

Marden Primary School Formal Complaints Procedure

Introduction

This document sets out the school's procedure for addressing complaints. It should be used only when informal attempts to resolve problems have been unsuccessful. If you have any concerns about the school or the education provided, you are encouraged to discuss the matter first with your child's class teacher at the earliest opportunity. The school considers any concerns very seriously and most problems can be resolved at this stage. If your concerns remain, make an appointment to discuss them with the Head.

An individual governor cannot act alone and any governor approached about a complaint will direct you to a member of staff or the Headteacher with a view to resolving the issue informally. If this is not felt to be appropriate, the governor should refer the complainant to the procedure. The governor should not become involved in any detail of the complaint at this stage.

We want to work in partnership with parents in order to achieve a happy atmosphere in which all children can thrive. Concerns can arise from time to time despite our best efforts. Very often matters can easily be resolved when concerns are shared and understanding is gained through the partnership.

Please note that this procedure does not apply to issues concerning the curriculum, collective worship, admissions, exclusion appeals, decisions about your child's special educational needs or grievances by or against staff. These are the subject of separate procedures.

All other complaints are handled by the school according to the arrangements set out below.

Aims and Objectives

The school will give careful consideration to all complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

Our Procedure aims to:

- be easily accessible and publicised
- be simple to use and understand
- be impartial
- be non-adversarial
- allow swift handling with established time-limits for action and keeping people informed of the progress
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality, wherever possible (some information sharing may be necessary to carry out a thorough investigation)
- address all points of issue, providing an effective response and appropriate redress, where necessary
- provide information to the school's leadership team so that services can be improved.

Formal Complaints Procedure

Stage 1

If you feel that a concern has not been addressed through informal discussion with the Class Teacher and/or Head teacher, and you wish to have the matter formally investigated, this process begins with the completion of a complaints form, which you will find at the end of this pack. If you would like help completing the form, the school will be happy to provide the assistance of someone unconnected with the complaint. The completed form should be returned to (a) The Head Teacher if the concern/complaint is under the Head teacher's responsibility or (b) The Chair of Governors if the concern/complaint is under the Governing Body's responsibility, (these are indicated below). The complaint form should be returned to the school office, marked Confidential, for the attention of either the Head Teacher or Chair of Governors as appropriate. The Head Teacher/Chair of Governors will acknowledge in writing receipt of the complaint form within **three working days** after receiving it and will enclose a copy of the school's complaints procedure with the acknowledgement.

Complaints are the Head teacher's responsibility if the matter is about:

- the day-to-day running of the school
- the interpretation of school policies
- the actions or inactions of staff at the school

These will be investigated by the Headteacher. *See C1 for flowchart.*

Complaints are the Governing Body's responsibility if the matter is about:

- school policies as determined by the Governing Body
- the actions or inactions of the Governing Body
- the Headteacher

These are concerns/complaints under the Governing Body's responsibility and will be investigated by the Chair of Governors. *See C2 for flowchart.*

Stage 2

If the concern/complaint has been investigated by the Head teacher, Stage 2 of the formal procedure will begin with the complaint form being passed to the Chairman to review whether the complaint has been properly dealt with (see flow chart C1). If the concern/complaint has been investigated by the Chair, the complaint form passes to the Governing Body (see flow chart C2).

If the complaint is a staff disciplinary or capability issue, then the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. You will be notified if this is the case with your complaint, but we will not be able to tell you which procedure or the final outcome.

