaint:

- A concern is a worry or an anxiety.  
It is likely to require a discussion between teacher, pupil and parent. If the concern is not resolved then it could become a complaint.
- A complaint is a formal expression of dissatisfaction which needs a response from the school.  
A complaint is likely to arise when there are issues relating to a child’s physical or emotional well-being and security or when the school’s stated values or aims are being ignored.  
A breach of the law will always constitute a complaint.

**If any person, including a Governor, has a specific complaint concerning a pupil or member of staff at Redlands this procedure will apply.**

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**PART A: General complaints concerning a pupil or member of staff**

**PART B: Child Protection Allegations against members of staff (including the Head)**

**PART C: Complaints concerning the Head or the Governing Body**  
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Any complaints should be made directly to the school and not the Local Authority. Anyone contacting the LA will be referred back to the school. The Reading Parent Helpline is available to provide confidential advice to parents including how to raise issues of concern or complaints. (See Appendix 1)

Advice for parents making a complaint can also be obtained from The Advisory Centre for Education. [www.ace-ed.org.uk](http://www.ace-ed.org.uk) Tel: 0207 704 3370. Also see Appendix 1 for support for parents.

**PART A: General complaints concerning a pupil or member of staff**

**1. STAGE 1 - Informal Resolution**

Any complaint must first be raised with the class teacher concerned to clarify the situation and to try to reach an early mutually acceptable resolution. If a complainant is still dissatisfied with the response and puts their complaint in writing, then a written response will be provided within 5 working days<sup>1</sup>, with a copy of the Complaints Policy.

*Should the complaint be about the conduct of a particular teacher the matter should be raised in the first instance with the Head who will investigate the complaint and provide a written response within the five working days, with a copy of the Complaints Policy.*

*Should the complaint be about the curriculum, a separate procedure applies (Appendix 2)*

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<sup>1</sup> “working days” refer to term-time only, i.e. school-time working days  
Redlands Primary School

## **2. STAGE 2 - Professional Investigation**

Should the complainant be dissatisfied with the resolution proposed at stage 1 they may ask for a Professional Investigation of their complaint. This request should be made in writing, preferably using the Stage 2 Complaints Form (Appendix 3). The Head or another senior member of staff would normally conduct the Professional Investigation. A complainant should receive a written acknowledgement of their request for an escalation to stage 2 within 5 working days giving an indication of when the investigation will be complete and when the complainant should receive a full written response. In any case the complainant should have a full response within 15 working days. In circumstances where the case is so complex that the investigation is going to take longer the complainant should be kept fully informed of progress in the case.

To escalate to this stage the complainant must write to the Headteacher giving details of the complaint and the reasons why they are dissatisfied with the stage 1 resolution.

*This stage or any subsequent stage does not apply to complaints about the conduct of a particular teacher as, should there be a need to investigate, the investigations would be carried out under the school staff discipline procedures, which remain in the professional domain with the hearing and appeal being heard by a panel of governors. Disciplinary action is taken at the discretion of the Head.*

*Should the complaint be about the curriculum a separate procedure applies (Appendix 2).*

## **3. STAGE 3 - Review by the Governing Body**

Should the complainant remain dissatisfied with the outcome of the Professional Investigation stage they have the right to request a review by a panel of Governors.

To escalate to this stage the complainant must write to the Chair of the Governing Body at the school address requesting the review and giving their reasons for being dissatisfied with the outcome at Stage 2. The process for resolving the complaint will be shared with the complainant and a time scale no longer than 20 working days will be agreed to bring the complaint before the Governing Body complaints panel.

On receiving a review request the Chair will call a meeting of the Governing Body complaints panel comprising of no fewer than two governors to hear the complaint.

The panel can:

- dismiss the complaint in whole or in part;
  - uphold the complaint in whole or in part;
  - or, decide there is insufficient evidence to make a decision
- and
- 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.

The decision of the Governing Body complaints panel will be final in most cases. The main exceptions are exclusions (LA), curriculum (Appendix 2) and statutory admissions (LA) where separate procedures are available.

Governing Body panel procedure:

- a. It is important that the appeal hearing is independent and impartial and that it is seen to be so.
- b. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- c. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- d. 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.

- e. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour.
- f. The governors sitting on the panel need to be aware of the complaints procedure.
- g. The hearing is as informal as possible.
- h. Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- i. After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- j. The Head may question both the complainant and the witnesses after each has spoken.
- k. The Head is then invited to explain the school's actions and be followed by the school's witnesses.
- l. The complainant may question both the Head and witnesses after each has spoken.
- m. The panel may ask questions at any point.
- n. The complainant is then invited to sum up their complaint.
- o. The Head is then invited to sum up the school's actions and response to the complaint.
- p. Both parties leave while the panel decides the issues.
- q. The chair explains that both parties will hear from the panel within a set time scale.
- r. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. 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 informal and not adversarial.
- s. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.

