

**Halstead CP School**



# **Complaints Procedure**

**Reviewed and approved by the Strategy Team**

**Signed : Steve Grice  
Date : 5<sup>th</sup> February 2015  
To be reviewed : January 2016**

## COMPLAINTS PROCEDURE

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### 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

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provided, please 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.

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
- grievances by school staff.

These are the subject of separate complaints procedures. Copies of these procedures can be obtained from the school.

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 senior management team so that services can be improved.

## **Formal Complaints Procedure**

### **Stage 1**

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If you feel that a concern has not been addressed through informal discussion, and you wish to have the matter formally investigated by an appropriate person from the school, please complete a complaint form. If you would like help completing the form, the school will be happy to provide the assistance of someone unconnected with the complaint. The school will acknowledge in writing receipt of the complaint form within **three working days** after receiving it. The school will enclose a copy of the school's complaints procedure with the acknowledgement. Initially your complaint will be dealt with by the Class Teacher. If you are not satisfied with the result from the Class Teacher then the procedure will be as follows:

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 are concerns/complaints under the Head Teacher's responsibility and will be investigated by the headteacher. See 4.1 for flowchart.

If the matter is about:

- school policies as determined by the governing body
- the actions or inactions of the governing body
- the Head Teacher

these are concerns/complaints under the Governing Body's responsibility and will be investigated by the Chairman of Governors or a governor nominated by the Chairman. It may be necessary to appoint an independent investigator in certain circumstances. See 4.2 for flowchart.

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 you are not entitled to know 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.

## 4. Formal Complaints Procedure flowcharts

### 4.1. Complaint/Concern Under Head Teacher's Responsibility

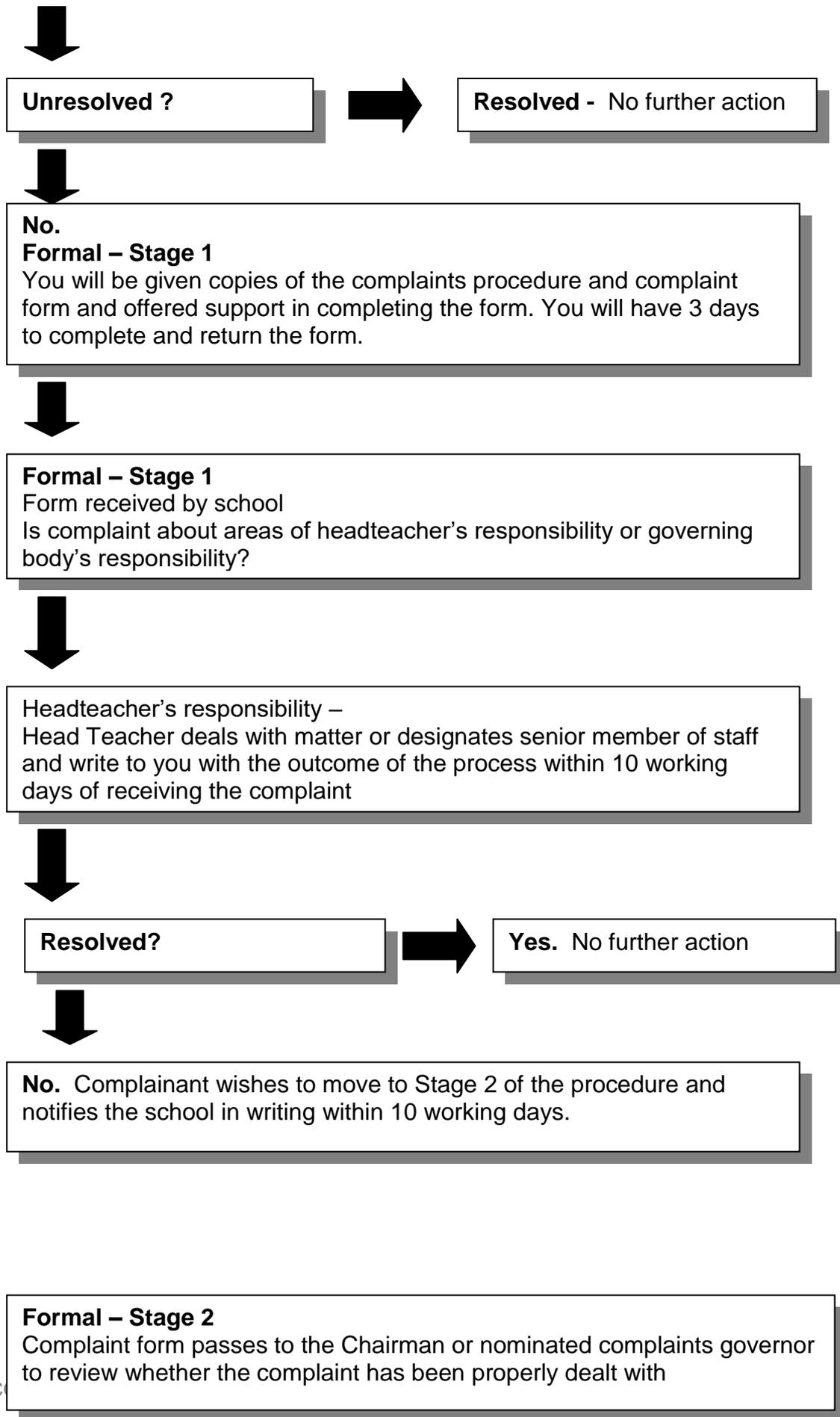
C

#### Concern - Informal

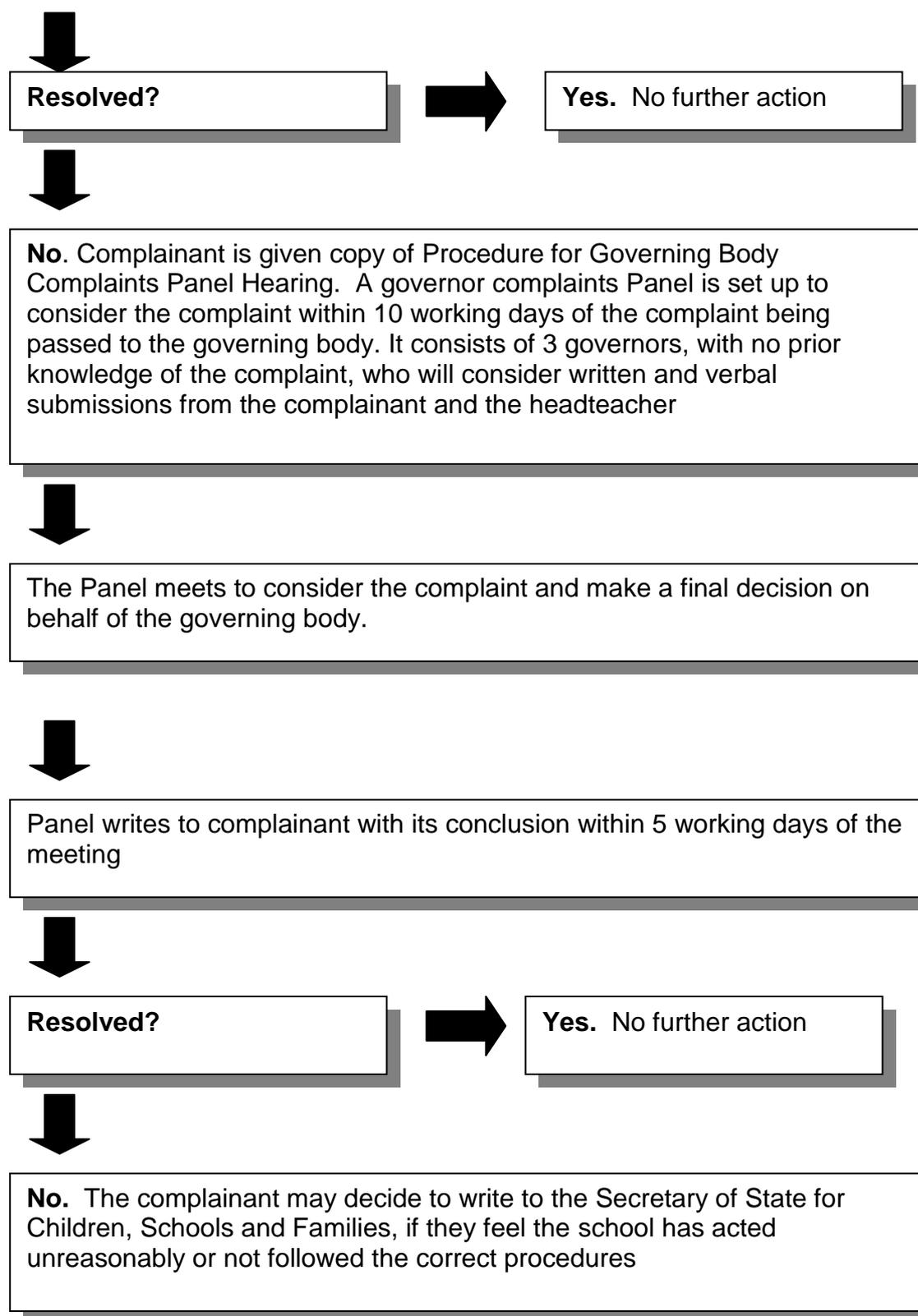
You should try and resolve the problem with the school.

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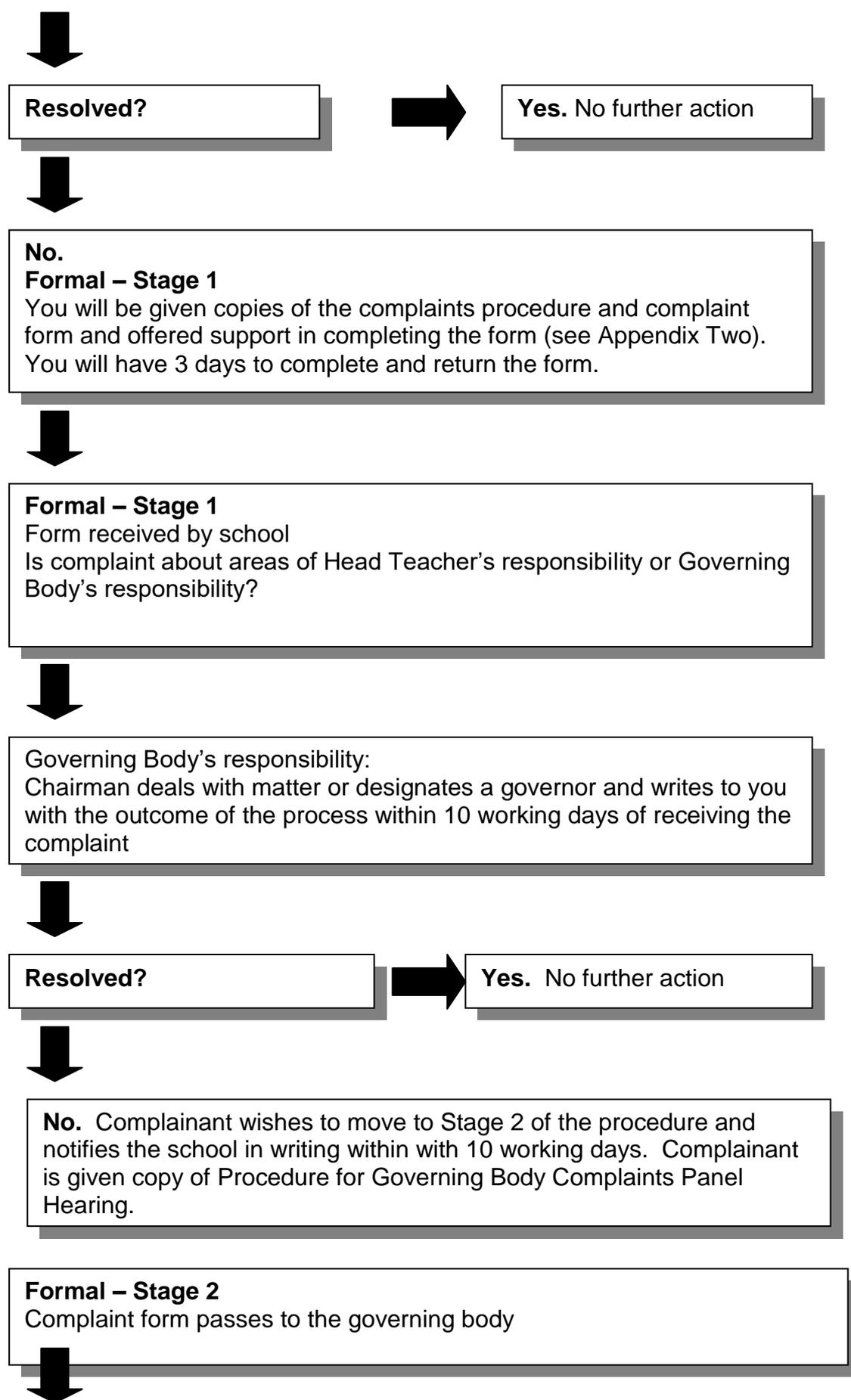


