



Complaints Policy

	Name	Date	Signature
Written By	PPC Committee	March 2013	
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Complaints Policy

At Raglan Primary School, we undertake to provide a friendly and safe environment in which pupils will be helped to achieve their potential, both academically and socially.

We believe that we work very hard to build positive relationship with all parents and others and that we can keep complaints to a minimum by forging strong positive relations with everyone connected with the school and by having in place very good lines of communication.

PROCEDURE

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the complainant and the school can be crucial in determining whether the complaint will escalate. To that end staff should know the Complaints Procedure so they know what to do should they receive a complaint. Complaints must be made within 21 days of the event occurring.

Informal Stage

The Head Teacher should receive complaints in the first instance. Normally the parent would be directed to take the complaint to the member of staff involved. The views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff should be respected and in these cases, the complainant can be referred to another staff member. Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complainant may be referred 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. The member of staff must take notes during the meeting. A copy of these notes can be requested by the parent/carer. Where the complaint concerns the Head Teacher, the complainant should be advised to write to the Chair of Governors directly.

Where the first approach is made to a Governor, he or she should refer the complainant to the Head Teacher and advise the parent about the school's procedure. Individual Governors should 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. Most complaints will be resolved at this informal stage.

Formal Stage

There are three school-based formal stages (see overview of process at Appendix A):

Stage 1

If a parent/carer is dissatisfied after the informal stage, they, or the member of staff can refer the matter to the Headteacher. This may be made in person, by telephone or in writing but ideally it is helpful to use a standard form (see attached Appendix B) as this will often make the situation clear to all involved parties.

The Headteacher will offer a meeting with the parent/carer or other complainant at a mutually convenient time to discuss and clarify what the issues are and what the parent/carer wants to achieve.

If the issue is complex the Headteacher may need to speak to other staff and pupils to investigate the concerns. This should happen within 10 school days. If this timescale cannot be met the Headteacher should inform the parent/carer that this will take longer, explaining the reasons for this and giving a timescale for when the investigation will be completed.

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Together all parties will agree an acceptable outcome that is to the satisfaction of all parties involved. This should be written down and agreed by all parties so there is no misunderstanding and all parties should receive a copy.

Stage 2

After meeting with the Headteacher, if the complaint is still not resolved to the parent/carer's satisfaction, the complaint can be referred to the Chair of Governors. This should be in writing to the Chair at the school address. The Headteacher can also refer the complaint to the Chair of Governors.

If the Headteacher is the subject of the complaint, the complaint should go straight to the Chair of Governors and miss out Stage 1.

The Chair of Governors will offer to meet with the parent/carer or other complainant, at a mutually convenient time.

The Chair of Governors has 15 school days to investigate the complaint. Sometimes the Chair will be able to diffuse the situation at this point, by speaking with or writing to the complainant and reassuring him or her that the school has taken the complaint seriously. This may be sufficient to satisfy the complainant. If it cannot be resolved within this time, the Chair will inform the complainant explaining the reasons for the delay and when it is expected that the investigation will be completed. Reasons for the delay may be that the complaint is complex and needs more time or someone involved is absent through sickness or holidays.

Stage 3

If the complaint remains unresolved to the parent/carer's satisfaction, or the Chair of Governors feels that it is necessary, the Chair or a nominated governor will convene a complaints appeal panel to consider the complaint, normally within twenty-one school days of the Chair's receipt of the written complaint. The Panel can be drawn from the nominated members and may consist of three Governors, plus an additional panel member who is independent from the management and running of the School and the ALC. If the Chair has heard the complaint informally as described above, the Chair must not, of course, participate in the Panel Hearing. The Panel may choose its own chair. Individual complaints should never be heard by the whole GB 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 Complaints Appeal Hearing is the last school-based stage of the complaints process, and is not convened merely to rubber stamp previous decisions. The procedure adopted by the Panel for hearing appeals would be part of the school's complaints procedure and is set out at [Appendix 3](#).

