

## **Banister Primary School Complaints Policy & Procedure**

### **Introduction**

The majority of issues raised by parents, pupils or the community, are concerns rather than complaints. We are committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without formal procedures. However, depending on the nature of the complaint it may be appropriate to follow the school's formal complaints procedure.

At the same time it is worth noting that compliments are always welcome and very encouraging to teachers and staff. The school encourages feedback and opinion from parents and pupils. In practice, this dialogue is continuous.

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, behaviour 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 children. The vast majority of concerns will be handled by the class teacher or year leader if it is more appropriate. If in doubt, keep asking until you are completely satisfied as all staff are eager to help.

The usual format for a concern 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 the appropriate member of staff.

If a parent feels that they must state their concern formally the school has defined procedures for handling complaints so don't be embarrassed if you feel an issue warrants more attention.

Malicious complaints may incur appropriate action by the school.

The school's policy is to follow the DfE guidelines when handling concerns and complaints

### **Complaints Procedure for Parents**

#### **Timescales**

Complaints need to be considered, and resolved, as quickly and efficiently as possible. Our complaints procedure outlines the different stages of the process and what the expectations are at the end of each stage. The length of period of time to respond to and resolve complaints will vary with the gravity and complexity of the complaint and the urgency with which it needs to be settled. The intention is that all complaints should be settled within a period which is considered reasonable by all parties and where appropriate indicative timescales have been identified.

## Levels of complaint

There are 3 stages which define the procedure for making a complaint:

<b>Stage 1</b>	Informal complaint to the Teacher, Senior Leadership Team or Headteacher
<b>Stage 2</b>	Formal complaint to the Headteacher
<b>Stage 3</b>	Formal complaint to the Governors

**Stage 1:** The complaint or concern should be discussed with your child's teacher. Most difficulties are resolved at this stage. If you are not able to come into the school you can also put your concerns in writing addressed to your class teacher. Appendix A details what happens if the class teacher is unable to resolve the issue at first contact.

**Stage 2:** Where complaints cannot be resolved informally the matter may then be considered to be the subject of a formal complaint. The formal complaint should be made in writing and a suggested format for the complaint is provided in Appendix B. Acknowledgement of receipt of this complaint will be made within 5 school days. The Headteacher will fully investigate the complaint and respond, in writing.

**Stage 3:** Where complaints cannot be resolved by the Headteacher the matter may then be considered to be the subject of a formal complaint to the Governing Body. If any complaint is received by individual Governors, including the Chair, before the above stages have been completed, those Governors should refer the parent to the Teacher, Senior Leadership Team or Headteacher. A formal complaint to the governors will need to be in writing to the Chair of Governors, c/o Banister Primary School. A suggested format for making a formal complaint is provided in Appendix B. Acknowledgement of receipt of the complaint will be made within 5 school days.

Depending on the nature of the complaint, it may be that action will need to be taken by the Chair before the panel meets. This may result in the resolution of the complaint without proceeding to a governors' panel hearing.

A panel of Governors will be established to investigate and hear the complaint. The panel will not previously have been involved in any detailed discussion of this complaint. The clerk to the governing body will aim to arrange for the panel meeting to take place within 20 school days.

Guidelines relating to the panel hearing are included in Appendix C.

The panel will consider the complaint and the chair of the panel will notify the complainant, in writing, of the panel's decision within 5 school days.