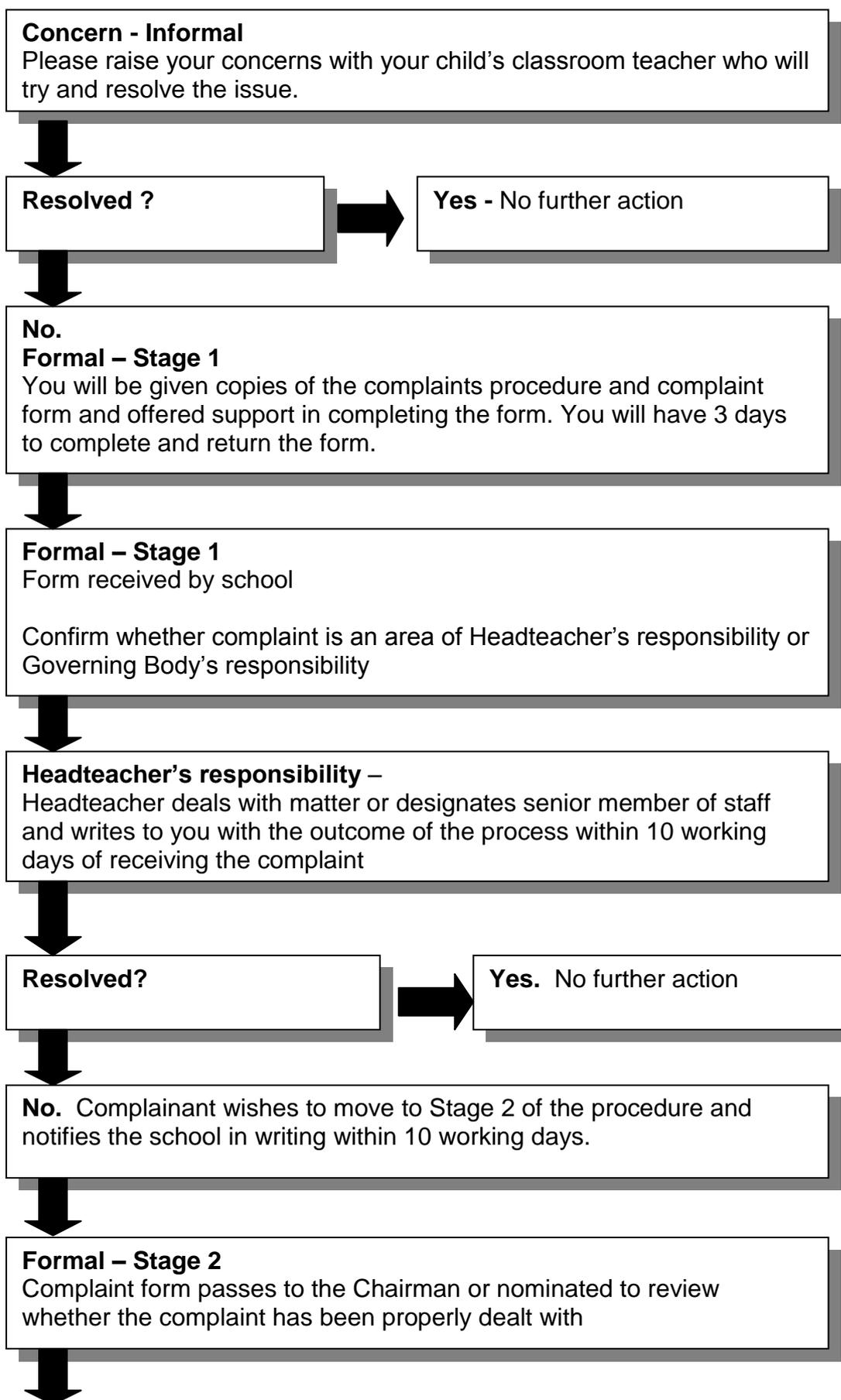
Monitoring and Review

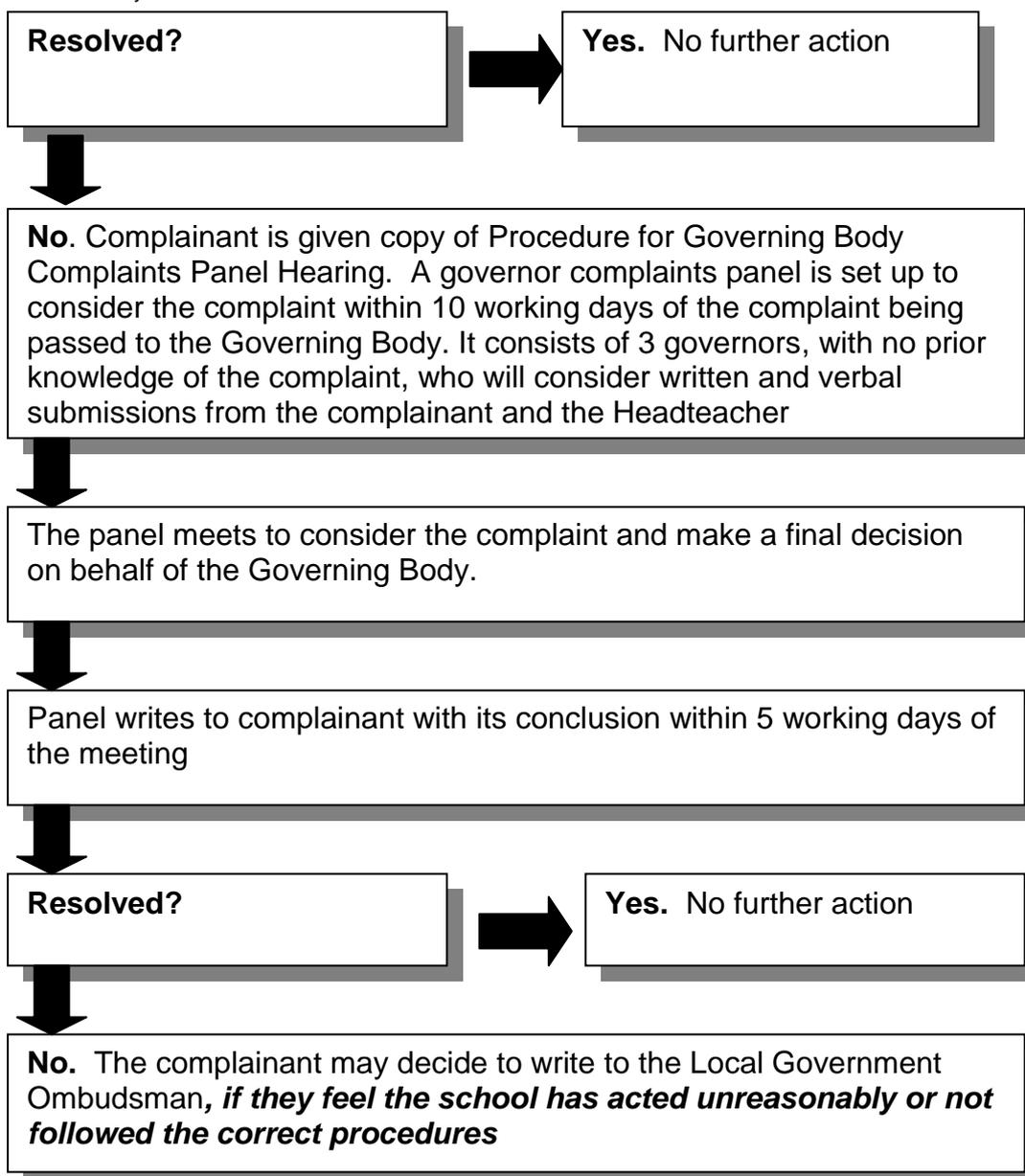
The Governing Body monitors the complaints procedure, in order to ensure that all complaints are handled properly. The Headteacher logs all formal complaints received by the school and records how they were resolved. Governors examine this log on an annual basis and consider the need for any changes to the procedure.

Availability

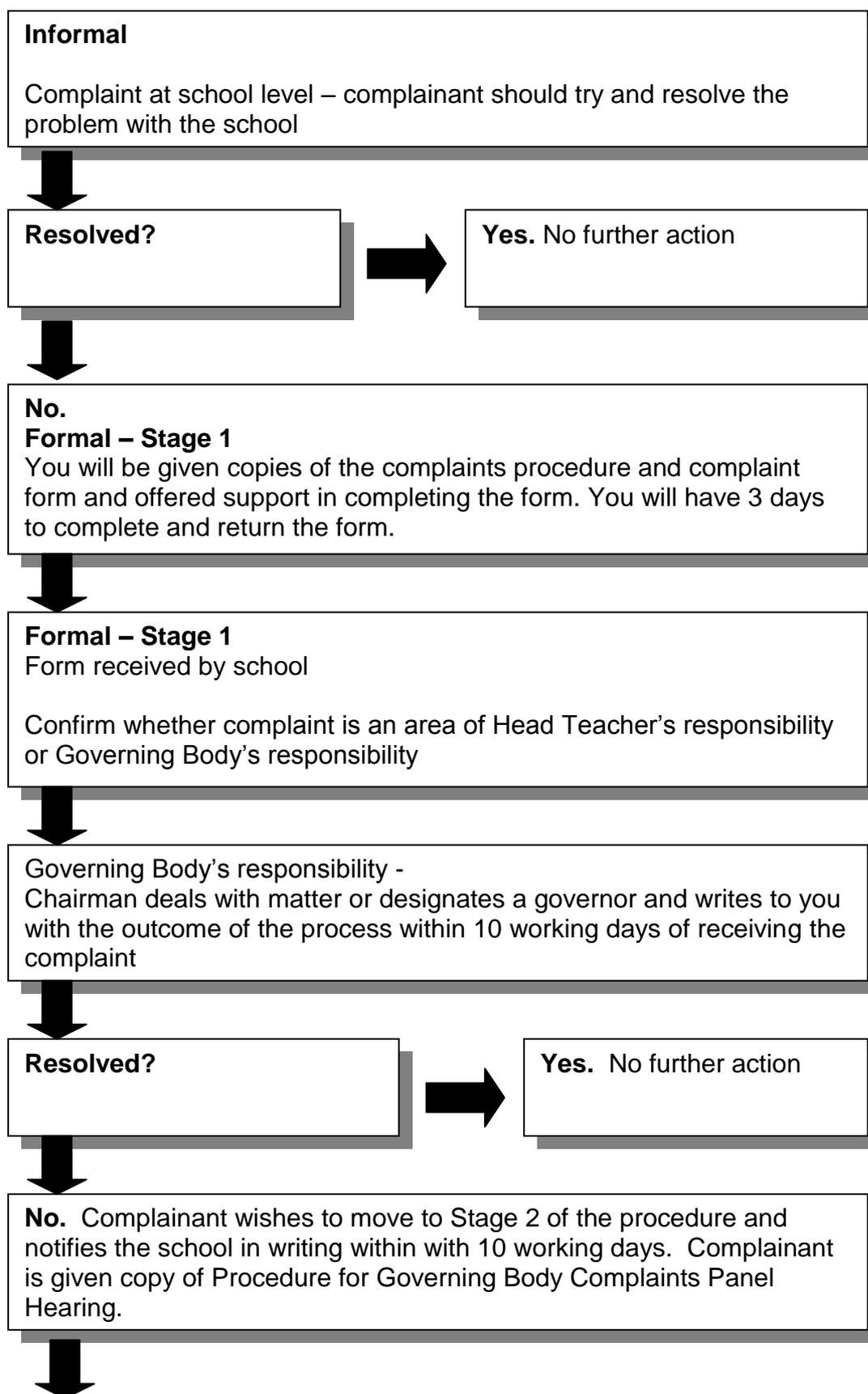
A copy of this procedure is available to all parents on request.