The Remit of the Complaints Appeal

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 person sitting on a Complaints Appeal Panel needs to remember:

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- a) It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor person may sit on the Panel if he or she has 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 and ensure that it comprises a cross-section of the categories of Governor and has an independent member not affiliated to the school in any way including through the ALC and is sensitive to issues of race, gender and religious affiliation.
- b) The aim of the hearing, which should 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 the outcome, if the hearing does not find in his/her favour. It may, however, be possible to establish the facts and make recommendations, which will satisfy the complainant that his or her complaint has been taken seriously.
- c) 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 appears appropriate and not adversarial. Procedures allow for a parent to attend and be accompanied at a panel hearing if they wish.
- d) The Governors sitting on the Panel need to be aware of the entire complaints procedure.

A checklist for a Panel Hearing is attached at Appendix. 3

Roles and Responsibilities

The Role of the Clerk

The Complaints Appeal Panel should be clerked. The clerk would be the contact point for the complainant at the third stage and 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 all of the parties in advance of the hearing;
- ❖ Meet and welcome the parties as they arrive at the hearing;
- ❖ Record all proceedings;
- ❖ Notify all parties of the Panel's decision.

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

- ❖ Check that the complaints procedure has been correctly followed to this point;
- ❖ If a hearing is appropriate, notify the clerk to arrange the Panel.

The Role of the Chair of the Panel

Ensure that:

- ❖ 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;
- ❖ The remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- ❖ Parents and others who may not be used to speaking at such a hearing are put at ease;

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- ❖ The issues are addressed;
- ❖ Key findings of fact are made;
- ❖ The hearing is conducted in an informal, although structured, manner, with each party treating the other with respect and courtesy;
- ❖ 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 all parties should be given the opportunity to consider and comment on it;
- ❖ The panel is seen to be open minded and acting independently.

Notification of the Panel's Decision

The Chair of the Panel should ensure that the complainant and the Headteacher are notified of the Panel's decision, in writing, within **21 school days**. The letter needs to explain that any further appeal should be addressed to the Secretary of the State.

Note:

If the complaint is still dissatisfied they should contact The Education Funding Agency (EFA) which will consider the complaint on behalf of the Secretary of State. The EFA can be contacted at academyquestions@efa.education.gov.uk or by post at

Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

If a complaint is not from a parent/carer of a pupil of the school (an example being a member of the public) these should be made directly to the Headteacher, preferably in writing.

All complaints will be recorded formally by the school in a central log.

It should be noted that schools do not need to consider complaints made more than one year after the incident/situation.

If a complaint is made about an issue that is over a year old the school will write to the complainant explaining why this is the case.

Vexatious Complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the GB is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

RESPONSIBILITY FOR THE POLICY AND PROCEDURE

Role of the Governing Body

The Governing Body has:

- a duty to have in place a complaints procedure;
- delegated powers and responsibilities to the Headteacher to ensure all school personnel and visitors to the school are aware of and comply with this policy;
- responsibility for ensuring that the school complies with all equalities legislation;

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- responsibility for ensuring all policies are made available to parents;
- responsibility for the effective implementation, monitoring and evaluation of this policy

