



Complaints Policy

Required Review Frequency	FGB have determined this policy be reviewed every 3 years
Next Review Due:	October 2017
Committee Responsible:	Curriculum & Standards Committee
Document Location	School

Version	Approved By	Date of Approval	Key Changes
2.0	FGB	26/11/2014	Removal of the right to appeal against the findings of Governor Complaints Panel, in line with LA advice.

Concerns and Complaints – Introduction

St Helen's CE Primary School aims to work in partnership with parents in the best interests of the children. Any complaint will be given careful consideration and will be dealt with fairly and honestly.

We will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

Actions Before Making Any Complaint

Our Complaints Policy is not intended to replace the normal informal discussions which take place between parents, staff and the Head Teacher on problems and concerns as they arise. Most issues can be resolved through this dialogue.

These concerns might include such matters as your child's work or progress, relations with staff, relations with other pupils including bullying, or your child's personal welfare.

The first point of contact regarding concerns should always be the class teacher. Appointments to see the class teacher are available both before and after school and may be made via the office. Please bear in mind though that teachers require time immediately before school to prepare for the day, and may have involvement with clubs or staff meetings after school, so may not always be available at short notice.

Referral of Complaints

The majority of formal complaints against the school will fall within the remit of the Governing Body to consider. However, there are six categories of complaint for which there are separate procedures and the Local Authority will usually become involved.

Complaints which fall into the following categories must follow a specific and set procedure and, if received by the school, will be referred to the Local Authority;

- Complaints about admission to school.
- Complaints about a failure to assess a Pupil's Special Educational Needs.
- The exclusion of pupils from school.
- Child protection.
- LA policies and LA staff.
- Potential financial liability

For any complaints passed to the LA, the Complainant will be informed in writing that the LA are now dealing with their issue.

Any complaint made directly to the Local Authority that is not covered by the above list, will automatically be referred to the Chair of Governors to deal with. The exception to this is if the complaint is against the actions of the Governing Body.

Considerations for this Policy

This procedure applies to all staff who work at St Helens.

The procedure set out here, has been agreed by the Governors in order to ensure that parents and others are able to express their concerns in an open and honest way.

The procedure is designed to:

- encourage resolution of problems by informal means;
- be simple to understand and use;
- allow speedy handling, with established time limits for action, and keep people informed of progress;
- ensure a full and fair investigation;
- respect people's desire for confidentiality;
- address all the points at issue, and provide an effective response;
- provide information to management so that services can be improved.

Parents are asked to keep their complaint confidential whilst it is being investigated and dealt with by the school or Governors.

To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than three months after the Complainant first became aware of the issue, will not be considered.

Where the first approach is made to a Governor, the Governor must refer the Complainant to the appropriate person and advise them about the policy. Governors must not act unilaterally on an individual complaint outside the formal policy or be involved at the early stages in case they are needed to sit on a panel at a later stage of the proceedings.

The Complainant is not entitled to have access to any details of the investigation except for any statements that may have been provided by their child. Any information relating to the application of disciplinary procedures is strictly confidential.

If at any stage during the investigation of the complaint it becomes apparent that the Complainant is seeking some form of financial compensation, then the investigation will be suspended while advice is sought from the Local Authority Risk and Insurance Manager on how to proceed.

Where during an investigation it becomes apparent that there may be a need for disciplinary action against a member of staff the complaints policy will be suspended. If the complaints policy is suspended, the disciplinary investigation will be conducted in line with the Local Authority Guidelines and the schools Staff Discipline Procedure Policy.

All parties concerned should act in a calm, dignified manner at all times. Meetings will be terminated at once if this is not the case.

The vast majority of complaints are resolved by informal discussions. On very rare occasions a complaint may be considered vexatious when it has been properly considered and dealt with, but the Complainant is not prepared to accept the conclusion or persists in making the same or a number of unreasonable complaints. This can unreasonably take up time and resources and detract from the responsibility of others in the school community. Any complaint, which at any stage of the complaints process, is deemed to be vexatious in nature will be rejected.

Stage One

Concerns should be raised with the school as soon as possible.

Most concerns will be easily resolved by discussions with the class teacher and parents or carers. Initially any concerns should be raised with the class teacher in the first instance. The class teacher may make a record of this discussion/meeting.

When meeting with the class teacher to raise your concerns, please be patient, the class teacher may need time to perform an investigation or put corrective measures in place and then determine their effectiveness. This stage may require several meetings to reach a conclusion satisfactory to all parties. During the meeting desired actions for the school and parent, timescales, and further meetings will be discussed.

A written record may be kept of all Stage One complaints indicating:

- Who received the complaint;
- What the complaint was about;
- What action will be taken to deal with the complaint; and
- What follow up action will be taken to check that the complaint has been resolved.

Such records must be passed to the Head Teacher so that all complaint records are held centrally.

If a parent feels that a concern has not been solved through discussions with the class teacher, or that it is of a sufficiently serious nature, then an appointment to discuss it with the Head Teacher should be made. The parent should indicate that the appointment is regarding a complaint.

Stage Two

If a concern is not resolved at Stage One, the Complainant must communicate the complaint to the Head Teacher, making it clear that they wish to raise an official complaint. The Head Teacher will

then be responsible for logging the complaint and ensuring it is investigated. The Head Teacher will issue an acknowledgement to the Complainant within five school days of receipt of a complaint.

The school aims to resolve all concerns before they become a Stage Two complaint. If a complaint is received and there is no evidence that Stage One steps have been followed, except in exceptional circumstances, the Complainant will be guided back to the appropriate point in the process. Any unreasonable refusal to attempt an informal resolution may result in the procedure being terminated forthwith.

When communicating the complaint to the Head Teacher, 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 Head Teacher or their representative will meet with the Complainant to clarify the complaint. The Complainant may be accompanied by a friend, if they wish, to assist in a supportive capacity, but this person may not speak for them.

At an early stage the Head Teacher or person delegated to look at the complaint will clearly define the specific aspects of the complaint to be investigated and these will be confirmed by the Complainant at the earliest possible stage i.e. during the first meeting. Written notes will be made of all meetings conducted.

In order to investigate a Stage Two complaint the Head Teacher or their representative will collect such other evidence as he/she deems necessary. Where this involves a meeting with a member of staff, who may be the subject of the complaint, that member of staff may be accompanied by a friend or representative if they wish.

The investigation will be concluded within ten school days. The Complainant, and, where applicable, the member of staff concerned, will be informed in writing of the outcome within a further five school days. 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 etc... but details of the investigation or of any disciplinary procedures will not be released]
- The matter has been fully investigated and that appropriate procedures are being followed, which are strictly confidential [for example where staff disciplinary procedures are being followed]

The Complainant will be told that consideration of their complaint by the school is now concluded.

Stage Three

If the Complainant is not satisfied with the manner in which the process has been followed or they feel the outcome is unjust, the Complainant may request that the Governing Body reviews the schools handling of the complaint. Any such request must be communicated to the Chair of Governors within ten school days of receiving notice of the outcome from the school. The Chair will then write a letter of acknowledgement, with a request for further evidence, to the Complainant within five school days.

The governing body will only review complaints where there is clear evidence that the Complainant has made reasonable efforts to resolve any concerns.

When the Chair of Governors has received a formal complaint, a panel of two or three Governors will be convened to hear the complaint, within fifteen school days of Chair receiving the complaint. The Governors appointed to the panel will have had no previous involvement in the complaint.

The primary function of the Complaints Panel is to decide on the merits or otherwise of the complaint. However, the panel will also play an important role in attempting to resolve the complaint. The panel will reach a decision on whether the complaint is upheld or rejected and may make recommendations for certain actions to be taken by the school or the parents.

The Complaints Panel will invite written evidence from all parties to the complaint. Any written evidence will be circulated to all parties prior to any meetings. The Complaints Panel will then meet with all parties to the complaint, formally and separately. The Complainant may be accompanied by a friend, if they wish, to assist in a supportive capacity, but this person may not speak for them. All parties will be given a fair opportunity to express their point. The procedure for each meeting will be as follows;

- Introductions will be performed by the Chair of the Complaints Panel
- The Complainant makes a statement of their complaint and the outcome sought
- The panel will question the Complainant
- The Complainant may make a final statement

Notes will be taken at all meetings. Care will be taken in identifying a Clerk. It may be appropriate for a member of staff such as the School Secretary to act as Clerk, although consideration will be given to the sensitivity of the particular complaint.

The decision reached by the panel will be notified in writing to the Complainant and any subject(s) of the complaint, within five school days. It will also be reported back to the next meeting of the Full Governing Body. Only a brief summary to the Full Governing Body will be provided, with no detailed or named information. This will ensure that any further actions will not be jeopardised.

Written replies to Complainants will aim to answer all the points of concern, be factually correct, avoid jargon, and tell the Complainant what to do next if they are still not satisfied. It may be appropriate for the Chair of the Complaints Panel to telephone the Complainant regarding the outcome. However this will always be followed up with a letter to make sure there is no misunderstanding.

N.B - Where it is not possible to respond to a complaint within the stated timescales, the Complainant will be informed in writing of the reason for the delay and given an anticipated response date.

Where the Complainant is still not satisfied with the outcome of the Complaints Panel they may appeal to the Secretary of State for Education. No further appeals will be considered by the school.

Any complaint regarding the Head Teacher must be referred to the Chair of Governors.

Complaints about the Head Teacher

The Complainant must communicate the complaint to the Chair of Governors, who will log the complaint. The Chair may delegate the investigation to another nominated Governor if the complaint has previously been discussed with the Head Teacher.

The Complainant should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, copies of relevant documents etc. In addition the Complainant will be invited to meet with the Chair of Governors or nominated Governor to discuss and clarify the complaint. The Complainant may be accompanied by a friend, if they wish, to assist in a supportive capacity, but this person may not speak for them. The Chair will issue an

acknowledgement, with a request for any further evidence, to the Complainant within five school days of receipt of a complaint.

The investigation will be conducted by the Chair of Governors or nominated Governor to a conclusion, within ten school days. The Complainant, and the Head Teacher, will be informed in writing of the outcome within a further five school days. 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 etc... but details of the investigation or of any disciplinary procedures will not be released]
- The matter has been fully investigated and that appropriate procedures are being followed, which are strictly confidential [for example where staff disciplinary procedures are being followed]

Upon initial receipt of the complaint, the Chair of Governors may decide that the nature of the complaint is such that it should be escalated to Stage Three.

If the Complainant is not satisfied with the manner in which the process has been followed or they feel the outcome is unjust, the Complainant may request that the complaint is progressed to Stage Three.

This policy has been subject to an Equality Impact Assessment.