

# Scotts Primary School Complaints Policy 2018

SCOTTS PRIMARY SCHOOL - COMPLAINTS PROCEDURE
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1. Complaints about the actions of a member of staff other than the Head Teacher

## **Informal Stage**

In the first instance parental concerns should always be addressed to the class teacher or with the members of staff who may be the object of the complaint. Concerns should be raised promptly, usually within 24 hours of the incident occurring, in order for issues to be dealt with straightaway.

As most concerns can be adequately resolved by discussion there is no need for the complaint to be put in writing at this stage, as this will formalise proceedings.

The class teacher will follow up concerns/issues and share outcomes with the complainant, as appropriate, within 2 school days.

If the complainant feels that the concern or issue has not been adequately addressed or resolved by the class teacher, then contact with a member of the Senior Management Team, (presently Mr Kinnear, Deputy Head Teacher or Mrs Austin-Warwick, Senior Leader) should be made via the school office (by phone call on 01708 457019 or email to [office@scotts.havering.sch.uk](mailto:office@scotts.havering.sch.uk)). The complainant should expect to receive a response within 5 working days.

More serious concerns, particularly around safeguarding should be addressed directly to the Head Teacher or a designated member of the Senior Management Team in the first instance. Please see the school's safeguarding policy for further details.

## **Formal Stage**

If the complainant is still not satisfied with the response received, s/he must put the complaint in writing, via an email to [office@scotts.havering.sch.uk](mailto:office@scotts.havering.sch.uk), addressed to either a member of the Senior Management Team or the Head Teacher. The complainant should expect to receive an acknowledgement of the complaint within 5 school days of sending the email.

The written complaint should include details, which might assist any investigation into the concern/issue or incident, such as names of potential witnesses, dates and times of events, and copies of relevant documents. In addition, the Head Teacher may meet with the complainant to clarify the complaint. The Head Teacher may have a colleague present in the meeting to take notes, although this should not be anyone who is the object of the complaint or who has had any prior dealings with the matter.

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The Head Teacher or other designated member of staff will collect any other evidence, as s/he deems necessary. Where this involves an interview with a member of staff, they may be accompanied by a friend or representative if they wish.

The investigation will begin as soon as possible and when it has been concluded the complainant, and the member of staff concerned, will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The concern is not substantiated by the evidence.
- The concern was substantiated in part or in full (some details may then be given of action the school may be taking to review procedures but details of any disciplinary procedures must not be released).
- The matter has been fully investigated and appropriate procedures are being followed, which are strictly confidential.

The complainant will be told that consideration of their complaint by the Head Teacher is now concluded. This should be done within 15 school days of contacting the senior member of staff.

If the complainant is not satisfied with the manner in which the process has been followed, the complainant may request the Governing Body's complaints panel to review the process followed by the Head Teacher (see section 3). Any such request must be put in writing within 10 school days of receiving notice of the outcome from the Head Teacher, and include a statement specifying any perceived failures to follow procedure. This should be made via the school office email: [office@scotts.havering.sch.uk](mailto:office@scotts.havering.sch.uk) and addressed to the Governing Body complaints panel.

If the complainant considers that the Head Teacher has acted unreasonably in considering the complaint, then the complainant may bring a complaint against the Head Teacher as detailed in section 2 below.

## 2 Complaints about the actions of the Head Teacher

### Informal Stage

The complainant should arrange to speak directly with the Head Teacher as many concerns can be resolved by simple clarification or the provision of information. The complainant should make contact via the office by phone or email and should expect to receive a response from the Head Teacher or a representative within 2 working days.

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In certain circumstances, for example, where there is continuing/constant verbalising of concerns even when the Head Teacher considers they have been appropriately dealt with, it may be appropriate for parents to put their concerns in writing to the Head Teacher via the office email: [office@scotts.havering.sch.uk](mailto:office@scotts.havering.sch.uk). The complainant should expect to receive a response within 5 working days.

In the case of more serious concerns, then it may be appropriate to raise these directly with the Chair of the Governing Body via email: [kcourse@lgflmail.org](mailto:kcourse@lgflmail.org)

## Formal Stage

If the complainant feels that the complaint is not resolved at the informal stage, the complainant must put the complaint in writing to the Chair of the Governing Body who is responsible for investigating it. In certain circumstances it may be more appropriate for the investigation to be conducted by the vice-chair, for example if the complainant is well known to the Chair. In such cases, this person is termed 'the investigator' (see section 3).

The complainant should include details which might assist the investigation, such as names of potential witnesses, dates and times of events and copies of relevant documents. In addition, the complainant will be invited to meet with the Chair to present oral evidence or to clarify the complaint. The Chair will collect such other evidence as is deemed necessary. This may include the interviewing of witnesses and others who may provide relevant information. The Chair may have another person present during any such meeting to take notes, although this should not be anyone who is the object of the complaint or who has any connection with the complaint. These will not be formal minutes but brief notes describing the issues under review.

The Head Teacher will be provided with a copy of the complaint and any additional evidence presented by the complainant or collected by the Chair. Once there has been an opportunity for the Head Teacher to consider this, he/she will be invited to meet separately with the Chair, in order to present written and oral evidence in response. A friend or representative may accompany the Head Teacher at this meeting.

When the investigation has been concluded, the complainant and the Head Teacher will be informed in writing of the outcome. The complainant will not be informed of any disciplinary/capability action. The whole process should be concluded within 20 school days.

The complainant will be told that consideration of their complaint by the Chair is now concluded. If the complainant is not satisfied with the manner in which the process has been followed, the complainant may request that the Governing Body's complaints panel review the process followed. Any such request must be made in writing within 2 school weeks of receiving notice of the outcome from the

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Chair, and include a statement specifying any perceived failures to follow the procedure.

## 3 Review of Complaint's Process by the Governing Body Panel

Any review of the process followed by the Head Teacher or the Chair of Governors/investigator, shall be conducted by a panel of three members of the Governing Body. It should be noted, however, that if any of the Governors have been involved directly or indirectly with the case then they must not form part of the panel.

The panel is established to review the process not the decision taken by the Head Teacher or Chair of Governors/investigator, following the receipt of a formal complaint. However, when a parent writes to the panel seeking a review it may not be clear until the panel meets, whether or not this is only a matter of process or simple dissatisfaction with the decision reached. The first task of the panel, therefore, is to determine the nature of the request.

If the panel forms the view that it is a matter of the complainant being dissatisfied with the decision reached then the panel will not take the matter any further\*. If however, the complainant is concerned that the process undertaken by the Head Teacher or the Chair of Governors was not in accordance with the published process then the panel will continue their review.

The panel may receive evidence from the complainant orally, who may be accompanied by a friend, relative, or representative if they wish, and/or in writing. The complainant may submit relevant documentary evidence. In addition, the panel will meet separately with the Head Teacher or the Chair/investigator, as appropriate, to receive an account of the procedure which has been followed. This account may be presented orally and in writing. The panel will also have access to the records kept of the process followed.

It may be necessary to have a note taker to assist the panel during any such meeting, although this should not be anyone who is the object of the complaint or who has had any dealings with the case. The person will only act as a brief note taker to aid the review. These will not be formal minutes but brief notes describing the issues under review.

The complainant and the Head Teacher or the Chair/investigator, as appropriate, will be informed in writing of the outcome, normally within 20 school days from the beginning of the review. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The concern about applying procedures correctly is not substantiated by the evidence.

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- The above concern was substantiated in part or in full, but that the procedural failure did not affect the outcome significantly, so the matter is now closed.
- This concern was substantiated in part or in full and the governing body will take reasonable steps where practical to prevent a recurrence or to rectify the situation.

\*The nature of the complaint may give the panel cause to consider it in the best interests of the school to review even if it is clear that it is not about due process. It must be made clear to all parties that the panel is not empowered to overturn the judgement of the Head Teacher or Chair but could refer it back for further consideration if they feel uneasy about the initial judgement. Should they review the case on this basis they will follow the same procedure as laid down for the Chair of Governors in investigating a complaint against the Head Teacher. Further guidance is offered below.

## MODEL PANEL MEETING PROCEDURE

(This will only apply if the panel decides to go ahead with the review as articulated above).

1. Introductions - the members of the panel will introduce themselves. The complainant and the friend, relative, representative (if attending) will introduce themselves.
2. The Chair of the panel will outline the process.
3. The complainant or person in attendance has the opportunity to present evidence. Depending upon the level of detail of the submission received, it may be reasonable to advise the complainant that s/he must focus on where the process was not followed and s/he is limited to new material rather than simply restating what has already being submitted. Panel Members may ask questions both during the presenting of evidence and at the end of the presentation.
4. The complainant should be advised that the panel will next see the Head Teacher or the Chair of Governors/investigator to receive an account of the procedures that have been followed, together with access to records kept of the process followed.

When the complainant has presented his/her evidence, s/he leaves.

5. The above procedure will then be explained to the Head teacher/Chair of Governors/investigator prior to presenting his/her account. This can be either at the same or a separate meeting. Please note that the Head Teacher and Chair/investigator do not attend at the same time as the complainant.
6. The panel will then deliberate with neither the complainant nor Head Teacher/Chair of Governors/investigator taking any further part.

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7. Both the complainant and the Head Teacher/Chair of Governors/investigator must be advised that the panel is not empowered to overturn the judgement but could refer it back for further consideration.
8. The complainant and the Head Teacher/Chair of Governors/investigator will be advised in writing of the outcome.

## REVIEW OUTCOME NOTIFICATION

Both the complainant and the Head Teacher/Chair of Governors/investigator will be informed in writing of the outcome, normally within twenty (20) school days from the beginning of the review.

Policy reviewed September 2018

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## Scotts Primary School Complaint Form

Please complete this form and return it to Head Teacher who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name: .....

Relationship with school [e.g. parent of a pupil on the schools roll]:

.....

Pupil's name [if relevant to your complaint]: .....

Your Address:

Daytime telephone number: .....

Evening telephone number: .....

Please give details of your complaint, [including dates, names of witnesses etc...], to allow the matter to be fully investigated. You may continue on separate paper, or attach additional paperwork, if you wish. If you have already provided information it would be helpful if you could summarise the main points:

Number of Additional pages attached =

What action, if any, have you already taken to try to resolve your complaint? [i.e. whom have you spoken with or written to and what was the outcome?]

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What actions do you feel might resolve the problem at this stage?

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Signature:

Date:

School use:  
Date Form received:  
Received by:  
Date acknowledgement sent:  
Acknowledgement sent by:

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Complaint referred to:			
Date:			

How was the complaint resolved?

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