

Woodthorpe Community Primary School

Complaints Policy



2014-2015

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School Complaints Policy 2014-2015

It is hoped that all complaints and concerns will be resolved as early and informally as possible. Parents/carers need to be reassured that they will be listened to and that the correct school procedures will be followed.

The vast majority of concerns and complaints can be resolved informally. There are many occasions where concerns are resolved straightaway through teachers, classroom assistants, school secretary, key worker, home/school liaison worker or learning mentor - depending on whom the parents first approach. Parents must feel able to raise concerns with members of staff without any formality, either in person, by telephone or in writing.

On occasions it may be appropriate for someone to act on behalf of a parent.

The First Stage: dealing with concerns and complaints informally.

Parents will be given an opportunity, as soon as possible, to discuss their concern with the appropriate member of staff - usually the class teacher - who will clarify with the parents the nature of the concern and reassure them that the school wants to hear about it. If the member of staff cannot immediately deal with the matter, they will arrange to do so at the earliest possible opportunity. The member of staff will need to respond appropriately, taking into account the nature of the complaint. Hopefully the matter can be resolved by the class teacher.

Staff will know how to refer, if necessary to the person with responsibility for the particular issue raised by the parent - usually, the Special Needs Co-ordinator, a member of the schools Senior Management team, or the Deputy Headteacher. * (see end)

If the complaint relates to the Headteacher, the parent will be advised to contact the Chair of Governors.

The Second Stage: Referral to the Headteacher

If the problem cannot be resolved satisfactorily at the first stage, the parent is asked to refer the matter for the attention of the Headteacher. This can be done through the Office Manager – who will ask for the subject of the complaint and the name/s of the staff who have dealt with the earlier stage. If the parent has not yet attempted to resolve the issue with the appropriate staff, the Office Manger will refer it to them rather than to the Headteacher. If the issue has already been addressed at Stage One of the Complaints procedures, the Headteacher will make the necessary enquiries to establish what has happened and will arrange for any further appropriate action to be taken. Relevant staff will explain any further help that the school is able to offer. If a meeting and/or a written response is necessary the Headteacher will make arrangements for this to happen.

If a meeting is arranged the parent may bring a friend or relative for support if they wish. The Head may also arrange for another member of staff to be present.

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Where necessary, the Head will keep written records of meetings, conversations and other documentation. Relevant staff will be informed of the outcome. * (see end)

If a complaint is against the action of the Headteacher, or if the Headteacher has been very closely involved at Stage 1, the Governing Body Complaints Panel will carry out Stage 2 procedures.

If the issue appears insoluble, either party may seek to involve the CYPD Conciliation Service.

The Third Stage - Referral to the Governing Body Complaints Panel

Upon receipt of a written request by the parent for the complaint to proceed to Stage 3, the procedures outlined below will be followed:-

The Chair of the Governing Body will write to the parent to acknowledge receipt of the written request. The acknowledgement will inform the parent that the complaint will be heard by three members of the school's Governing Body Complaints Panel within 20 working days of receiving the request. The letter will also explain that the parent has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be sent to the three members. The Chair of Governors will convene a Panel elected from the members of the Governing Body.

The Panel members will be governors who have had no prior involvement with the complaint. The Chair of Governors will chair the Panel unless s/he considers it inappropriate to do so in which case the Vice-chair will do it. Generally it is not appropriate for the Head or staff to have a place on the Panel. Governors will want to bear in mind the advantages of having a parent (who is also a governor) on the Panel. Governors will also want to be sensitive to issues of race, gender and religious affiliation. The make-up of the Panel should, if possible, reflect the three categories of LEA, Parent and Community.

The Chair/Vice-chair will ensure that the complaint is heard by the Panel within 20 working days of receiving the request. All relevant correspondence regarding the complaint will be given to each Panel member as soon the composition of the Panel is confirmed.

The Chair/Vice-chair will write and inform the parent, Headteacher, any relevant witnesses and members of the Panel at least 5 working days in advance, of the date, time and place of the meeting. The notification to the parent should also inform him/her of the right to be accompanied to the meeting by a friend/ advocate/ interpreter. The letter will also explain how the meeting will be conducted and the parent's right to submit further written evidence to the Panel, at least 2 days in advance of the meeting.

The Chair/Vice-chair of the Governing Body will invite the Headteacher to attend the Panel meeting and prepare a written report for the Panel in response to the complaint. The Headteacher may also invite members of staff directly involved in matters raised by the parent to respond in writing or at the discretion of the Chair to attend the meeting. Any relevant documents including the Headteacher's report will be received by all concerned, including the parent, at least 5 days prior to the meeting.

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It is the responsibility of the Chair of the Panel to ensure that the meeting is properly minuted.

The aim of the meeting will be to resolve the complaint and achieve reconciliation between the school and the parent. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations which will satisfy the parent that his or her complaint has at least been taken seriously.

The Panel should remember that many parents are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the Panel. It is therefore recommended that the Chair of the Panel ensures that the proceedings are as informal as possible.

If either wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

The meeting should allow

- The parent to explain their complaints and the Headteacher to explain the school's response.
- The Headteacher to question the parent about the complaint and the parent to question the Headteacher and / or other members of staff about the school's response.
- Panel members to have an opportunity to question both the parent and the Headteacher.
- Any party to have the right to call witnesses (subject to the approval of the Chair) and all parties having the right to question all the witnesses.
- Final statements by both the parent and the Headteacher.

This agenda would be followed:-

- Parent speaks
- Head speaks
- Head questions Parent
- Parent questions Head
- Panel question both
- Hear and question witnesses
- Parent sums up
- Head sums up

The Chair of the Panel will explain to the parent and the Headteacher that the Panel will now consider its decision, and a written decision will be sent to both parties within 15 working days. The parent, Headteacher and other members of staff and witnesses will then leave.

The Panel will then consider the complaint and all the evidence presented and
a) Reach a unanimous, or at least a majority decision on the complaint and

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- b) Decide upon appropriate action to be taken to resolve the complaint and
 - c) Where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.
- Recommendations will be reported to the governing body at an appropriate time.

A written statement outlining the decision of the Panel must be sent to the parent and Headteacher. The letter to the parent will explain that a further appeal can be made by writing to the Chair within 10 working days.

The school will ensure that a copy of all correspondence and notes are kept on file in the school's records. These records should be kept separately from the pupil's personal records.

At any time during the procedures the CYPD Advice and Mediation Officer may be contacted for assistance.

The Fourth Stage - Referral to the Governing Body Complaints Appeal Panel

If the parent is still not satisfied then s/he may request that the matter is referred to the Appeals Panel. This Panel would be made up of three governors who had not previously been involved. The Panel should be chaired by the Chair or Vice-chair (or their nominee) and would follow the same format as for the Appeals Committee above, but would include written material from the Complaints Panel, who may be requested to attend the Appeals Panel meeting if appropriate. The time scales would be the same as for the Complaints Panel.

The Fifth Stage - Referral to the Secretary of State or Local Government Ombudsman

1) The Secretary of State

Complaints can be taken to the Secretary of State for Education and Employment under Section 496 of the Education Act 1996, on the grounds that a Governing Body or LEA is acting or proposing to act unreasonably, or under Section 497 of the same Act, on the grounds that either the Governing Body or the LEA has failed to discharge its duties under the Act. The Secretary of State may contact the Governing Body or the LEA for more information in order to consider the complaint.

2) The Local Government Ombudsman

Complaints about the maladministration of Local Authority services including the way it operates any general complaints procedure could be made to the Ombudsman. However, the Ombudsman does not look at internal school management matters and usually expects that thorough attention has been given to a complaint locally before investigation by the Ombudsman.

- It should be noted that, when a parent has exhibited aggressive or threatening behaviour in school or made threats against members of staff, the school reserves the right to suspend any proceedings that are considered to put staff at risk.