



FIRS ESTATE PRIMARY SCHOOL

COMPLAINTS POLICY

This policy procedure sets out our approach to dealing with parental concerns and complaints.

We always aim to maintain positive relationships with parents and carers and do our best to address any concerns as soon as they arise. However we are aware that in some instances a parent/carer may wish to make a complaint.

1. We value good home/school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.
2. We will treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, we expect that any disagreement with the school should not be expressed inappropriately or in front of pupils.
3. All school staff and members of the governing body will receive a copy (or have access on the Learning Platform) of this policy and procedure, and will be familiar with the school's procedures for dealing with parental concerns and complaints, to which they will have access as required. The policy is available on request to parents.
4. The school's procedures will be reviewed every 3 years.
5. We will seek to resolve concerns and complaints to the satisfaction of all parties.
6. The Local Authority advocate resolution of parental concerns and complaints at school level wherever possible, in the interests of maintaining good home / school relations.

Complaints Procedure

Firs Estate Primary School's Procedures for Dealing With Complaints:

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

How each of these stages operates is explained below.

Informal stage - your initial contact with the school:

Informal Stage

Most complaints/issues can be resolved informally and quickly by discussion with the member of staff concerned or the Headteacher. Alternatively, parents/carers can write to the member of staff or the Headteacher outlining the issue clearly.

Any complaint/issue that is put in writing should be written clearly outlining all the issues and what it is hoped that the preferred outcome should be. All complaints will be acknowledged in writing within 3 -5 working days.

Parents / Carers should make an appointment to discuss their concerns with the Headteacher. If the complaint relates to a pupil, ideally the member of staff concerned should be directly involved with the pupil, for example, class teacher.

In the presence of the class teacher, notes will be taken during the meeting. Parents / Carers can ask for a copy of these notes.

Formal Stage

There are three formal stages:

Stage 1:

If a parent/carers is still dissatisfied after the informal stage, they, or the member of staff can refer the matter to the Headteacher. This can be done in writing, as this will often make the situation clear to all involved parties.

The Headteacher will offer a meeting with the parent/carers or other complainant at a mutually convenient time. At the meeting, and through discussion, the Headteacher will clarify what the issues are. The hopes of what the parent/carers is trying to achieve will also be discussed. Together all parties will agree an acceptable outcome. This should be to the satisfaction of all parties involved. These should be written down and agreed by all parties so there is no misunderstanding. Again parents/carers should be given a copy of this.

If the issue is complex the Headteacher may need to speak to other staff and pupils to investigate the concerns. This should happen within 10 school days. If this timescale cannot be met the Headteacher should inform the parent/carer that this will take longer, explain the reasons for this and give a timescale for when the investigation will be completed.

Stage 2:

After meeting with the Headteacher, if the complaint is still not resolved to the parent/carer's satisfaction, the complaint can be referred to the Chair of Governors. This can either be in writing to the Chair at the school address, or alternatively the school can ask the Chair of Governors to contact the parent/carer direct. The Headteacher can also refer the complaint to the Chair of Governors.

If the Headteacher is the subject of the complaint, the complaint should go straight to the Chair of Governors and miss out Stage 1. The Chair of Governors may ask for the complaint to be put in writing (if this has not already happened).

The Chair of Governors will offer to meet with the parent/carer or other complainant, at a mutually convenient time.

The Chair of Governors has 15 school days to investigate the complaint. If it cannot be resolved within this time, the Chair will inform the complainant and explain why it is taking longer. Reasons for this may be that the complaint is complex and needs more time or someone involved is absent through sickness or holidays. The Chair of Governors should, however, give a realistic timescale for when the complaint should be resolved. The Chair should inform the complainant of when it is expected that the investigation should be completed.

Stage 3:

If the complaint is still not resolved to the parent/carer's satisfaction, or Chair of Governors feels that it is necessary, s/he can set up a Complaints Committee to consider the complaint. The Chair of Governors will decide if this is appropriate.

If the Chair of Governors can resolve the complaint there is no need to hold a Complaints Committee meeting. As far as possible it is recommended that Complaints Committees are a last resort.

The Chair of Governors can appoint an investigating officer to gather evidence and conduct preliminary interviews on the Chair's behalf. The investigating officer will provide a detailed report of his/her investigation of the complaint parents/carers should be given a copy of this report. It is important that the investigating officer is seen as impartial. So whilst the investigating officer is another Governor, s/he cannot be a member of the associated Complaints Committee.

The Complaints Committee is made up of three members of the school's Governing Body. Sometimes Governors need to be brought in from other schools' Governing Bodies because the school's Governors are 'tainted' because they have prior knowledge of the complaint.

The Complaints Committee should meet at a time convenient to all parties. The complainant, the Headteacher, the Chair of Governors and any member of staff the complaint is about will be invited to the meeting. Any person invited can bring a friend or supporter if they wish. The Complaints Committee will consider any written material, and also give the person making the complaint and the Headteacher, Chair of Governors and staff an opportunity to state their case and to question others present. The Committee will ensure that all present are treated fairly. The meeting will be minuted by the Clerk to Governors and everyone present will be given a copy of the minutes.