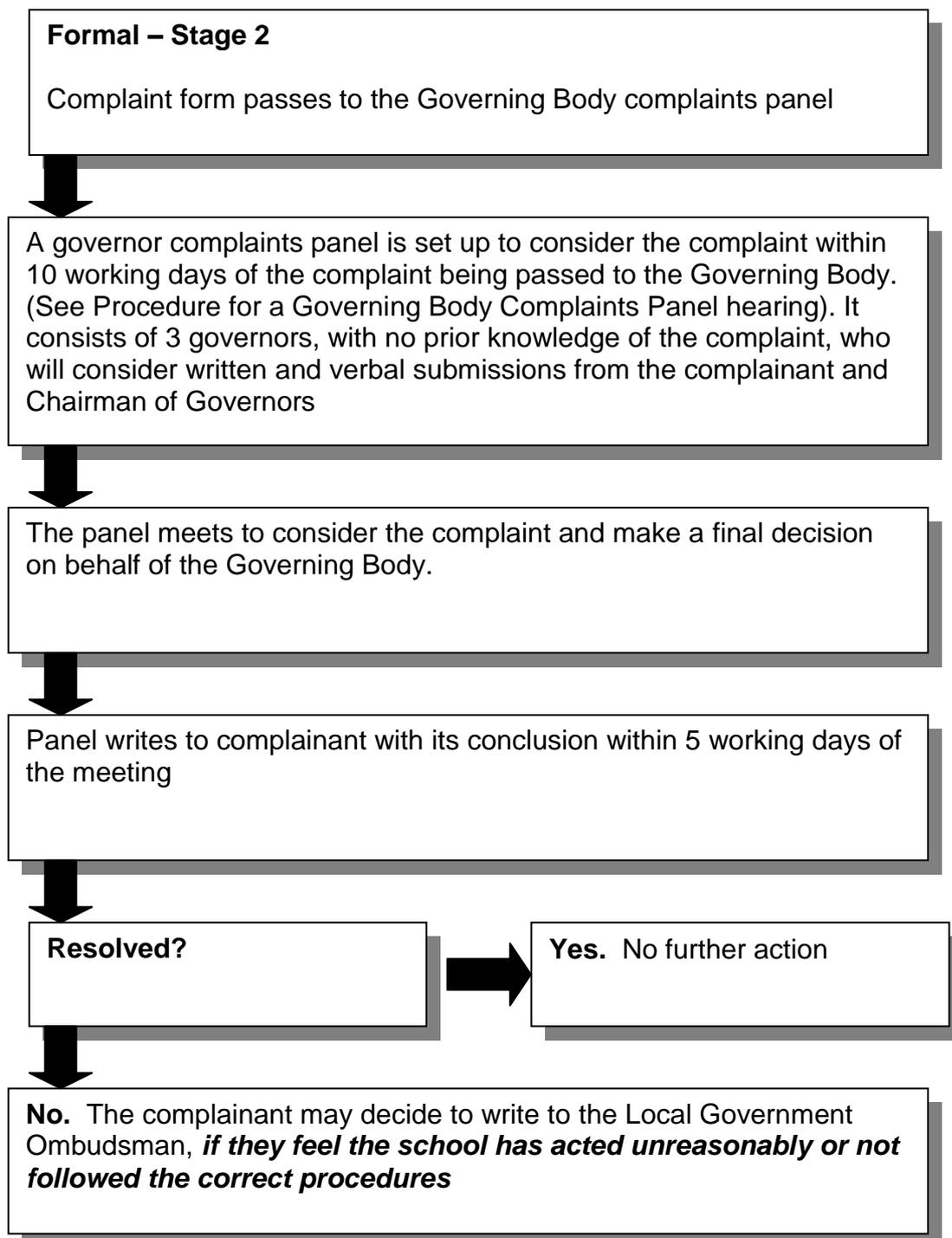
Complaint/Concern under Headteacher's Responsibility





Complaint/Concern under Governing Body's Responsibility





Complaint Form

Please complete and return to the School Office, marked for the confidential attention of the Head Teacher/Chair of Governors.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

**What action, if any, have you already taken to try and resolve your complaint.
(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 acknowledgement sent:

By whom:

Complaint referred to:

Date:

Model Procedure for conducting a Governing Body Complaints Panel Hearing

The Governing Body Complaints Panel operates according to the following formal procedures:

1. The Chair of the Governing Body Complaints Panel will aim to arrange for the panel meeting to take place within **10 working days**.
2. The Chair of the Governing Body Complaints Panel will ask you whether you wish to provide any further written documentation in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.
3. The Headteacher will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
4. The Chair of the Governing Body Complaints Panel will inform you, the Headteacher, any relevant witnesses and members of the panel by letter, at least **five working days** in advance, of the date, time and place of the meeting.
5. With the letter, the Chair of the Panel will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit further written evidence to the panel.
6. The letter from the Chair of the Panel will also inform you that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
7. With the agreement of the chair of the panel, the Headteacher may invite members of staff directly involved in matters raised by you to attend the meeting.
8. Witnesses will be invited to the hearing and give statements but withdraw once they have done so.
9. The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
10. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
11. The chair of the panel will ensure that the meeting is properly minuted. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.
12. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the clerk can then be asked maintain confidentiality in the minutes.

13. During the meeting, you can expect there to be opportunities for:
 - you to explain your complaint;
 - you to hear the school's response from the Headteacher;
 - you to question the Headteacher about the complaint;
 - you to be questioned by the Headteacher about the complaint;
 - the panel members to be able to question you and the Headteacher;
 - any party to have the right to call witnesses (subject to the chair's approval) and all parties to have the right to question all witnesses;
 - you and the Headteacher to make a final statement.
14. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the Headteacher and yourself **within five working days**. All participants other than the panel and the clerk will then leave.
15. The panel will then consider the complaint and all the evidence presented in order to:
 - reach a majority, decision on the complaint;
 - decide on the appropriate action to be taken to resolve the complaint;
 - recommend, where appropriate, to the Governing Body changes to the school's systems, policies or procedures to address the issues raised.
16. The Chair of the Panel will send you and the Headteacher a written statement outlining the decision of the panel **within five working days**. If you are not satisfied with the outcome you may appeal to the Secretary of State, details of which should be provided in the letter.
17. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

Letter of Acknowledgement to Complainant regarding establishment of Governing Body Complaints Panel

Dear

Parental Complaint from Mr/Mrs/Ms/Miss

I am writing with regard to your complaint, which has been passed to me by the Chair of Governors and will now be considered by a panel of governors under the schools complaints procedure. The panel must consider your complaint within 10 working days of receiving it, and give you at least five days notice of the date of the meeting. The panel have asked me to invite you to attend a meeting at (time) on (date) at the school, (or other venue as appropriate). You are entitled to have a friend or a representative attend this meeting with you.

I have enclosed copies of the relevant correspondence, reports and documentation about the complaint with this letter.

Please let me know if:

- there is any other documentation you wish the panel to consider
- there are any witnesses you want to bring to the meeting
- you want to have a friend or representative with you
- you are unable to attend on this date

You can contact me by writing to....., or by telephoning me on (number), or by email at

I enclose a copy of the 'Procedure for a Governing Body Complaints Panel Hearing' for your information.

Yours sincerely

Clerk of the Governing Body Complaints Panel

Letter from Chair of Governing Body Complaints Panel to Complainant following Hearing

Dear

Parental Complainant from Mr/Mrs/Ms/Miss

Thank you for attending the hearing of the Governing Body Complaints Panel on I am writing on behalf of the Panel to let you know its conclusions.

The Panel has given careful consideration to your complaint about, which raises the following issues:

1.
2. etc

The Panel's conclusions are as follows:

Issue 1

As regards your complaint that, the Panel considered the following factors:

.....
.....
.....

In the light of these considerations, the Panel does/does not uphold this aspect of your complaint.

Issue 2

As regards your complaint that, the Panel considered the following factors:

.....
.....
.....

In the light of these considerations, the Panel does/does not uphold this aspect of your complaint.

In addition to its conclusions on your complaint, the Committee will also be making the following recommendations to the full Governing Body:

.....

.....

(N.B. There is no obligation to make recommendations)

This completes the Panel's conclusions.

Finally, please note that the hearing of the Governing Body Complaints Panel and the appointed documentation must be treated as confidential by all parties, including yourself.

If you are unhappy with the findings of the panel you may appeal to The Local Government Ombudsman, PO Box 4771, Coventry, CV4 0EH, on the grounds that the Governing Body has failed to discharge a statutory duty or that the Governing Body had acted, or was proposing to act, unreasonably

Yours sincerely

Chair of Governing Body Complaints Panel