



Manor Primary School

Complaints and Concerns Policy

Approved by Governors: June 2018

To be reviewed: June 2021

Introduction

We believe that our school provides a good education for all our children, and that the headteacher and other staff work very hard to build positive relationships with all parents. However, the school is obliged to have procedures in place in case there are complaints by parents. The following policy sets out the procedure that the school follows in such cases.

If any parent is unhappy with the education that their child is receiving, or has any concern relating to the school, we encourage that person to talk to the child's class teacher immediately.

We deal with all complaints in accordance with procedures set out by the Local Authority. If the school cannot resolve any complaint itself, those concerned can ask the LA to intervene.

All parents have the right, as a last resort, to appeal to the Secretary of State for Education, if they still feel that their complaint has not been properly addressed.

Aims and objectives

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

The complaints process

Stage 1 (Informal raising of concerns):

If a parent is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher. Most matters of concern can be dealt with in this way. All teachers work very hard to ensure that each child is happy at school, and is making good progress; they always want to know if there is a problem, so that they can take action before the problem seriously affects the child's progress.

Stage 2 (escalation of initial concerns to senior staff):

Where a parent feels that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the headteacher. The headteacher considers any such complaint very seriously and investigates each case thoroughly. Most complaints are normally resolved at this stage.

Stage 3 (formal complaint):

Should a parent have a complaint about the headteacher, or the way in which they have handled a complaint against a member of staff i.e. if a parent is unhappy with the outcome, s/he can make a formal complaint, as outlined below.

A formal complaint should be made to the Governing Board (GB). This complaint may be made in writing or communicated verbally, stating the nature of the complaint and how the school has handled it so far. The parent should send any written complaint to the Chair of Governors (CofG) via the School Office.

'Fast Track' Interim Procedure

When considering a complaint the CofG may wish to seek technical or procedural advice from Officers of the Staffordshire County Council education service on the appropriate course of action to be taken. If it is felt appropriate in the circumstances and agreed by all parties, the Chair of Governors may offer to investigate the complaint and chair a meeting with parents and the Headteacher to hear the complaint and respond to it. This may be a more streamlined and less daunting route for some parents than the final stage of a panel hearing. The Chair of Governors will follow the procedures set out below for the panel hearing in terms of timings and structure of the meeting. If this interim measure is unsuccessful or breaks down in anyway either party can request that formal procedures are instigated as set out below.

In most cases it will be the parents' choice as to whether to mount a formal complaint, but the School reserves the right to utilise the formal complaint procedures where the School feels that 'informal' methods of resolving concerns have been exhausted but a complainant clearly remains dissatisfied.

It should be noted that some outcomes of a complaint may lead to action being initiated under other formal procedures, such as safeguarding or disciplinary matters. Where this is the case parents will be advised and informed of the procedures that are to be followed. It should be noted, however, that the school will not necessarily be able to provide parents with the details of the outcome of those procedures for data protection reasons or otherwise, depending on the circumstances.

If a formal complaint is made to the School parents will be provided with a copy of this complaints policy. It is not a requirement that a formal complaint is made in writing, but the school will need to be clear what the complaint is about, and may therefore request clarification from parents before investigating the complaint.

Please be aware that the School reserves the right not to review a complaint made by a complainant that has not been brought to the attention of the school within 8 weeks of the alleged incident occurring. However, the School will consider any complaint outside of that timescale in certain circumstances.

The GB should consider all formal complaints within three working weeks of receipt. It arranges a meeting to discuss the complaint, and invites the person making it to attend the meeting, so that s/he can explain her complaint in more detail. The school gives the complainant at least three days' notice of the meeting.

Governing Board Complaints Committee (the Panel) – Procedure

Complainants will be given the opportunity to attend the complaints meeting to make representations in person, and will have the right to bring a friend/family member or other supporter. The Panel will therefore meet at a time and a venue convenient to all parties. If complainants decide not to attend the complaints meeting, it may be held in their absence.

The Panel may request the services of a Clerk.

The Panel will want to ensure that the nature of the complaint is understood and, where possible, will seek to establish from complainants what actions they feel might resolve the problem. In helping to reach a conclusion, the Panel will seek to identify possible sources of information and advice to help collate the necessary evidence.

As indicated above, complainants will be given the opportunity to attend the complaints meeting and will have the right to bring a friend/family member or other supporter. In normal circumstances the head teacher may also attend the meeting, but will not take any part in the decision-making process. A typical complaints meeting may adopt the following structure:

- The meeting will be as informal as possible.
- Witnesses may be required to attend but only for the part of the meeting in which they give their evidence.
- After introductions, the complainant will be invited to explain their complaint, and will be followed by their witnesses (if any).
- The head teacher / chair of governors may ask questions of both complainant and their witnesses after each has spoken.
- The head teacher / chair of governors will then be invited to explain the school's actions and will be followed by the school's witnesses.