If a parent is still dissatisfied after the school complaints procedure has been exhausted they can contact:

- The DfE
- The Ombudsman
- Ofsted

#### **PART B: Child Protection Allegations against members of staff (including the Head)**

If a child or parent makes an allegation that a member of staff has abused or harmed the child, the matter must be referred immediately to the Head. The Head must then without delay contact the Local Authority Designated Officer (Allegations Management), in accordance with the child protection procedures.

If a child or parent makes an allegation that a Head has abused or harmed their child, the matter must be referred right away to the Chair of Governors. The Chair of Governors must then without delay contact the Local Authority Designated Officer (Allegations Management), in accordance with the child protection procedures.

#### **PART C: Complaints concerning the Head or the Governing Body**

- a. Any complaint concerning the Head or the Governing Body should be referred to the Chair of Governors.
- b. (Other than for Child Protection allegations against the Headteacher), in the first instance the Chair of Governors should call a meeting with the complainant and the Head to secure an informal resolution to the complaint by mediation. (The Directorate Complaints Officer will be invited to attend should support from the LA be required).
- c. Should either the Head or the complainant be unwilling to participate in a mediation meeting or the mediation meeting fails to resolve the complaint the Chair of Governors should appoint an investigator from outside the Governing Body to investigate the complaint and prepare a report for the Complaints Panel. (Community Schools should contact the LA who will provide a professional investigator to conduct the investigation.)

- d. The Complaints Panel should consider the report of the professional investigator, representations from the Head and the complainant in coming to their decision. To this end the Complaints Panel may choose to invite written representations or invite the Head and the complainant to attend the meeting to make oral representations. It is important that both parties are given the opportunity to make representations to the Complaints Panel.

#### **Procedure for complaints concerning the Head or Governing Body**

1. When using the procedure the Chair of the Governing Body would first need to write to the Director of Education, Children's Services and Housing to request an investigating officer. (The investigating officer then works as an independent adviser to the Governing Body.)
2. On receipt of the complaint the investigating officer will write to the complainant and arrange a meeting to clarify and agree the exact nature of the complaint. The process for resolving the complaint will be shared with the complainant and a time scale no longer than 20 working days will be agreed to bring the complaint before the Governing Body complaints panel. (This is an important stage for the avoidance of doubt at subsequent stages.)
3. The investigating officer will then make appointments to speak with the Head and any other relevant person. (The purpose of this stage is to enable the complaint to be put, answers to be given and evidence to be collected.)
4. When the investigating officer is satisfied that he/she is in receipt of all the relevant evidence he/she will prepare a report. The report will consider the complaint in detail, in the light of all the evidence, draw conclusions as to whether the complaint is upheld, not upheld, unproven or partially upheld and make recommendations.
5. When the draft report is complete it will be shared in the first instance with the Head who will be invited to make comments on points of accuracy.
6. The Governing Body Panel Meeting
  - It is usual for the Governing Body Complaints Panel to meet as a panel and a meeting ought to be convened to hear the complaint.
  - The investigating officer should attend the panel meeting to answer any questions and make any points of clarification required by the committee.
  - See Part A Section 3 for the Governing Body panel procedure.

If, after exhausting all stages in any of the above cases, the complainant is still dissatisfied, the Chair of Governors can ask the Local Authority for an independent advisor to review whether the policy and procedures have been followed correctly. The complainant is still entitled at this stage to make representations to the DCSF, the Ombudsmen and Ofsted.

#### **NOTE:**

**It is important not to confuse complaints from parents with issues about staff discipline or capability.**

A parent is entitled to know that their complaint has been investigated and that the Head has taken the action they deem to be appropriate.

**A parent is not entitled to become involved in the employment relationship between the school and the teacher and should not be given details about what the investigation discovered or how the Head intends to proceed if personnel procedures are to be embarked upon.**

**Similarly, a parent is not entitled to information regarding any sanctions or procedures put in to place for individual children.**

**Review date: Spring 2020**

Redlands Primary School

Complaints Policy Spring 2018

**REDLANDS PRIMARY SCHOOL**  
**Complaints Policy APPENDIX 1: Reading Parent Helpline**

The LA has a confidential Parent Helpline managed by Governor Services. If any parent contacts the Council with a query about schools, the call or contact information is directed to the helpline.

The helpline has a published external number. It is also possible for parents to access the helpline by letter or via an e-form on the Reading website (see link).

<http://www.reading.gov.uk/educationandlearning/schools/General.asp?id=SX9452-A781B4D1>

The calls received have a large range of topics (although the volume of calls is quite small):

- general queries eg term dates, school phone numbers – answered immediately
- admissions queries – directed to the Admissions Team
- concerns relating to specific schools

### **General**

Parents **cannot** make a complaint about a school to the LA because there are no powers of intervention and any complaints **have** to go via the school. It is only a 'complaint' if the parent chooses to complain to the school.