## **Monitoring and review**

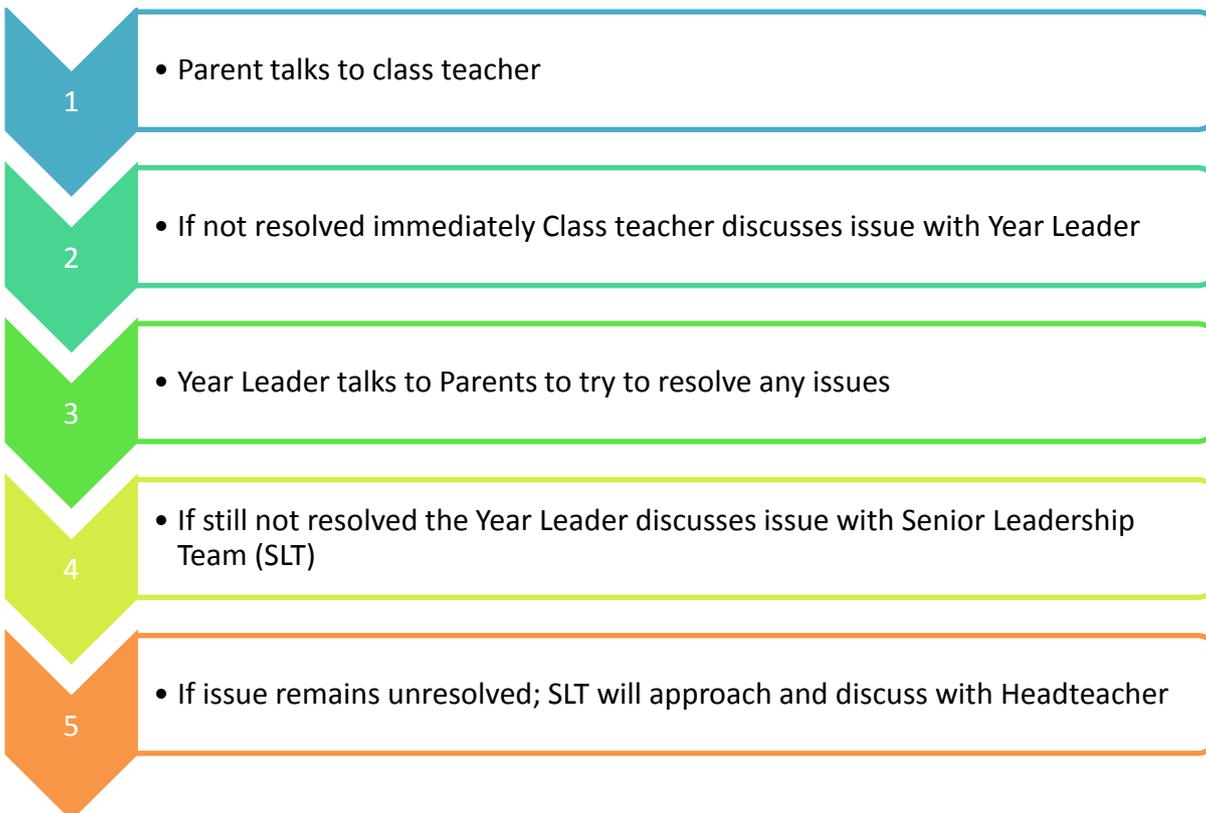
### **Recording complaints**

The Headteacher will monitor all written complaints and keep a copy of all relevant correspondence. If there are a number of complaints about the same issue, or a rise in the number of complaints overall, the Headteacher will ensure a full investigation is undertaken.

### **Governing Body review**

The Governing body will monitor the level and nature of all written complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. The process of listening to, and resolving complaints should contribute to school improvement. Wherever practicable, complaints information shared with the whole Governing Body will not name individuals.

## Appendix A – Concerns and Queries Communication flow



## Appendix B – Formal Complaint Form

If making a complaint in writing the following form identifies the key information required.

Name:	
Pupil's Name:	
Relationship to pupil:	
Address:	
Postcode:	
Day time telephone:	
Evening telephone:	
Please give details of your complaint	
What action, if any, have you already taken to try and resolve your complaint? (i.e. 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 note of receipt sent:	
Sent by:	
Complaint referred to:	
Date:	

## **Appendix C – Complaints Panel Guidelines**

### **The Complaints Panel**

The Governing Body will nominate a number of members with delegated powers to hear a formal complaint. The panel will consist of an uneven number of governors (usually 3). No Governor may sit on the panel if they have had prior involvement in the complaint or the circumstances surrounding it.

In deciding the make-up of the categories of the panel, every effort will be made to try and ensure that it is a cross-section of the categories of Governor. The complaints panel will select their own chair.

### **The remit of the Complaints Panel**

It is important that the panel hearing is independent and impartial and that it is seen to be so. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However it is recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

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 mitigate against problems of a similar nature reoccurring.

### **The Role of the Clerk**

The complaints panel will normally be clerked by the Clerk to the Governors unless that person is unavailable or part of the complaint. In such cases alternative arrangements will be made. The clerk will be the contact point for the complainant and will 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 the parties in advance of the hearing;
- Meet and welcome the parties as they arrive at the hearing;
- Record the proceedings;
- Notify all parties of the panel's decision.

### **The Role of the Chair of the Complaints Panel**

The Chair of the panel will ensure that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;

- Key findings of fact are made;
- The panel seeks to assist parents and others who may not be used to speaking at such a hearing to feel at ease;
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- The panel is open minded and acting independently;
- 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;
- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties and if any new and relevant issues arise give all parties the opportunity to consider and comment on it;
- Notify the complainant of the panel's decision, in writing. The letter will also explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

### **Checklist for a Complaints Panel Hearing**

The panel needs to take the following points into account:

- The hearing should be as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Headteacher may question both the complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The Chair explains that both parties will hear from the panel within a set timescale.

**Reviewed:** October 2017 **Next review:** October 2018