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### 4.2 Complaint/Concern under Governing Body's Responsibility

**Informal**  
Complaint at school level – complainant should try and resolve the problem with the school



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A Governing Body Complaints Panel is set up to consider the complaint within 10 working days of the complaint being passed to the governing body. (See Procedure for a Governing Body Complaints Panel hearing). It consists of 3 governors, with no prior knowledge of the complaint, who will consider written and verbal submissions from the complainant and Chairman of Governors (or designated governor)



The Panel meets to consider the complaint and make a final decision on behalf of the governing body.



Panel writes to complainant with its conclusion within 5 working days of the meeting



**Resolved?**



**Yes.** No further action



**No.** The complainant may decide to write to the Secretary of State for Children, Schools and Families, if they feel the school has acted unreasonably or not followed the correct procedures

## 5 Complaint Form

*Please complete and return to School Secretary who will acknowledge receipt and explain what action will be taken.*

**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:**

**6. Procedure for a Governing Body Complaints Panel Hearing**

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

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- 6.1. The Chair of the Governing Body Complaints Panel will aim to arrange for the Panel meeting to take place within **10 working days**.
- 6.2. 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.
- 6.3. The Head Teacher 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.
- 6.4. The Chair of the Governing Body Complaints Panel will inform you, the Head Teacher, 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. We hope that you will feel comfortable with the meeting taking place in the school; but we will do what we can to make alternative arrangements if you prefer.
- 6.5. 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.
- 6.6. 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.
- 6.7. With the agreement of the Chair of the Panel, the Head Teacher may invite members of staff directly involved in matters raised by you to attend the meeting,
- 6.8. 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.
- 6.9. 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.
- 6.10. The Chair of the Panel will ensure that the meeting is properly minuted. The preference will be to use a recognised clerk (e.g. Kent Clerks Service) that is conversant with the Kents standard complaints procedures to aid the smooth operation of the meeting. 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.
- 6.11. 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 to maintain confidentiality in the minutes.

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- 6.12. 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 Head Teacher;
  - You to question the Head Teacher about the complaint;
  - You to be questioned by the Head Teacher about the complaint;
  - The Panel members to be able to question you and the Head Teacher;
  - 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 Head Teacher to make a final statement.
- 6.13. 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 Head Teacher and yourself **within five working days**. All participants other than the Panel and the clerk will then leave.
- 6.14. 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.
- 6.15. The Chair of the Panel will send you and the Head Teacher a written statement outlining the decision of the Panel **within five working days**. You are entitled to have the handling of the complaint reviewed by the local authority. That process is not strictly an appeal, as the local authority cannot direct the Governing Body in most general complaints cases. It is, however, an opportunity to seek the view of an official third party and the outcome, including any recommendations, may be helpful to you in seeking resolution of the complaint, through the Secretary of State for Children, Schools and Families if necessary.
- 6.16. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

## 7. Consultation and Review

This policy was agreed by the Governing Body, the Head Teacher and the Staff of Halstead Community Primary School and will be reviewed annually.