



Barn Croft Primary School Complaints Procedure January 2017- January 2018

Introduction

This model is intended as a good practice guide. Since 1 September 2003 Governing Bodies of all maintained schools and maintained nursery schools in England are required to have in place a procedure to deal with complaints relating to the school. This also includes any community facilities or services that the school provides. It is also a requirement by law that the procedure be publicised.

Concerns

Occasionally parents may be concerned about an aspect of their child's education or welfare at school. This could include issues concerning the school's approach to aspects of the curriculum, homework, behavioural problems or any other issue.

If the concern is about a pupil, the teachers and staff will explain the school practices, policies, and how they affect the pupils. Most concerns can be handled by the class teacher or by the Senior Leadership team if this is thought to be more helpful.

In the first instance, it is usual to speak to the child's class teacher, or contact the school office to arrange an appointment to discuss the concern. Staff will aim to help to resolve a concern. If parents wish to make their concerns formal, the school will have defined procedures for handling this.

Complaints

As mentioned above the usual procedure would be to speak to the child's class teacher, or to arrange an appointment to discuss the complaint with whoever the parent wishes to meet with.

There are 3 stages to the nationally accepted procedure:

Stage 1 aims to resolve the concern through informal contact at the appropriate level in school.

Stage 2 is the first formal stage where written complaints are considered by the headteacher or a designated governor, who has responsibility for dealing with complaints.

Stage 3 is the next step once Stage 2 is complete. It involves the governing body complaints review panel (the decision of the review panel is final).

If the complainant is unhappy with the outcome after Stage 3, or the way that the complaint was handled at school level, they can write to the Secretary of State at the following address:

The Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street

Complaints procedures

Procedures for dealing with general concerns

The majority of concerns from parents, carers and others are handled under the following general procedures.

The procedure is divided into four stages:

Stage 1 (informal): complaint heard by staff member (though not the subject of the complaint);

In very small schools it may be necessary to go straight to Stage 2.

Stage 2 (formal): complaint heard by Headteacher;

Stage 3 (formal): complaint heard by Chair of Governors

Stage 4 (formal): complaint heard by GB's complaints appeal panel.

How each of these stages operates is explained below:

Stage 1 – Your initial contact with the school

1. Many concerns will be dealt with informally when they are known to the school. The first point of contact should be the child's class teacher.
2. Contact could be made face to face, by telephone or in writing as soon as possible after the concern is made known to the school. All members of staff know how to refer, if necessary, to the appropriate person with responsibility for particular issues raised by the complainant. This would then be confirmed in writing.
3. The complainant should be updated on the progress of the school's enquiries (within 10 working days) and will have the opportunity to have their matter considered further once a response had been made.
4. If the complainant is still dissatisfied following this informal approach, the concern will become a formal complaint and the school will deal with it at the next stage.

Stage 2/3 - Formal consideration of your complaint

1. The written complaint should be addressed to the headteacher. If, however, the complaint concerns the headteacher personally, it should be sent to the school but marked "For the attention of the Chair of Governors".
2. The complaint will be acknowledged in writing, with a copy of the school's procedures as soon as possible after receiving it. This will be within three working days.
3. A full response should be made to the complainant within ten working days. If it is not possible to respond within this timescale, then the complainant should be informed of the reason for the delay.
4. As part of the consideration of the complaint, the complainant might be invited to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
5. The headteacher, or chair of governors may also be accompanied by a suitable person if they wish.
6. Following the meeting, the headteacher or chair of governors will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, the school would talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.

7. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
8. Once the relevant facts have been established, a written response would be sent to the complainant. This will give a full explanation of the headteacher's or chair of governors' decision and the reasons for it.
9. If the complainant is dissatisfied with the outcome of the Stage 2 investigation and the school's findings, they could request to proceed to Stage 3, as described below.

Stage 4 - Consideration by a complaints review panel

- If the concern has already been through Stages 1 and 2 and the complainant is not happy with the outcome, the Chair of Governors will instruct the Clerk to set up a complaints review panel to consider it. This is a formal process.
- The purpose of this arrangement is to give the complainant an opportunity to have their complaint heard in front of a panel of governors who have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice.
- The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent.

The complaints review panel operates according to the following formal procedures:

1. The clerk to the governing body will aim to arrange for the panel meeting to take place within **20 working days**.
2. The complainant would be asked whether they wish to provide any **further written documentation** in support of their complaint. It can include witness statements, or the complainant could ask witnesses to give evidence in person.
3. The headteacher will prepare a **written report** for the panel. Other members of staff directly involved in matters raised will also be asked to prepare reports or statements.
4. The clerk will inform the parent, headteacher, any relevant witnesses and members of the panel by letter, at least **five working days** in advance of the meeting. All parties will receive the same written documentation. The complainant is entitled to be accompanied to the meeting. With the agreement of the chair of the panel, the headteacher may invite **members of staff** directly involved in matters raised by the complainant to attend the meeting,
5. 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.
6. The chair of the panel will ensure that the meeting is properly **minuted**. The complainant can request a copy of the minutes, this is at the panel's discretion.
7. 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.
8. 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 two weeks**. All participants other than the panel and the clerk will then leave.

9. The panel will then consider the complaint and all the evidence presented in order to:
 - reach a unanimous, or at least 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 or procedures to ensure that similar problems do not happen again.

10. The clerk will send you and the headteacher a written statement outlining the decision of the panel **within two weeks**.

11. The final stage of appeal is to the Secretary of State for Education.
The School Complaints Unit (SCU) at:
Department for Education
2nd Floor, Piccadilly Gate
Manchester, M1 2WD

Date of GB Adoption: 25th January 2017

Date of next review: 25th January 2020