



Curriculum, Staffing & Pupils

Chair of Committee _____

Review Date _____

Signed by _____

Date _____



ORCHARD PRIMARY SCHOOL

Complaints Procedure Policy

SCHOOL COMPLAINTS PROCEDURE

RESPONDING TO PARENT/CARER CONCERNS

What are our aims?

Orchard Primary aims to establish and promote a close relationship with all Parent/Carers, in the interests of their children. We recognise that children will feel more secure when they receive consistent messages from both home and school. Parent/Carers views about our school are welcomed, including the expression of any serious concerns. At the same time we undertake to inform Parent/Carers as soon as possible about any issues of concern to the school so that we can gain co-operation in resolving them.

What do we do to avoid concerns arising?

Orchard Primary works closely with Parent/Carers in order to keep them informed of all aspects of school life. We have:

- The Home School Agreement
- Parent/Carers formal meetings with class teachers
- End of year school report
- Weekly newsletter/Gold Book Assemblies/Notice Boards
- Family Learning courses and school workshops

In addition, we have a section on the school website explaining how Parent/Carers can raise concerns. Further, we ensure that any member of staff joining the school, both teaching and support staff, are aware of our policy and the procedure for Parent/Carers to follow.

How do we respond to a concern raised by a Parent/Carer?

Bexley Council has produced a model procedure for Parent/Carers who wish to express a concern about their child's school. This procedure is summarised in the leaflet for Parent/Carers, 'Comments, Compliments and Complaints', and has been adopted by this school.

Orchard Primary is committed to responding to a parental concern as quickly and as sensitively as possible in order to resolve the issue promptly and before it develops into a serious matter. In the first instance Parent/Carers should contact the class teacher. They are asked wherever possible to make an appointment with the Head teacher in advance to discuss their concerns so that sufficient time and attention can be made available.

We will respond to letters of concern within 2 working days and keep Parent/Carers informed at all stages if the matter cannot be resolved immediately.

How can we continue to improve our practice?

We keep a record of all complaints so that we are informed about:

- the nature of complaints
- the point at which the complaint was resolved
- the measures adopted to resolve the complaints.

The Head Teacher and senior staff will review this record on a regular basis to enable consideration to be given to any underlying issues that need to be addressed by the school and governors.

Any formal complaint presented to a committee of the governors will be reported, in outline, to the next meeting of the governing body.

Appendix: Model Procedure for dealing with concerns and complaints

Reviewed Autumn Term 2015
To be reviewed Autumn Term 2017

MODEL PROCEDURE FOR DEALING WITH CONCERNS AND COMPLAINTS

Stage 1: Complaint heard by staff member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they know what to do when they receive a complaint.

It would assist the procedure if the school respected the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the Head Teacher can refer the complainant to another staff member. Where the complaint concerns the Head Teacher, the complaints co-ordinator can refer the complainant to the Chair of Governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. It would be useful if governors did not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

Stage 2: Complaint heard by Head Teacher

The Head Teacher's influence will already have shaped the way complaints are handled in the school. At this point, the complainant may be dissatisfied with the way the complaint was handled at Stage 1 as well as pursuing their initial complaint. The Head Teacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

Stage 3: Complaint heard by Governing Bodies Complaints Appeal Panel

The complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a governing body complaints panel.

The governors' appeal hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

Individual complaints would not be heard by the whole governing body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint. The governing body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures
- hearing individual appeals

- making recommendations on policy as a result of complaints.

The procedure adopted by the panel for hearing appeals would normally be part of the school's complaints procedure. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.

The remit of the Complaints Appeal Panel

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

There are several points which any governor sitting on a complaints panel needs to remember:

- a) It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- b) The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- c) An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- d) Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- e) The governors sitting on the panel need to be aware of the complaints procedure.

Roles and Responsibilities

The Role of the Clerk

The DfE strongly recommends that any panel or group of governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- collate any written material and send it to the parties in advance of the hearing
- meet and welcome the parties as they arrive at the hearing
- record the proceedings
- notify all parties of the panel's decision.

The Role of the Chair of the Governing Body or the Nominated Governor

The nominated governor role:

- check that the correct procedure has been followed
- if a hearing is appropriate, notify the clerk to arrange the panel.

The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption
- the issues are addressed
- key findings of fact are made
- parents and others who may not be used to speaking at such a hearing are put at ease
- the hearing is conducted in an informal manner with each part treating the other with respect and courtesy
- the panel is open minded and acting independently
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.

Notification of the Panel's Decision

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panels' response; this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

Beyond the Governing Body

The Secretary of State: Complaints can be taken to the Secretary of State for Education and Skills under Section 496 of the Education Act 1996, on the grounds that a governing body or LEA 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 LEA has failed to discharge its duties under the Act. The Secretary of State may contact the governing body or the LEA for more information in order to consider the complaint.

The Local Government Ombudsman: Complaints about the mal-administration of Local Authority services including the way it operates any general school complaints procedure could be made to the Ombudsman. However, the Ombudsman does not look at internal school management matters and usually expects that the LEA has given thorough attention to a complaint locally before investigation.

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To be reviewed Autumn Term 2017