



All Saints Church of England Primary School

Complaints Procedures and Policy

Date reviewed: Autumn 2014

Approved by Governors: Autumn 2014

At All Saints we encourage all parents, carers and pupils to approach any member of staff, including class teachers, in the first instance if they have a concern or a complaint. In the event that these initial approaches fail to resolve a complaint, this policy lays out the procedures that should be followed to allay any concerns about a particular issue.

There are **three stages** to the complaints procedure:

Stage 1 – informal investigation of complaint

Stage 2 – complaint heard by Head teacher

Stage 3 – complaint heard by the local governing body's complaints panel

Anonymous concerns or complaints will not be investigated under this procedure, unless there are exceptional circumstances. To enable proper investigations, concerns or complaints should be brought to the attention of the school as soon as possible.

In the event that the complainant believes that the school has failed to comply with its own complaints procedure or that the school's complaints procedures does not comply with statutory requirements the complainant may complain to the Local Authority.

If you do not understand any part of this policy please do not hesitate to contact the Head teacher or the member of the school governing body who is responsible for complaints. Your complaint will then be investigated fully, ensuring all the relevant facts are taken into consideration.

STAGE 1 - THE FIRST CONTACT: GUIDELINES FOR DEALING WITH CONCERNS AND COMPLAINTS INFORMALLY

Complainants may register their concerns either verbally or in writing by letter. If the member of staff first contacted cannot immediately deal with the matter, he or she must make a clear note of the date, name and brief details of the concern. This information must then be relayed to a senior member of staff *at the earliest opportunity*, and a check made later to make sure action is being taken and that the complaint/concern has been recorded in the school's complaints/concerns log, which is held in the head's office, or onto CPOMs.

The complainant will be provided with an opportunity to discuss their concern with an appropriate member of staff, who clarifies the nature of the concern, the outcome the complainant is seeking, and gives reassurance that the school will treat it seriously.

The headteacher or senior member of staff will identify the appropriate complaint procedure and either investigate themselves, or nominate an appropriate colleague to do so. The headteacher or senior member of staff will make sure the complainant is clear what action (if any) or monitoring of the situation has been decided on, **only putting this in writing if this seems the best way to make things clear.**

If a parent or pupil felt that their initial contact with a member of staff did not deal with the concern to their satisfaction they should complete a Complaints Form (Appendix B) and return it to the Head teacher.

STAGE TWO - FORMAL REFERRAL TO THE HEAD TEACHER

If the concerns relate to the Head Teacher, or the Head Teacher has been so involved as not to be impartial, the complainant must be advised to contact the Chair of the Governing Body.

The Chair will decide if they wish to have support from an officer of the LA. Where the Head Teacher has acted at Stage One, another senior member of staff may be designated to collect some of the information from the parties involved, or another senior member of staff may be nominated to be the Investigator.

The complaint should be submitted in writing, either by letter or by completion of the school's complaint form. (Annex B). The complainant will be made aware of the assistance available from the LA or other bodies with the writing of the complaint.

The investigator will acknowledge the complaint in writing within **5 working days**, providing a brief explanation of the school's complaint procedure, their own name and telephone number, and a target date for providing a response - this should normally be within **10 working days**. If there is any delay, a written explanation and revised target date will be sent. Everyone involved in the complaint will be interviewed, accompanied by a friend or companion, if they wish, to ensure that all the facts of the complaint are understood. A written record of the complaint, the process of investigation, meetings, telephone conversations and other documents will be kept for two years. These are confidential to the school and the Local Authority.

Those involved in the complaint will be encouraged to say what actions they feel would remedy the situation at any time. The person investigating the complaint will produce a report and a written response to the complainant. Whilst every effort will be made to complete investigations promptly, in some cases, requiring detailed investigations, and/or where a number of witnesses may need to be interviewed, it will take longer to produce a written response. Where this is the case the complainant will be advised of any revised timescale for production of the written response.

The written response will include:

- details of the agreed subject matter of the complaint
- details of who was contacted in connection with the subject matter of the complaint (and in brief) the evidence that was obtained
- a full explanation of the decision reached and the reasons for it.
- where applicable, what action the school will take to address the complaint and prevent recurrence.
- what to do if the complainant is not satisfied, information on how to request a review by the governing body and the times

