

# WASHACRE PRIMARY SCHOOL



## SCHOOL COMPLAINTS PROCEDURE

### PRINCIPLES

Washacre Primary School believes that a good education requires a strong partnership between school, parents and pupils. As a learning community, it is important that we take the views and concerns of all our stakeholders seriously, and act upon them so that we continue to improve.

Every complaint is a matter of concern to the school and will be investigated with due urgency and thoroughness. Whenever a complaint is upheld, every effort will be made to rectify the issue and, if necessary, action will be taken to try to prevent a re-occurrence of the problem. The school will not investigate anonymous complaints or allegations, but confidentiality will be respected and the identity of informants will be protected whenever necessary. This policy is intended to set out how the school will deal with general complaints. It is not intended to cover those aspects of school life where the law sets specific complaints procedures, ie admissions, exclusions, complaints about the delivery of the National Curriculum and the provision of collective worship and religious education.

Parents should feel able to express their views in the full knowledge that they will be dealt with fairly and the issue taken seriously.

The underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally.

### TIMESCALES

Complaints to the school will normally be acknowledged within two working days of receipt and a response will usually be provided within five school days. When a matter requires fuller investigation than is possible within the normal timescale, the complainant will be informed and an indication given of when a final response can be expected. Where an appeal is made to the governors, a meeting will be held by a Complaints Panel within ten working days of the notice of appeal, given in writing to the Chair of Governors.

#### Stage One: Complaint heard by Member of Staff

It is in everyone's interests that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they know what to do when they receive a complaint.

It will assist the procedure if the school respects the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaints co-ordinator can refer the complainant to another staff members. Where the complaint concerns the headteacher, the complaints co-ordinator can refer the complainant to the Chair of Governors.

Similarly, if, for whatever reason, the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor, the next step is to refer the complainant to the appropriate person and advise them about the procedure. It would be useful if governors did not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

#### Stage Two: Complaint heard by Headteacher

The headteacher's influence will have already shaped the way complaints are handled in the school, and parents/carers of children at Washacre know that their concerns will always be listened to by members of staff. If, for whatever reason, they are dissatisfied with the way the complaint was handled at Stage One, as well as wishing to pursue the original complaint, then they must be referred to the headteacher. The head may delegate the task of collating relevant information to another staff member, but not the decision on the action to be taken.

#### Stage Three: Complaint heard by Governing Body's Complaints Appeal Panel

If a complaint cannot be satisfactorily resolved through following Stages One and Two, the complainant needs to write to the chair of governors, giving details of the complaint. The chair, or a nominated governor, will then convene a Governing Body Complaints Panel. The governors' appeal hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

Individual complaints are not heard by the whole governing body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The governing body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

The procedure adopted by the panel for hearing appeals will normally be part of the school's complaints procedure. The panel will be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.

#### The Remit of the Complaints Appeal Panel

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.

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

- 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. In deciding the make-up of the panel, governors need to try to ensure that it is a cross-section of the categories of governor and be sensitive to the issues of race, gender and religious affiliation.
- 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. However, it has to be recognised that the complainant might not be satisfied with outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations, which will satisfy the complainant that his or her complaint has been taken seriously.
- 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 taken to ensure the setting is informal and not adversarial.
- Extra care will 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 parents 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.
- The governors sitting on the panel need to be aware of the complaints procedure.

## **ROLES AND RESPONSIBILITIES**

### The Role of the Clerk

The DfES strongly recommends that any panel or group of governors considering complaints be clerked. The clerk will be the contact point for the complainant and will be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

### The Role of the Chair of the Governing Body or the Nominated Governor

The nominated governor role is to:

- check that the correct procedure has been followed;

- notify the clerk to arrange the panel if a hearing is appropriate.

### The Role of the Chair of the Panel

The chair of the panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises, it will be useful to give all parties the opportunity to consider and comment on it.

### Notification of the Panel's Decision

The chair of the panel must ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is within five working days. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

*Policy Updated: Summer 2018*

*Review Date: Summer 2019*

## **CHECKLIST FOR A GOVERNOR PANEL HEARING**

The panel needs to take the following points into account:

- The hearing is as informal as possible.

- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The headteacher may question both the complainant and the witnesses after each has spoken.
- The headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up his/her complaint.
- The headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issue.
- The Chair explains that both parties will hear from the panel within a set time scale.

# WASHACRE'S CEP SCHOOL

## Complaints Form

Please complete and return to ..... (complaints co-ordinator) who will acknowledge receipt and explain what action will be taken.

**Your name:**

**Pupils' name:**

**Your relationship to the pupil:**

**Address:**

**Telephone number:**

**Please give details of your complaint.**

**What action, if any, have you already taken to try to resolve your complaint?  
(Whom did you speak to and what was the response?)**

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**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:**

