

HAMBLETON C of E VC PRIMARY SCHOOL



2016 Complaints Policy

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Statement of Intent

Hambleton C of E Primary School is committed to dealing with any complaints in a positive way in order to promote continuous improvement and to ensure that parent/carer/guardians/carers/guardians and students receive the best possible experience.

Definition of a Complaint

A complaint is any expression of dissatisfaction about the school and any community facilities or services that the school provides. Issues arising in a range of different circumstances may be classified as a complaint, even when not expressed as such by a parent/carer/guardian, student or other interested party, in order to ensure improvements can be made where necessary and a complete record of all such issues is kept.

Complaints process outline

The complaints process has an informal stage and 3 formal stages:

Informal Stage:

A complaint is made to the school. The teacher or staff member resolves the issue. This could include the Headteacher or senior staff member.

Stage One:

If the informal stage does not resolve the issue, the complainant is given the School Complaint Leaflet and writes to the Headteacher stating the issue and any required outcomes.

Timescale

The Headteacher will send an acknowledgement letter within 5 working days of receiving the written complaint and will confirm details of the complaint being investigated and who will be investigating it.

The Headteacher/designated member of staff will write to the complainant within 20 working days of receipt of the complaint and advise him/her of the outcome of the investigations in writing.

If the complaint concerns the Headteacher, it should go directly to stage two.

Stage Two:

If the stage one of the investigation does not resolve the issue, or the complaint is against the Headteacher, the process will move to stage two.

The complainant writes to Chair of the Board of Governors explaining the complaint clearly and briefly stating required outcomes and why they remain dissatisfied if stage one has already been exercised.

The Chair or a governor delegated by him or her, will investigate the complaint which may include a meeting with the complainant. The Chair, or the designated governor, will then write to the complainant with the outcome of their investigations.

Timescale

The Chair or designated governor will send an acknowledgement within 5 working days of receiving the request.

The Chair or designated governor will write to the complainant within 20 working days of receipt of the complaint and advise him/her of the outcome of the investigations in writing.

Stage Three:

If the complainant feels the complaint is still unresolved, they write to the Clerk of the Board of Governors requesting the Complaint Panel of the Board of Governors meet to investigate the complaint.

The Panel will not include any governor who was involved in the prior investigation of the complaint or anyone who has prior knowledge of it. If it is difficult to fill the panel with governors from the school and the school Board of Governors may decide to use external governors from another school to ensure that complainants receive a fair hearing. This will be the decision of the Board of Governors.

The Clerk to the Board of Governors will arrange a hearing by the Panel and the complainant will be invited to attend (with a friend if they wish) to explain the complaint.

The Clerk will guide the complainant through the procedure.

After the hearing, the Chair of the Panel will write to the complainant with the Panel's decision.

Timescale

The Clerk will acknowledge the request within 5 working days of receiving the request. The Clerk will set up a panel hearing within 20 working days.

At least 7 working days prior to the meeting the clerk will:

- notify all parties of the date, time and place of the hearing;
- provide all parties with a copy of any written representations submitted;
- provide all parties with details of the format of the hearing;
- ask the parties whether they have any particular needs for the meeting e.g. induction loop, translator etc.;
- confirm who will be in attendance at the hearing or whether they wish to rely upon written submissions.

Within 5 working days following the hearing the clerk shall:

- inform all the parties concerned in writing of the decision(s) of the Panel.

If the complaint is about a Governor, the complainant should write to the Clerk to the Board of Governors and this will be investigated by the Chair or designated governor at stage two and can progress to stage three if necessary.

If the complaint is about the whole Board of Governors, the complainant should write to the Clerk to the Board of Governors.

Time-Limits

Complaints will be considered, and resolved, as quickly and efficiently as possible. The complaints procedure sets out realistic time limits for each action within each stage. However, where further investigations are necessary, the complainant will be sent details of the new deadline and an explanation for the delay.

To ensure that complaints can be efficiently investigated and effective action taken, there will be a time limit for receiving complaints of one year after a problem has arisen, except in cases of serious malpractice.

Recording Complaints

The school will record all complaints, including the progress of the complaint, and the final outcome. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record. All formal complaints and written responses will be retained in the school office.

Monitoring

The Headteacher will report a summary of all complaints received, action taken, and outcomes to the Board of Governors for review, annually.

Review

This Policy shall be reviewed by the Board of Governors every three years, or sooner, pending the introduction of new legislation.

Publicising the Procedure

The complaints procedure will be publicised through:

- the home-school agreement;
- a specific complaints leaflet;
- the school website

Exceptions to the Procedure

This procedure does not cover those areas of school life for which other procedures exist including:

- a) Staff grievance and capability procedures
- b) Staff disciplinary procedures
- c) Child protection investigations
- d) Admission appeals
- e) Exclusion appeals
- f) Statutory assessments of Special Educational Needs (SEN) and appeals against the decisions of the LA about a child's special educational needs and provisions
- g) School reorganisation proposals
- h) Complaints about services provided by other providers who may use school premises or facilities

In situations where issues arise from any of the above, enquiries should be made to the school regarding which procedures apply.