STAGE THREE - GOVERNING BODY REVIEW OF HEAD TEACHER'S OR CHAIR'S INVESTIGATION

- A request to review a complaint investigation should be made in writing to the Chair of the Governing Body, **within 28 days** of receipt of the outcome letter.
- The Clerk to the Governing Body will write to the complainant within **5 working days**, to acknowledge receipt of the review request, to confirm the grounds on which a review will be considered and request that written details of the grounds for the review be received within 28 days of the outcome letter. These grounds are limited to:
 - a claim that material information was not taken into account in investigating the complaint
 - a claim that procedures have not been properly applied in handling the complaint
 - a claim that there has been an incorrect interpretation of Council or school policy
- The Governing Body will then nominate three members to form a Complaint Panel to review the complaint and any further documents submitted by the complainant. These must be governors who have had no prior involvement with the complaint.
- If s/he has not previously been involved, the Chair of the Governing Body should chair the panel otherwise the Vice-Chair should do it. The Head Teacher, or others involved in the original investigation should not have a place on the panel. If the complaint is from a parent, Governors will bear in mind the advantage of having a parent governor on the Panel and will also be sensitive to issues of race, gender and religious affiliation, to ensure a fair and balanced hearing of the case.
- The Clerk convenes the Complaints Panel within 28 days of receipt of the appeal and at the same time provides panel members with copies of all relevant correspondence and documentation. If this is extensive, the Chair of the Panel should prepare a thorough summary for the other members.
- The complainant, Head teacher and other witnesses are given a minimum of 5 working days notice of the appeals hearing. The complainant is advised of their right to bring a friend or representative, or to be represented by someone of their choice.

The Panel meeting will be kept as informal as possible, particularly when the complainant attends in person. A round table type of meeting will be adopted where possible.

The Outcome of Appeals may be to:
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- uphold the result of the original investigation, in which case a full explanation will be given.
- find the complaint was justified and overturn the original decision. In this case the Review Panel will issue an apology and if the provision of a service or other remedial action is required, will ensure this is put in hand quickly and consider implications for procedures, staff training etc. If there is a possibility of a claim for compensation, or of legal action being brought, the Review Panel will seek advice from the City Council on the wording of the letter.

- find there has been no malpractice or failure of service, but that policies or resources did not permit what the complainant wanted. In this case, the Review Panel will consider whether or not it is appropriate for the policy or allocation of resources to be reviewed and give a full explanation of what action will be taken.
- The Chair of the Panel will notify the complainant in writing of the outcome and advise them of any right of further appeal, e.g. to the LA, Secretary of State, or Local Government Ombudsman (see General Framework document)

MONITORING AND REPORTING

The Investigator will record the outcome and identify who is responsible for carrying out and monitoring any recommended action in the school's complaints log.

The Head Teacher will produce a regular analysis of complaints received for the Governing Body.

FLOW CHART. FOR COMPLAINTS RAISED WITH SCHOOLS - Annex A

Concerns/enquiries/requests for action

Raised with class teacher or senior member of staff who ascertains facts and seeks to resolve

Formal

Appeal

Informal

1. Concerns addressed and resolved informally - END
2. Complainant dissatisfied with decision and is referred to a senior member of staff or Head Teacher (informal complaint)
 - Senior member of staff or Head Teacher addresses concerns and issues resolved informally - END
 - or
 - Parent decides not to pursue formal complaint - END
3. Head Teacher does not uphold complaint, but parent dissatisfied and pursues formal complaint
 - or
 - Head Teacher considers there is need for issue to be considered through formal complaint procedures

- Head Teacher (or Chair if complaint is against Head Teacher) ascertains facts and considers issues raised.
- Head Teacher/Chair identifies which procedure is appropriate.
- Head Teacher/Chair or nominated member of staff investigates complaint and takes action — parent satisfied at outcome — END.
- Head Teacher/Chair does not uphold complaint — parent dissatisfied, and appeals

- Parent appeals to Chair of Governors (or Vice Chair if Chair investigated complaint)
- Chair of Governors:-
 - a) Checks appropriate procedure to follow
 - b) Calls Complaints Sub-Group of Governors
 - c) Acknowledges and records complaint.
 - d) Briefs key personnel
 - e) Arranges meeting to hear complaint and findings of investigating officer
 - f) Notifies complainant (and other key personnel) of outcome.
- Governors uphold complaint and take action, complainant satisfied at outcome - END

Or

- Governors do not uphold complaint — complainant dissatisfied. Chair of Governors advises complainant of any right of appeal to external body, (e.g. LA, diocesan authority, Secretary of State).



**All Saints School Complaints Procedure — Annex B
Complaint Form**

If there is anything which makes it difficult for you to tell us about your complaint, for example if English is not your first language, please tell us so that we can help you.

Data Protection Act 1998

The personal data that you provide will be used for the purposes of investigating your complaint and for producing statistical data, to enable the school's management to monitor access to and the effectiveness of the school's complaint procedure. The information you give will be held securely and in confidence.

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

Name:

Your Address:

Postcode:

Day time telephone number:

Evening telephone number:

If your complaint relates to a pupil, please give:

Pupil's name:

And your relationship to the pupil:

Please give details of your complaint.

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

What would you like us to do to make improvements or put things right?

Are you attaching any paperwork? If so, please give details.

Signed..... Date.....

For Office Use

Date received:

Date acknowledgement sent:

By Who:

Date complaint logged:

By Who:

Complaint referred to:

Date:

