

Ling Bob J I & N School

Leading Inspiring Nurturing Guiding – Bringing Out the Best

Complaints Policy

Review and ownership

The Complaints policy has been written by Ling Bob J, I & N School.
The policy has been reviewed and agreed by the senior leadership team and approved by governors.
The policy will be reviewed every two years or when any significant changes occur.
All amendments to the policy will be discussed in detail with all members of staff.

Title	Ling Bob J, I & N School Complaints Policy
Version	1.2
Date	06/06/2018
Author	School Business Manager/ Headteacher
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Approved by governing body	06/06/2018
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Modification history			
Version	Date	Description	Revision author
1.0	Nov 13	Nov 13 update	DB/ ES
1.1	Oct 15	Oct 15 update	PS/ ES
1.2	June 2018	June 2018 update	PS/SJ

Introduction

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

If any parent / carer 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. Concerns from the community should be referred through the school office to the complaints manager, the Deputy Head.

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 complainants 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 will

provide sufficient opportunity for any complaint to be fully discussed, and then resolved. At all stages confidentiality will be respected.

The complaints process

If a parent / carer 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.

Where a parent / carer 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 complaints manager, the Deputy Head teacher. Note that any complaints received from the local community (ie other than from parents) will be referred by the School Office staff to the complaints manager .

The Deputy Head considers all complaints very seriously and ensures that each case is thoroughly investigated. A response to the complaint will be given, making clear any action or monitoring of a situation that may be necessary. Most complaints are normally resolved at this stage.

If by this point the parent / carer remains dissatisfied with the school's response and they wish to take the matter further the complaint must be put in writing to the Head teacher. Note that if the complaint is about the Head teacher it should be put in writing to the Chair of Governors.

The Head teacher should provide an opportunity for the complainant to meet him/her to provide any further information relevant to the complaint. Depending on the reason for the complaint, statements from witnesses may be required. When all the relevant facts have been established, the Head teacher should produce a written response to the complainant. The written response should include a full explanation of the decision and the reasons for it. Where appropriate, this should include any action the school will take to resolve the complaint. The complainant should be advised that if s/he wishes to take the matter further, s/he should notify the Chair of the Governing Body, via the Clerk to the Governors, within 10 working days of receiving the outcome letter.

Only if the internal complaint procedures fail to resolve the matter should a formal complaint be made to the governing body. This complaint must be made in writing, stating the nature of the complaint and how the school has handled it so far. The complainant should send this written complaint to the Chair of Governors via the Clerk to the Governors.

The governing body must consider all written complaints within three 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 the complaint in more detail. After hearing all the evidence, the governors consider their decision and inform the complainant about it in writing. The governors do all they can at this stage to resolve the complaint to the complainant's satisfaction.

If the complaint is not resolved, the complainant may, in some circumstances, make representation to the LA. Further information about this process is available from the school or from the LA.

If any parent is still not content that the complaint has been dealt with properly, then s/he may be entitled to appeal to the Secretary of State for Children Schools and Families.

Monitoring and review

The Leadership and Management Team receive information regarding outcomes of complaints so that services can be improved.

The governors monitor the complaints procedure through the relevant sub committee, in order to ensure that all complaints are handled properly. The Head teacher logs all complaints received by the school and records how they were resolved. Governors examine this log on an annual basis.

The Complaints Policy is reviewed by the governing body. Governors take into account any local or national decisions that affect the complaints process and make any modifications necessary to the policy.

This policy is made available to all parents, so that they can be properly informed about the complaints process.

It should be read in conjunction with the School Complaints Procedural Guidelines.

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School Complaints Procedural Guidelines

Investigating Complaints

It is suggested that at each stage the person investigating the complaint makes sure they:

- Establish what has happened so far and who has been involved
- Clarify the nature of the complaint and what remains unresolved
- Meet with the complainant or contact them
- Clarify what the complainant feels would put things right
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- Conduct the interview with an open mind and be prepared to persist in the questioning
- Keep notes of the interview.

A pro-forma for recording details of the initial complaint is attached at Appendix 1.

Resolving Complaints

Keep in mind ways in which the complaint could be resolved. 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 about 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 the light of the complaint.

STAGE ONE

Teacher /Complaints Manager

Dealing with concerns/complaints informally

Any parent who has a concern/complaint should make contact with the appropriate member of staff. If the member of staff cannot deal with the matter immediately, s/he should make a clear note of the date, name, contact address or phone number of the complainant and make contact at a more convenient time.

The member of staff dealing with the concern/complaint should make sure that the parent is clear what action (if any) or monitoring of the situation has been agreed.

If no satisfactory solution has been found within 10 working days, the complainant may refer the complaint to the Head teacher (level one) or Chair of Governors (level two) if the complaint is about the Head teacher.

STAGE TWO – Level One

Investigation by the Head teacher (if the complaint is not against the Head teacher)

The complainant should make a written complaint to the Head teacher. The complaint should be acknowledged within 3 working days of receipt. The written acknowledgement should give a brief explanation of the school's General Complaints Procedure and a target date for providing a response to the complaint. This will normally be within 10 working days. If this proves impossible, a letter will be sent explaining the reason for the delay and giving a revised target date.

The Head teacher should provide an opportunity for the complainant to meet him/her to provide any further information relevant to the complaint. Depending on the reason for the complaint, statements from witnesses may be required.

The Head teacher should keep written records of meetings, telephone conversations and other documentation.

When all the relevant facts have been established, the Head teacher should produce a written response to the complainant.

The written response should include a full explanation of the decision and the reasons for it. Where appropriate, this should include any action the school will take to resolve the complaint. The complainant should be advised that if s/he wishes to take the matter further, s/he should notify the Chair of the Governing Body within 10 working days of receiving the outcome letter.

STAGE TWO – Level Two

Investigation by the Chair of Governors

If the Chair of Governors has been involved at an earlier stage – the complaint must be referred to the Governing Body's Complaints Panel. If there has been no previous involvement, the complainant should make a written complaint to the Chair of Governors. The complaint should be acknowledged within 3 working days of receipt. The written acknowledgement should give a brief explanation of the school's General Complaints Procedure and a target date for providing a response to the complaint. This should normally be within 10 working days. If this proves impossible, a letter should be sent explaining the reason for the delay and giving a revised target date.

The Chair of Governors should provide an opportunity for the complainant to meet him/her to provide information relevant to the complaint. Depending on the reason for the complaint, statements from witnesses may be required.

The Chair of Governors should keep written records of meetings, telephone conversations and other documentation.

When all the relevant facts have been established, the Chair of Governors should produce a written response to the complainant.

The written response should include a full explanation of the decision and the reasons for it. Where appropriate, this should include any action the school will take to resolve the complaint. The complainant should be advised that if s/he wishes to take the complaint further, s/he should notify the Chair of the Governors within 10 working days of receiving the outcome letter.

STAGE THREE

At Stage Three the complaint may be referred to the Governing Body's Complaints Committee, or the Complaints Committee may wish the Local Authority to investigate on behalf of the Governing Body as part of a Service Level Agreement or employ a freelance investigator.

If the complaint is to be considered by the Complaints Committee it is very important that discussion about the complaint does not take place outside of the Complaints Committee. This would prejudice a fair hearing.

It is only possible to move to Stage Three if the complainant has:

- sought to resolve the concern through approaches to the school as described in Stages One and Two
- allowed reasonable time (normally no more than four school weeks) for investigation of the concern
- accepted any reasonable offer by the school to discuss the result of the investigation
- taken part in any process of mediation offered by the school
- made the initial complaint within two months of the incident occurring.

The Governing Body should have established a Complaints Committee to deal with school complaints (this could be the committee that deals with Pupil Discipline, since the procedures will be similar). It should be the responsibility of the Complaints Committee to hear and decide about formal complaints that have not been resolved at the earlier stages of the General Complaints Procedure.

The panel should consist of at least three governors who have not previously been involved in dealing with the complaint, and the Chair of the panel should be named. Neither the Head teacher, nor any other employee, should be a member of the panel.

Upon receipt of a written request by the complainant for the complaint to proceed to Stage Three, the procedures outlined below should be followed.

The Chair of the Governing Body should write to the complainant to acknowledge receipt of the written request. The acknowledgement should inform the complainant that the Governing Body's Complaints Committee will hear the complaint within 20 working days.

The Clerk to the Governing Body should convene a meeting of the Complaints Committee within the agreed timescale. The clerk should be responsible for making all the arrangements for the meeting, including the time and place. The complainant, Head teacher, any relevant witnesses and members of the Complaints Committee should be informed at least five working days in advance of the date, time and place of the meeting. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/advocate/interpreter. The letter should also explain how the meeting will be conducted.

The Head teacher should be invited to attend the Complaints Committee meeting and to prepare a written report for the Committee in response to the complaint. Any relevant documents, including the Head teacher's report, should be received by all concerned, including the complainant, at least five days prior to the meeting. The meeting should be appropriately minuted.

The aim of the meeting should be to resolve the complaint and achieve a reconciliation between the school and the complainant. The Committee should try to ensure that the meeting is not too formal or intimidating for those involved. All should be told the names of everyone present and have the procedure explained to them at the beginning of the meeting.

The meeting should allow:

- The complainant to explain his/her complaint/s and the Head teacher to explain the school's response.
- The complainant to question the Head teacher and/or other members of staff about the school's response, and the Head teacher to question the complainant about the complaint.
- Committee members to have an opportunity to question the complainant, the Head teacher and any witnesses, as appropriate.
- Final statements by both the Head teacher and the complainant.

The Chair of the Committee should explain to the complainant and the Head teacher that the Committee will now consider its decision, and that a written decision will be sent to both parties within seven working days. The complainant, Head teacher and other members of staff and witnesses should leave the meeting.

The Committee should then consider the complaint and all the evidence presented and:

- a) reach a majority decision on the complaint.

- b) decide upon the appropriate action to be taken to resolve the complaint;
- c) where appropriate, recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again. Recommendations should be reported to the Governing Body at an appropriate time;
- d) where appropriate to do so, recommend any further action.

The Clerk to the Governing Body should send the complainant, the Head teacher and Chair of Governors a letter with the outcome of the meeting within seven working days of the meeting.

No appeal to the governing body is available in the matter of the complaint. If the outcome of the hearing finds that there is a personnel disciplinary issue, the matter must be referred to the appropriate committee and the schools' agreed disciplinary procedures followed. In respect of a grievance arising from a member of staff, this should be heard separately under existing grievance procedures.

If the Local Authority, or a freelance investigator, is asked to investigate the complaint on behalf of the Governing Body, the investigation will be carried out as part of a Service Level Agreement or, if a freelance investigator is commissioned, the cost borne by the school.

The Local Authority will provide an opportunity for all of those involved to provide information relevant to the complaint. Depending on the reason for the complaint, statements from witnesses may be required.

When all the relevant facts have been established, the designated officer will produce a written report of the findings. The report will be sent to the Chair of the Complaints Committee.

The Chair of the Complaints Committee should then write to the complainant with a full explanation of the outcome of the investigation. Where appropriate, this should include any action the school will take to resolve the complaint. The complainant should be advised that should s/he wish to take the complaint further, s/he should notify the Chair of the Governors within 10 working days of receiving the outcome letter.

STAGE FOUR

Complaint to the Local Authority

If the complainant wishes to pursue the matter further, the Local Authority will only consider the case if the complaint is one deemed relevant under Section 409 of the Education Act 1996 (Complaints and enforcement). Such a request must be addressed to the Group Director, Children and Young People's Services and be received within 15 days of the date of the letter giving the outcome of the meeting held at Stage Three of the General Complaints Procedure.

The Local Authority has a statutory responsibility to consider a relevant complaint about the curriculum which has not been resolved by the Governing Body. The procedures for dealing with such a complaint are contained in the Local Authority's "Arrangements for the consideration of Complaints about the School Curriculum and Related Matters".

There is no further appeal to the Local Authority.

STAGE FIVE

Complaint to the Secretary of State

If a complainant wishes to pursue the complaint s/he has recourse to the Secretary of State.

Complaints can be taken to the Secretary of State for Children Schools and Families under Section 496 of the Education Act 1996, on the grounds that a Governing Body or Local Authority is acting or proposing to act unreasonably, or under Section 497 of the same Act, on the grounds that either the Governing Body or the LA has failed to discharge its duties under the Act. The Secretary of State may contact the Governing Body or the Local Authority for more information in order to consider the complaint.

A complaint about a member of the Governing Body should be referred to the Complaints Panel of the Governing Body and the appropriate procedures followed.
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Complaint Record - Initial meeting

To be completed by the member of staff or governor responsible for overseeing the complaint. Both parties to agree, sign and date outcomes of the initial meeting.

<p>Person overseeing the complaint: _____</p> <p>Person initiating complaint: _____</p> <p>Pupil's name: _____</p> <p>Your relationship to the pupil: _____</p> <p>Address: _____ _____</p> <p>Postcode: _____</p> <p>Daytime phone number: _____</p> <p>Evening phone number: _____</p>
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1. Key issue(s) of the complaint:

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2. What actions already taken to try to resolve your complaint? Who did you speak to and what was the response? (Please record names, dates and times and outcomes)

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3. Is there any evidence available to support the investigation (or individuals that have direct knowledge of the key thread(s) identified above)

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4. Agreed next steps (Usually within 10 working days for individuals to respond, 4 'school' weeks for a panel to meet)

Agreed Action	Completion Date	Person responsible	Agreed Outcome*

5. To be signed by both parties as an accurate record of the agreement (one copy to be retained by each party):

_____ Date: _____ on behalf of the school

_____ Date: _____ Parent / Carer / Other

6. Record of resolution:

Complaint – Key issue(s) taken from step 1 (above)	Outcome of Investigation	Action Required	Person responsible	Completion Date

7. Record of involvement of the full Governing Body (to include reports, discussions, actions, changes to policies and procedures, and the monitoring of these)

Date	Involvement	Outcome