



Concerns and Complaints Policy & Procedure

Staff, Governors and parents need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints and it is important that all stakeholders are aware of the guidance on securing the swiftest and most appropriate resolution to a concern. Formal complaints follow the school Complaints Procedure.

The underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the case of extended school provision will receive the first approach. It is helpful if members of staff are able to resolve issues on the spot, including apologising where necessary.

We acknowledge that the nature of some complaints may be emotive and may directly affect you or your family. The school staff and Governors will always be polite, professional and clear about what is happening, what can and can't happen and will seek advice from unions or governors services to ensure this process is completed in an appropriate manner. In return we also expect the same of any complainant. The school has reasonable policies on its website that covers these expectations and what may happen if this is not the case by either party. Mediation can be considered at any point in the process.

We do not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

A complaint must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints outside of this time frame if exceptional circumstances apply.

We will consider complaints made outside of term time to have been received on the first school day after a holiday period.

Stage One: Complaint Heard by Staff Member (informal)

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the concern will escalate and become a formal complaint requiring a formal procedure.

The school will respect the views of a complainant who indicates that they have difficulty discussing a complaint with a particular member of staff. In these cases, the complainant can be referred to the deputy headteacher or headteacher. Where the complaint concerns the headteacher, the complainant should be referred to the Chair of Governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the member of staff can refer the complaint to the deputy headteacher or headteacher. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. Governors are not to act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

Stage Two: Complaint Heard by Head Teacher (informal)

The headteacher's influence will already have shaped the way complaints are handled in the school. At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The headteacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken. It is not too late at this stage to suggest mediation and resolve informally. An acknowledgement of the complaint will be made within 5 days (during term time) of the referral and a written or oral response to the complainant will be made within 10 days of the referral to the Head Teacher.

Stage Three: School Investigation (formal)

Although this is a formal investigation into your complaint, it will still be in the spirit of quickly reaching an effective outcome and maintaining positive and productive relationships. This stage is reached when informal steps have not resolved the concern and a formal complaint procedure is required. Complainants are required to complete a complaint template (see Appendix 1). An acknowledgement of the complaint will be made within 5 days of the referral and the chair of governors will provide a written or oral response to the complainant.

Stage Four: Complaint Heard by Governing Body's Complaints Appeal Panel

If the complaint has not been resolved at Stage 3 the complainant can request that the complaint is heard by the Appeal Panel. The Chair, or nominated governor, will convene a Governing Body Complaints Panel as detailed in the Standing Orders. The governors' appeal hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

The Remit of the Complaints Appeal Panel

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 ensure that problems of a similar nature do not recur

There are several points which any governor sitting on a complaints panel needs to remember:

The appeal hearing is independent and impartial and must be seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

- 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 has to be recognised 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.

- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- The governors sitting on the panel need to be aware of the complaints procedure

Roles and Responsibilities

The Role of the Clerk

The Department strongly recommends that any panel or group of governors considering complaints be clerked. The clerk would be the contact point for the complainant and 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 Governing Body or the Nominated Governor is to:

- check that the correct procedure has been followed
- notify the clerk to arrange the panel, if a hearing is appropriate

The Role of the Chair of the Panel has a key role, ensuring 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
- parents and others who may not be used to speaking at such a hearing are put 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. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it

Checklist for a Panel Hearing

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Head Teacher may question both the complainant and the witnesses after each has spoken.
- The Head Teacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Head Teacher 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 Head Teacher 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 time scale.

Notification of the Panel's Decision

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

The governing body will review this policy annually and also on occasions when it has been required.

Complaint Form

Please complete and return to the Appledore School Business Manager by hand or by email to admin@appledore-primary.devon.sch.uk who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

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 acknowledgement sent:

By who:

Complaint referred to:

Date: