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Complaints Policy

Policy Area: CURRICULUM & PUPIL RELATED

Key aim of the policy:

This document is based on the Essex Model Policy and details both the Complaints Policy and Complaints Procedures to be followed in the event of a concern or complaint being expressed about the work of the school.

HATFIELD PEVEREL INFANT SCHOOL

January 2016



RESPONSIBILITY RESPECT COMPASSION

Complaints Policy

Compliments

These are always welcome and very encouraging to teachers and staff. The school encourages feedback or opinions from pupils and parents. In practice this dialogue is continuous, sometimes directly and also indirectly, for example, through the Infant School Association (ISA). It may not always be possible to act immediately but pupils and the school always benefit so please don't hold back.

Concerns

It is natural that parents may, occasionally, be concerned about an aspect of their child's education or welfare at school. This could include issues concerning the school's approach to aspects of the curriculum, homework, behavioural problems or any other issue.

The school welcomes enquiries from parents about any matter. Teachers and staff will explain the school practices, policies, and how they affect the pupils. The vast majority of concerns will be handled by the class teacher or by the subject leader if this is more helpful. If in doubt, keep asking until you are completely satisfied as all staff are eager to help.

The usual format is to speak to the child's class teacher in the first instance, or to contact the school office to arrange an appointment to discuss your concern with whoever you wish. At all times the staff will help to resolve a problem. If occasionally parents feel they must state their concern formally, this too is not a problem. The school has defined procedures for handling complaints so don't be embarrassed if you feel an issue warrants more attention.

Complaints

The procedure is again to speak to the child's class teacher in the first instance, or contact the school office to arrange an appointment to discuss your complaint with whoever you wish.

The school's policy is to follow the Local Authority (Essex County Council) guidelines when handling concerns and complaints. Just ask if you would like advice or a copy. It would be unusual to deviate from these procedures but the school always retains discretion in these matters.

In summary, the Local Authority procedure is divided into three stages:

- Stage 1 aims to resolve the concern through informal contact at the appropriate level in school.
- Stage 2 and 3 are the formal stages where written complaints are considered by the headteacher or a designated governor (usually the chair), who has responsibility for dealing with complaints.
- Stage 4 is the next step once Stage 2/3 is complete. It involves a complaints review panel of governors.

If you are unhappy with the outcome or your complaint, or the way it has been handled at school level, you can contact the Secretary of State at the following address:

The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
LONDON
SW1P 3BT

You should enclose a copy of any correspondence with the school or governing body so that the Department for Education (DfE) can see how they have responded.

If you should need to refer to the full procedures, please ask at the school office. All staff are familiar with the guidelines and have a duty to help parents needing advice. Please don't feel you are making a fuss. These procedures have been carefully compiled and their reference, however rare, is routine to help pupils, parents and the school.

Complaints procedures

Our procedures for dealing with general concerns

The majority of concerns from parents, carers and others are handled under the following general procedures. The procedure is divided into three stages:

Stage 1 aims to resolve the concern through informal contact at the appropriate level in school (as described previously in this guidance).

Stage 2 is the first formal stage at which written complaints are considered by the headteacher

Stage 3 is the second formal stage when written complaints are considered by the Chair of Governors

Stage 4 is the next stage once Stage 3 has been worked through. It involves a complaints review panel of governors.

How each of these stages operates is explained below:

Stage 1 – Your initial contact with the school

1. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's class teacher.
2. We will see you, or contact you by telephone or in writing, as soon as possible after your concern is made known to us. All members of staff know how to refer, if necessary, to the appropriate person with responsibility for particular issues raised by you. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.
3. We will ensure that you are clear what action or monitoring of the situation, if any, has been agreed. We will confirm this in writing to you.
4. We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into your concern.
5. We will discuss with you (normally within ten working days) the progress of our enquiries. You will have the opportunity of asking for the matter to be considered further, once we have responded to your concern.
6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

Stage 2/3 - Formal consideration of your complaint

This stage in our procedures deals with written complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined under Stage 1 above.

1. Normally, your written complaint should be addressed to the headteacher. If, however, your complaint concerns the headteacher personally, it should be sent to the school marked "For the attention of the Chair of Governors".
2. We will acknowledge your complaint in writing as soon as possible after receiving it. This will be within three working days.
3. We will enclose a copy of these procedures with the acknowledgement.

4. Normally we would expect to respond in full within ten working days but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
5. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
6. The headteacher, or chair of governors may also be accompanied by a suitable person if they wish.
7. Following the meeting, the headteacher or chair of governors will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
8. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
9. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
10. The headteacher or chair of governors will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
11. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give a full explanation of the headteacher's chair of governors' decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.
12. If you are not satisfied with the outcome of the Stage 2/3 investigation and the schools findings, you may wish to proceed to Stage 4, as described below.

Closure of complaints

- Very occasionally, a school will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.
- We will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".
- If a complainant persists in making representations to the school – to the headteacher, designated governor, chair of governors or anyone else - this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.
- For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint.

Stage 4 - Consideration by a complaints review panel

- If your concern has already been through Stages 1, 2 and 3 and you are not happy with the outcome, the Chair of Governors will instruct the Clerk to set up a complaints review panel to consider it. This is a formal process, and your ultimate recourse at school level.
- The purpose of this arrangement is to give your complaint a hearing in front of a panel of governors who have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice.
- The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously.

The complaints review panel operates according to the following formal procedures:

1. The clerk to the governing body will aim to arrange for the panel meeting to take place within **20 working days**.
2. The clerk will ask you whether you wish to provide any **further written documentation** in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.
3. The headteacher will be asked to prepare a **written report** for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
4. The clerk will inform you, the headteacher, any relevant witnesses and members of the panel by letter, at least **five working days** in advance, of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place in the school; but we will do what we can to make alternative arrangements if you prefer.
5. With the letter, the clerk will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit **further written evidence** to the panel.
6. The letter will explain what will happen at the panel meeting and the clerk will also inform you that **you are entitled to be accompanied** to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
7. With the agreement of the chair of the panel, the headteacher may invite **members of staff** directly involved in matters raised by you to attend the meeting,
8. The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to **put you at your ease**.
9. As a general rule, no evidence or witnesses **previously undisclosed** should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
10. The chair of the panel will ensure that the meeting is properly **minuted**. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.
11. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a **copy of the minutes** it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the clerk can then be asked maintain confidentiality in the minutes.
12. During the meeting, you can expect there to be opportunities for:
 - you to explain your complaint;
 - you to hear the school's response from the headteacher;
 - you to question the headteacher about the complaint;
 - you to be questioned by the headteacher about the complaint;
 - the panel members to be able to question you and the headteacher;
 - any party to have the right to call witnesses (subject to the chair's approval) and all parties to have the right to question all witnesses;
 - you and the headteacher to make a final statement.
13. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the headteacher and yourself **within two weeks**. All participants other than the panel and the clerk will then leave.
14. The panel will then consider the complaint and all the evidence presented in order to:
 - reach a unanimous, or at least a majority, decision on the complaint;

- decide on the appropriate action to be taken to resolve the complaint;
 - recommend, where appropriate, to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.
15. The clerk will send you and the headteacher a written statement outlining the decision of the panel **within two weeks**. The letter will explain what further recourse, beyond the governing body, is available to you.
 16. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

Other sources of information and advice

If your concern is about an aspect of **special needs provision**, which might include information about relevant voluntary organisations and support groups in Essex, you might like to talk to our **Parent Partnership** team on their helpline: **01245 436036**.

Appendix 1: Model Letters

1. Complaint against a member of the school's staff

[Initial acknowledgement of a concern:]

Dear

Concern about member of staff

Thank you for letting me know of your concern about [...]. I am sorry to hear of this but I am looking into the matter and will contact you again within the next ten working days to let you know how it is progressing.

Yours sincerely

[Name]
Headteacher / Chair of Governors/ Delegated Governor

[Following action taken:]

Dear

Complaint against a member of staff

Further to your letter about [...], I am writing to let you know that I have dealt with the matter in accordance with the appropriate procedures [and following the advice of the local authority / our legal adviser].

Under employment law, complaints about members of staff [the headteacher] must be handled in confidence by the headteacher [chair of governors] and you are only entitled to know that the matter has been investigated under the confidential procedures; we are not permitted to disclose the outcome. There is no appeal process and your only additional recourse would be to seek legal advice.

[However, in this particular case, I am able to confirm that it is my considered view that there are no grounds for your complaint against X, who has my unreserved support].

Yours sincerely

[Name]
Headteacher / Chair of Governors/ Delegated Governor

2. Closure of a complaint

Dear

Complaint about [*nature of complaint*]

Further to your complaint, and the action we have taken to address it, I am writing to inform you of our decision to close communications with you on this matter.

The school and governing body regret having to take this formal step. We are confident that we have done everything possible to try to resolve the problem but it is clear that we cannot do this to your satisfaction.

The continuing attention that you are asking us to give to this matter is drawing on time and energy that we feel we need to direct towards the interests of all pupils and the school as a whole. For this reason we will not be pursuing the matter any further.

Yours sincerely

[Name]

Chair of Governors

Informing the complainant of a ban, or warning of a ban, from the school building or premises

Dear

(Warning of an impending ban:)

I regret having to write to you in such a formal way but the governing body has decided that we may have to ask you to not to enter the school building [school premises] in future if your current intimidating behaviour continues.

(Notification of an actual ban:)

I regret that I must inform you that the governing body has decided that we must ask you not to enter the school building [school premises] until further notice as your behaviour is intimidating to members of the administrative and teaching staff, as well as to the pupils. The Local Government Act regarding behaviour on school premises entitles us to take this action. Also, under Section 547 of the Education Act 1996, if we take action against you, it could result in a fine of up to £500.

(In either case:)

We accept that you have concerns about [detail] and we are willing to discuss it with you in a reasonable and open manner. We cannot, however, allow you to continue to disrupt the smooth running of the school. If you would like to telephone the school office to arrange an appointment, we will be pleased to meet with you. I will also consider any representations in writing that you may wish to make.

(If the complainant is persistently flouting a ban:)

We wrote to you previously to ask you not to enter the school building [premises]. You have not complied with this request and so we have no choice but to seek legal action to restrain you from continuing to disrupt the school by your enforced entry. We can involve the police and the county council's legal advisers, and this could result in a criminal conviction and a fine of up to £500.

Yours sincerely

[Name]

Chair of Governors

Complaints form



Please complete and return to (Headteacher/Chair of Governors)

Name:	
Pupil's name (if relevant):	
Your relationship to the pupil (if any):	
Address:	
Daytime telephone number:	Evening telephone number:
Please give details of your complaint:	
What action, if any, have you already taken to try to resolve your complaint? Who have you spoken to and what was the response?	

What action 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:

Final Action agreed/taken:

Signature:
Headteacher / Chair of
Governors

Additional Guidance

This is available in the Essex School Complaints toolkit May 2012 which is stored in the headteacher's office