Role of the Headteacher

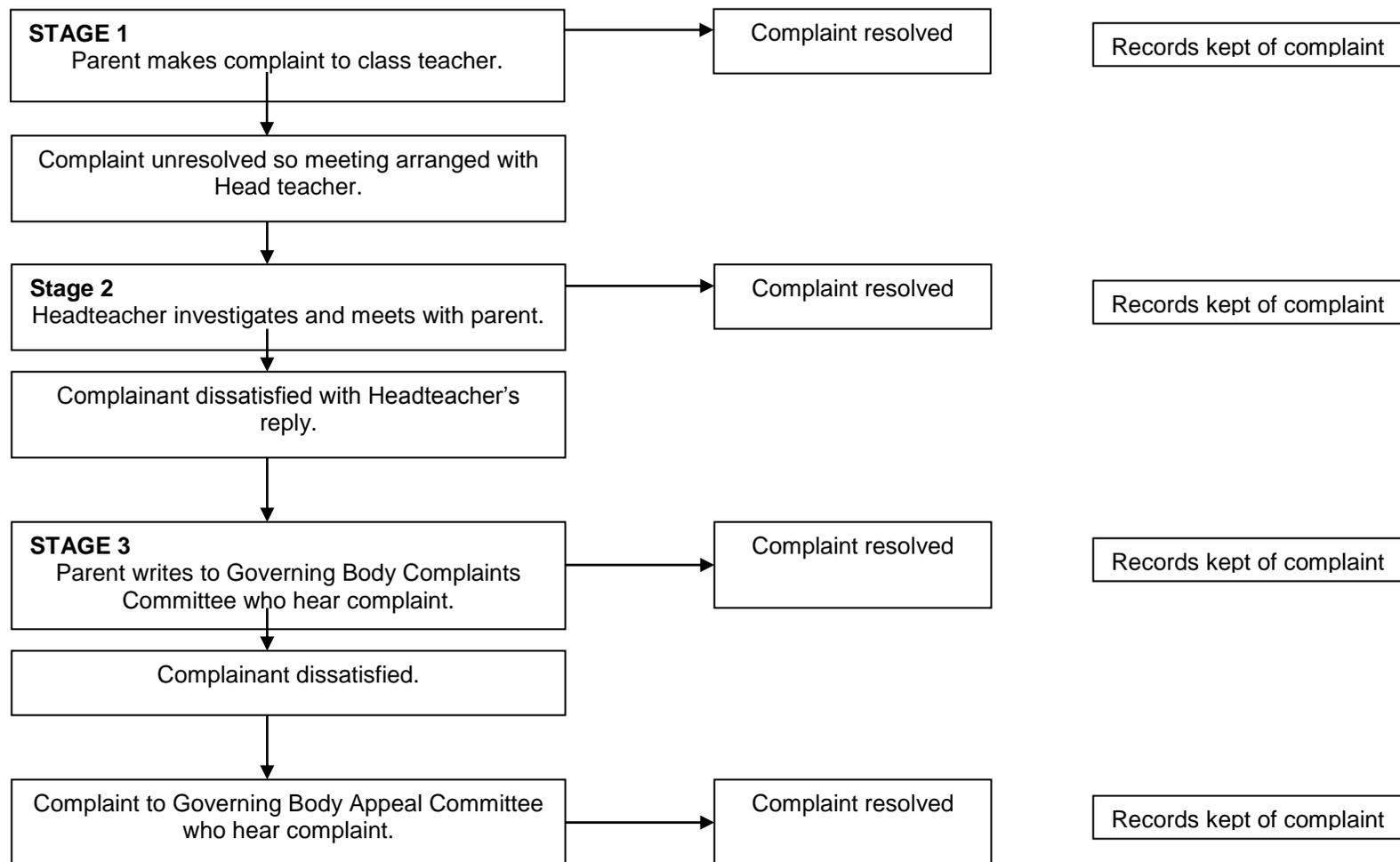
The Headteacher will:

- ensure all school personnel, pupils and parents are aware of and comply with this policy;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy;
- annually report to the Governing Body on the success and development of this policy

Monitoring and Review

- The Headteacher logs all complaints received by the school, records how they were resolved and reports to Governors termly.
- Governors will monitor the process of dealing with complaints.
- Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy.

Formal Stages of School Complaints Policy



If the complaint is still dissatisfied they should contact The Education Funding Agency (EFA) which will consider the complaint on behalf of the Secretary of State. The EFA can be contacted at academyquestions@efa.education.gov.uk or by post at:
Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
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Manchester
M1 2WD

Form for School Complaints Procedure

Please complete and return to Headteacher who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Post Code:

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 whom:

Complaint referred to:

Date:

Form for School - Resolution

School's Actions, with dates

Final Outcomes

Date