- The complainant may ask questions of both the head teacher / chair of governors and the witnesses after each has spoken.
- The Panel may ask questions at any point.
- Complainant will then be invited to sum up their complaint.
- The head teacher / chair of governors will be invited to sum up the school's actions and response to the complaint.
- The panel chair will explain that both parties will hear from the Panel in writing within a set time scale.
- Both parties leave together while the panel remains to decide on the issues and reach a conclusion.

The above procedures for the complaints meeting may vary with the approval of all parties, for example complainants may wish to meet the Panel without the head teacher being present. Where this is the case they should be aware that it will still be necessary for the Panel to meet with the headteacher as part of the process.

Membership of the Complaints Committee should include three or five governors. Members should be independent and impartial; the Headteacher should not be a member. No Governor may sit on the panel if they have had a prior involvement in the complaint or the circumstances surrounding it.

The aim of the investigation will always be to resolve the complaint and achieve reconciliation between the school and the complainant.

An effective panel will acknowledge that the complainant may 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 welcome as possible.

The complainant must be given the opportunity to make representation and the school the right of reply.

After hearing all the evidence, the Governors consider their decision and inform the parent about it in writing within 10 working days of the hearing.

If the investigation upholds the complaint it may be appropriate to offer one or more of the following:

an apology;

an explanation;

an admission that the situation could have been handled differently or better;

an assurance that the event complained of will not recur;
an explanation of the steps that have been taken to ensure that it will not happen again;
an undertaking to review school policies in light of the complaint.
An admission that the school could have handled the situation better is not the same as an admission of guilt.

However, it has to be recognised the complainant might not be satisfied with the outcome if the governors do not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his/her complaint has been taken seriously.

Parents do not have a general right of appeal should they disagree with the governors' decision. They may, however, raise the matter with the Staffordshire Local Authority Education Service or the Secretary of State if they consider the complaint wasn't investigated properly and fairly. If the Governors have followed a proper procedure and considered the complaint reasonably, neither the Staffordshire Local Authority Education Service nor the Secretary of State can reverse their decision.

The Role of Staffordshire County Council (Local Authority)

The Local Authority does **not** have a statutory duty to consider school complaints and complainants do **not** have a right of appeal to the Local Authority should they disagree with a decision of the governing board. They may, however, raise the matter with the Local Authority if they consider the complaint wasn't investigated properly or fairly. So long as the governing board followed a proper procedure and considered the complaint in a reasonable manner, then the Local Authority will simply inform complainants of that fact. It cannot reverse a decision of the governing board.

If you wish to raise the matter with Staffordshire County Council please write to:

Commissioner for Learning and Skills
Wedgwood Building
Tipping Street
Stafford ST16 2DH

In your letter please explain:

- what your complaint to the governing board was;
- what response they have made to it;
- why you think that the governing board has not followed a proper procedure in considering your complaint, and/or
- why you think that their consideration of it was unreasonable.

You will receive a written response to inform you of any further enquiries made into your complaint.

The Role of the Secretary of State for Education (the Department for Education)

If you still remain dissatisfied and feel that the School has not followed the appropriate procedure, any relevant policies, or has failed to discharge a statutory duty, you may wish to refer your complaint to the **School's Complaints Unit (SCU)** within the Department for Education at the address below:-

The Schools Complaints Unit
Department for Education
2nd Floor Piccadilly Gate
Manchester
M1 2WD

Please note that the SCU will not re-investigate the substance of the complaint as this remains the responsibility of the School, but if legislative or policy breaches are found, SCU will report them to the School and, if necessary require the School to take remedial action.

Vexatious Complaints

If properly followed, our Complaints Procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the CofG, is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Monitoring and review

The Governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The headteacher logs all written complaints received by the school and records how they were resolved. Governors examine this log on an annual basis.

Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.

This policy is reviewed in light of the DfE publication:
School Complaints Toolkit 2014

Departmental advice for maintained schools, maintained nursery schools and local authorities

August 2014

Staffordshire schools model Complaints Policy 2014

Further information from the DfE

Useful resources and external organisations

☞ National Governors Association

Other relevant departmental advice and statutory guidance

☞ Section 29 of the Education Act 2002

☞ Governors Handbook

Other departmental resources

How to complain about a school - Advice for complainants

<https://www.gov.uk/complain-about-school>