APPENDIX – Procedure Summary

Informal Stage

Anyone with a concern about any aspect of the school is encouraged to raise their concern, either personally or through someone else, with their child's class teacher, a senior member of staff or with the Headteacher. Everything possible should be done at this stage to resolve the matter. A brief note of the complaint, action taken and outcome will be made

If the concern cannot be resolved by informal means, then the person expressing the concern will be told of the option of pursuing a formal complaint and be provided with a copy of the school's procedure and Complaints Leaflet.

Formal Complaint – Stage One

- Formal complaints must be detailed in writing. If necessary clarification will be sought from the complainant about any aspect of the complaint which is unclear;
- If a complainant requires help to put their complaint in writing, then they will be offered the opportunity to meet with the Headteacher/designated member of staff who will make a written note of the complaint and agree it with the complainant;
- The Headteacher/designated member of staff will send an acknowledgement letter within 5 working days of receiving the written complaint and will confirm who will be investigating the complaint;
- A substantive response to the complaint will be given within 20 working days of receipt. If this timescale cannot be met an explanation will be given with a revised timescale;
- The Headteacher/designated member of staff will investigate the complaint in accordance with the principles of the Complaints Policy;
- The Headteacher/designated member of staff will write to the complainant within 20 days of receipt of the complaint (or by date given in the acknowledgement letter) and advise him/her of the outcome of the investigations in writing;
- If the complaint is upheld the complainant will be informed accordingly and given an indication of the steps that will be taken to put matters right. *(The School will seek legal guidance from the LA before making any admissions which may lead to a legal claim.)* If, on the basis of the information available, it is not possible to arrive at a definitive decision on the complaint the complainant will be informed accordingly with the reasons why;
- The complainant will be informed that if they are dissatisfied with the outcome of the investigation then they have the right to appeal against the outcome to the Chair of the Board of Governors.

Formal Complaint – Stage Two

- Requests for a stage two investigation must be in writing and addressed to the Chair of the Board of Governors (Chair) or other designated governor (DG);
- The Chair or DG will send an acknowledgement letter within 5 working days of receiving the request and tell the complainant that a substantive response to the complaint will be given within 20 working days of receipt. If this timescale cannot be met an explanation will be given with a revised timescale;
- The Chair or DG will investigate the complaint in accordance with the principles of the Complaints Policy and make every effort to resolve the complaint at this stage;
- The Chair or DG will write to the complainant within 20 days of receipt of the complaint (or by date given in the acknowledgement letter) and advise him/her of the outcome of the investigations in writing;

- The Chair or DG should make every effort to resolve the issue by meeting with the Headteacher, complainant and any other interested persons.
- If the complaint is upheld the complainant will be informed accordingly and given an indication of the steps that will be taken to put matters right. *(The Chair will seek legal guidance from the LA before making any admissions which may lead to a legal claim.)* If, on the basis of the information available, it is not possible to arrive at a definitive decision on the complaint the complainant will be informed accordingly with the reasons why.
- The complainant will also be informed that if they are dissatisfied with the outcome of the investigation then they have the right to appeal against the outcome to the Complaints Appeals Panel.

Formal Complaint – Stage Three

- Requests for a stage three hearing must be in writing and addressed to the Clerk to the Board of Governors at the School;
- The Clerk will acknowledge the request in writing within 5 working days of receiving the request
- The Clerk will set a date for the Panel within 20 working days of receiving the request.
- The Clerk will ask the investigator at Stage 2 to attend the hearing to present the school’s case.
- If written submissions are to be made by the Headteacher or complainant they should be submitted to the Clerk at least 10 working days before the hearing to enable copies to be provided to the committee, the complainant, the Headteacher and any other relevant parties.
- At least 7 working days prior to the meeting the clerk will:
 - ask the parties whether they have any particular needs for the meeting e.g. induction loop, translator etc.;
 - confirm who will be in attendance at the hearing or whether they wish to rely upon written submissions.
- Within 5 working days following the hearing the clerk shall:
 - inform all the parties concerned in writing of the decision(s) of the Panel;
 - the complainant will also be informed that if he/she remains dissatisfied then they may write to the:

Department for Education,
2nd Floor,
Piccadilly Gate,
Manchester.
M1 2WD.

 or visit <https://www.gov.uk/complain-about-school> for more details.

This ends the process for the school. The School (Headteacher) must keep all paper work and details concerning the complaint and be prepared to submit them to the DFE if requested. It is important that the school submits the full policy document for scrutiny as well as the Complainants Leaflet.

What will the DFE do?

If a complaint has exhausted the local procedures, SCU (School Complaint Unit) will examine if the complaints policy and any other relevant policies were followed in accordance with the provisions set out. SCU also examines policies to determine if they adhere to education legislation. However, the department will not re-investigate the substance of the complaint. This remains the responsibility of the school.