Often, when parents contact the helpline, they are quite distressed and relations with the school may have already broken down. The aim of staff is to try to calm the parent and centre the conversation around the best interests of the child stressing that this is also the school's priority and encouraging the parent to re-establish a dialogue with the school.

Everything staff tell parents is procedural advice and guides them to build bridges.

The conversation is confidential. It is the parent's choice about how the conversation takes place (by phone, e-mail or written correspondence). It is the parent's choice about it remaining confidential and it is the parent's choice about whether they talk to the school or to pursue a complaint at all.

### **Protocol**

Where the contact relates to a concern or complaint the parent has about a specific school Governor Services staff will:

- Listen to the parents and try to get them to clarify what the concern is.
- Always explain to the parents that the helpline is confidential and that the LA has no powers of intervention in matters relating to schools.
- Explain that if they want to take the matter further they need to go to the school and talk to the class teacher or the head (depending on the situation they describe to us). The aim is ALWAYS to de-escalate the situation and give an opportunity for parents to talk to the schools to sort out the concern without recourse to the stages of the school complaint procedure.
- Pass on the Parent Partnership phone number if the child in question is eligible for support (ie has SEN).
- If the parent is insistent on raising a concern as a complaint, explain briefly the general stages of a complaint and direct them to the school for a copy of the complaints procedure.
- Re-iterate that the call is confidential but offer to let the Head know that they have called, the nature of the concern and that the parent will be contacting the school. This is a courtesy for the parent and the head. The parent can decide not to give their permission to do this.

Sometimes a parent will call back and ask for further advice; the advice will always be 'go and talk to the school, be clear about your concern and what you would like to happen'.

Sometimes the parent will use the complaints procedure, sometimes they will not.

Calls are logged on a simple spreadsheet, access to the spreadsheet is restricted to Governor Services staff and the Head of School Improvement.

### **Contacting the school**

Governor Services staff will contact the Head of a school in the following situations:

- As a courtesy and if the parent gives their permission, staff will contact the Head to let them know there has been call, the nature of the concern and that the parent will be contacting the school.
- If there appear to be a number of concerns of a similar nature relating to one school the School Leadership Development Manager will contact the Head to let them know.
- If the parent has a concern that potentially could require further investigation from outside the school, such as child protection or health & safety, staff will take advice from the appropriate officer or the Head of School Improvement. The need for the escalation will be explained to the parent. Staff will either inform the school or ensure the appropriate officer informs the school.
- if staff put anything in writing to the parent regarding a concern, other than advice described above, this will be shared with the school. Staff will explain this to the parent.

### **Children's Action Teams**

- If the caller is indicating the need for further family or parenting support (i.e. not a concern about a school), staff will offer to pass contact details onto the relevant CAT manager.
- Staff will inform the caller that they can start a Common Assessment Form (CAF) as a self-referral and give the [caf@reading.gov.uk](mailto:caf@reading.gov.uk) e-mail address
- Staff will inform the caller that they can contact the CATs on 0119 939 0900

## **REDLANDS PRIMARY SCHOOL**

### **Complaints Against the Curriculum – Appendix 2**

#### **Introduction**

The aim of our school is that all children should be successful in their experience of education and that the curriculum should meet their needs. Where parents consider that this is not the case they have the right to make a complaint.

**Specifically, parents may complain if they consider that the school is not doing one or more of the following:**

- Providing a curriculum to meet the needs of their child
- Complying with the law on charging for school activities
- Providing religious education and daily collective worship
- Providing statutory information
- Carrying out a statutory duty
- Acting reasonably

**Where complaints directly implicate a member of staff the Headteacher will:**

- Take all complaints seriously and deal with them sensitively
- Request that the complaint is put in writing so that it can be investigated
- Respond to the complaint personally or delegate it to an experienced member of the leadership team
- Involve other members of staff as appropriate
- Where necessary, explain the legal position with regard to the National Curriculum, and the scope available to the school to make changes
- Advise the complainant of their right to pursue the matter with the governing body
- Ensure the governing body is advised of any complaints and provided with guidance to assist the decision-making process.

**The governing body will:**

- Ensure that a Complaints Panel consisting of at least two governors is established with delegated responsibility to hear complaints.
- Consult with the Headteacher on how to resolve the complaint.
- Advise the Headteacher on the action/decision required
- Write to the complainant within the time frames outlined in the Complaints Policy, explaining the action taken.

**If parents are still not satisfied the governing body can request an independent advisor from the LA as outlined in the Complaints Policy.**

#### **Monitoring and Evaluation**

The governing body will receive a termly report from the Headteacher indicating the number and nature of the complaints, the recommended action or decisions taken and the outcome of those decisions.

**REDLANDS PRIMARY SCHOOL**  
**STAGE 2 COMPLAINTS FORM – APPENDIX 3**

Please complete and return to the Headteacher who will acknowledge receipt and explain what actions 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, including relevant dates of incidents:**

**What action 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 whom:***

***Complaint referred to:***

***Date:***