



ST HELENS PRIMARY SCHOOL

Policy for Complaints and how to raise a concern.

This procedure is to be used to resolve any concerns or complaints. The initial stage is to allow for matters to be resolved informally if at all possible. If this cannot be achieved then the remaining stages are to be used if the person raising the concern remains dissatisfied and wishes to take the matter further through a formal process. Parents are encouraged to raise concerns at the earliest possible stage with an appropriate member of staff so that issues can be dealt with proactively as far as possible, thereby avoiding any unnecessary use of the Concern / Complaints Procedure.

If a concern or a potential complaint is raised with a governor, the governor must refer the Complainant back to an appropriate member of staff (or to the Chair of the Governing Body if the concern is about a Governor).

In either instance, the member of staff or Governor should advise the person in question about the Concern / Complaints Procedure.

It is assumed that, where possible, informal discussions to deal with any issues will have taken place with the appropriate member of school staff. If this cannot deal with matters, or is inappropriate for any reason, then the Head teacher should be contacted in accordance with Stage One of this procedure.

The formal complaints procedure will commence when a Complaint Form is completed and submitted following a failure to resolve the matter using Stage One of the procedure. The form should be submitted to the Chair of Governors via the School Office.

Concern / Complaints Procedure Stages

Stage One

Concern heard by Head teacher (or nominated senior staff member if the Head teacher is the subject of the complaint, NB Complainant informed by Clerk by letter)

Stage Two

Complaint heard by the Chair of Governors (or delegated governor)

Stage Three

Complaint heard by the Governing Body complaints panel.

If the complaint has not been resolved at the conclusion of Stage Three an unsatisfied complainant can follow the DfE online complaints procedure.

Stage One: Concern Considered by Head teacher

The person raising the concern will have an opportunity to discuss the issue with the Head teacher (or Chair of Governors) if the Head teacher is the subject of the complaint) who will clarify the nature of the concern, and attempt to deal with the matters raised and identify and, if appropriate and possible, arrange for the outcome the complainant is looking for.

Timescale for Stage One

The Head teacher will make contact with the person raising the concern within 2 working days of being notified of the concern

The meeting between the Head teacher and with the person raising the concern should take place within 5 working days of contact being made by the Head teacher.

Written notification of the outcome of the Stage One Procedure will be sent to with the person raising the concern within ten working days of the Meeting.

If the person raising the concern is not satisfied with the outcome of the Stage One meeting then they may make a formal Complaint via Stage Two of this procedure.

Stage Two: Complaint Heard by Chair of Governors

The Complainant will have an opportunity to discuss their concern with the Chair of the Governing Body (or an appropriate delegated member of the Governing Body) who will attempt to deal with the matters raised and if appropriate and possible arrange for the outcome the complainant is looking for.

The Chair of the Governing Body may meet with any members of staff and any witnesses involved and take statements from them in order to assist the investigation of the Complaint and the ability to seek a resolution.

Timescale for Stage Two

The Complainant will be notified of the right to take their concern further in the written notification sent by the Head teacher at the conclusion of Stage One. If the person raising the concern wishes to invoke Stage Two of the procedure written notification of the wish to do so must be given to the Chair of the Governing Body within 14 days of receipt of the Head teacher's written notification by submission of a formal Complaint Form.

The Chair of the Governing Body will make contact with the Complainant within 5 working days of receipt of the written notification of the wish to take the Complaint to Stage Two.

A meeting between the Chair of the Governing Body and the Complainant should take place within 10 working days of the Complainant being contacted by the Chair of the Governing Body.

Written notification of the outcome of the Stage Two Formal Complaint Procedure will be sent to the Complainant within ten working days of the Meeting. The written notification will include a full explanation of the outcome/decision and the reasons for it. Where appropriate, this includes what action the school will take to resolve the complaint.

If the Complainant is not satisfied with the outcome of the Stage Two meeting then they may take the Complaint to Stage Three.

Stage Three: Complaint Heard by Panel of Governors

At this stage any outstanding issues which the Complainant is not satisfied have been dealt with, together with complaints that may have arisen about how the initial matter complained of has been dealt with will be formally considered by a Panel of members of the Governing Body (excluding the Chair of Governors and any Staff Governors).

At this stage advice may be sought from any relevant authority e.g. Local Authority.

The Clerk to the governors will invite the Head teacher to attend the panel meeting and to prepare a written report for the panel in response to the complaint, within a timescale to allow all relevant documents to be sent to attendees 5 working school days prior to the meeting. The Head teacher may attend the meeting accompanied by a representative. The Clerk will also ascertain the identity of any witnesses who should attend the hearing and arrange a hearing date upon which all parties can attend.

The aim of the meeting will be, as far as may be possible, to resolve the complaint and to achieve a reconciliation between the school and the Complainant.

If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interest of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

The outline procedure to be followed is set out below. The Governor chairing the meeting should however be prepared to be flexible in order to ensure that the concerns and evidence of all parties may be fully set out and to ensure that no party is inhibited by any unnecessary formality at the hearing

Outline Panel Procedure

1. Introductions and remit of the Complaints Committee (NB Witnesses will only attend for the part of the meeting in which they give evidence)
2. Complainant's Representations
3. Questions from the Head teacher and Panel
4. Witnesses for the Complainant
5. Questions from the Head teacher and Panel
6. Head teacher's Representations
7. Witnesses for the Head teacher

8. Questions from the Complainant and Panel
9. Final Statement/Summary from the Complainant
10. Final Statement/Summary from the Head teacher
11. Panel Deliberation and Decision (all other parties to leave the room)

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 and recommend the changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

Timescale for Stage Three

The Complainant will be notified of the right to take their Complaint further in the written notification sent by the Chair of the Governing Body at the conclusion of Stage Two. If the Complainant wishes to invoke Stage Three of the procedure written notification of their wish to do so must be given to the Chair of the Governing Body within 14 days of receipt of the written notification. At the same time the Complainant should provide any further material, which the Complainant wishes to be taken into account during the Stage Three procedure

The clerk to the governing body will write to the complainant within 3 working school days to acknowledge receipt of the written notification. The acknowledgement will

- inform the complainant that the complaint is to be heard by three members of the school's governing body which should take place within 20 working school days of receipt of the request for a Stage Three hearing.
- explain that the complainant has the right to submit any further documents relevant to the complaint within a timescale to allow all relevant documents to be sent to attendees 5 working school days prior to the meeting.
- inform the Complainant of the right to be accompanied to the Panel Hearing by a friend/relative/colleague/other representative
- inform him/her of the right to call witnesses at the discretion of the Chair of the panel
- explain how the meeting will be conducted (see above)

The Clerk to the governing body will then convene a Governors panel from members of the governing body who have had no prior involvement with the complaint.

The Clerk to the governors will write and inform the Complainant, Head teacher, any relevant witnesses and members of the panel at least 5 working school days in advance, of the date, time and place of the meeting. At the same time all relevant papers will be sent to the Complainant (and their representative) the Head teacher (and their representative) and the members of the panel.

The Clerk will also ensure that a clerk is appointed to the panel and the meeting is properly minuted (this function will normally be undertaken by the Clerk to Governors).

Following the Panel reaching their decision, a written statement outlining the decision must be sent to the Complainant and Head teacher within 10 working school days. The written notification will include a full explanation of the outcome/decision and the reasons for it. Where appropriate, this includes what action the school will take to resolve the complaint.

Notes for all Stages of the Complaints Process:

The Complainant may take advice to assist them at each stage of the formal complaint process and may be accompanied to any meeting, at any stage of the formal procedure (i.e. Stage Two and Stage Three) by a friend, relative, representative or advocate who can speak on his or her behalf.

Complainants must at all times act with appropriate respect to all members of school staff and conduct themselves appropriately in any discussions with staff as part of this procedure, including informal discussions at or prior to Stage One.

Interpreting facilities will be made available if needed at any stage of the complaint.

The school will respect the views of a Complainant who indicates that he/she would have difficulty in discussing a complaint with a particular member of staff. In such cases, the complaint will be referred to another staff member.

Similarly, if any member of staff feels too compromised to deal with a complaint, the complaint will be referred to another staff member of appropriate seniority.

At all stages of the Concern / Complaints process those involved in and conducting the procedure must accord with the principles of confidentiality, equality and impartiality. In addition, Governors will also be sensitive to, and comply with, the nine protected characteristics under the Equality Act 2010, namely: (i) age; (ii) being or becoming a transsexual person; (iii) being married or in a civil partnership; (iv) being pregnant or having a child; (v) disability; (vi) race including colour, nationality, ethnic or national origin; (vii) religion, belief or lack of religion/belief; (viii) sex; (ix) sexual orientation.

Stage Four: Complaints to the DfE

All stages of the school's Complaints Procedure must be exhausted before a complaint can be taken further. If the Complainant remains dissatisfied with the outcome of the procedure at the conclusion of stage three, they may write to escalate the complaint to the DfE. Guidance is available at <http://www.education.gov.uk/aboutdfe/complaintsprocedure/b00212240/making-complaint-school/guidance-on-making-a-complaint-about-a-school>

The Complaints Policy and its implementation will be reviewed annually.

MONITORING AND EVALUATION OF THE POLICY

This policy will be reviewed in November 2017.

Signed _____ Chair of Governors

Date _____