The Committee will give its decision, in writing, within five school days after the meeting, along with the reasons for their decision.

If after this school-based process the complaint is still not resolved to the parent/carer's satisfaction, they should write to the Secretary of State (if it is a general complaint) or to the Local Authority (if the complaint is about the curriculum and is a curriculum-related matter).

If a complaint is not from a parent/carer of a pupil of the school (an example being a member of the public) these should be made directly to the Headteacher, preferably in writing.

All complaints will be recorded formally by the school in a central log.

It should be noted that schools do not need to consider complaints made more than one year after the incident/situation.

If a complaint is made about an issue that is over a year old the school will write to the complainant explaining why this is the case.

Closure of Complaints

- Very occasionally, a school and/or the Local Authority will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.
- We, and the local authority where appropriate, will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".
- If a complainant persists in making representations to the school - to the Headteacher, Designated Governor, Chair of Governors or anyone else - or to the local authority, this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.

- For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and that the complaint has exhausted our official process. The local authority will support us in this position, and especially where the complainant's action is causing distress to staff and/or pupils.
- In exceptional circumstances, closure may occur before a complaint has reached stage 2 of the procedures described in this document. This is because a complaints panel takes considerable time and effort to set up and we must be sure that it is likely to assist the process of investigating the complaint.
- The Chair of Governors [the Designated Governor] may decide, therefore, that every reasonable action has been undertaken to resolve the complaint and that a complaints review panel would not help to move things forward.
- This does not, of course, prevent you from referring your complaint to the Local Authority for a review of the way it has been handled, as described below.

This Policy will be reviewed by Staff and Governors on a 3-yearly basis.

Model Complaint Closure Letter - Stage 1

MODEL CLOSURE LETTER FOR FORMAL STAGE 1 - HEADTEACHER

Dear Mr and Mrs X

FORMAL STAGE 1 COMPLAINT ABOUT Y AND SCHOOL Z

Thank you for your letter dated.... From your letter(s) I understand that you are still unhappy with the situation. As a result I have decided to have the matter investigated as part of Formal Stage 1 of the school's complaints procedure.

You complaint is:

Summary of complaint to be stated. State each point separately.

I have completed my investigation and would like to share with you responses on each of the points that you have raised.

1. Firstly
2. Secondly

It is important that you know about what action the school has taken at each stage of the process so far:

Informal Stage

State what action was taken in response and the outcome of this.

Formal Stage 1

State what investigative action was taken in response and the outcome of this, including any remedial action to be taken if complaint is upheld.

I hope this response resolves your concerns.

However, if you are still not satisfied with my reply, there is a further stage of the complaints procedure that you can follow. This Formal Stage 2 is a review by a panel of governors who will look at the way in which your complaint has been dealt with.

To go to the next Formal Stage 2, you should write to the Chair of Governors within ten days of the receipt of this letter, giving your reasons why you wish to take your complaint further. If you are still not satisfied with the results of the Formal Stage 2 panel of governors, you can complain to the Local Authority, who will carry out an investigation into the way in which your complaint has been handled.

Model Complaint Closure Letter - Stage 2

MODEL CLOSURE LETTER FOR FORMAL STAGE 2 - GOVERNORS PANEL

Dear Mrs and Mrs X

FORMAL STAGE 2 COMPLAINT ABOUT Y AND SCHOOL Z

The panel met on... (date) to hear your appeal regarding your complaint which can be summarised as follows:

That so and so/the school did/said/did not...

Legal or administrative background

State any legal or administrative background to the case, including any legislation relevant to the investigation.

The investigation

Set out the key facts about the complaint, the findings and conclusions from the Formal Stage 1 investigation, and any continuing concerns.

Conclusion

Set out the findings of the panel

Panel decision

Outcome of the decision

Please let me know if you wish me to clarify any points for you.

In the meantime, if you remain dissatisfied with the way in which your complaint has been dealt with, there is another stage of the complaints procedure that you can write to the Local Authority to examine the process that we have followed. The Local Authority will appoint a review officer who will check that:

- Reasonable procedures have been followed
- That you have been treated fairly
- That there has been no breach of statutory regulations

I must remind you that the decision of the panel is final. The Local Authority does not have the power to set aside the decision of the panel. It may only comment on the fairness of the process. To follow this stage, please contact:

Derby City Education
The Council House
Corporation Street
DERBY
DE1 2FS

Complaints which are Subject to Statutory Procedures:

Some areas of complaint are subject to statutory procedures and there is clear guidance on how such issues should be dealt with. These include:

- ❖ Admissions
- ❖ Child protection
- ❖ Drugs
- ❖ Equal opportunities
- ❖ Exclusions
- ❖ Health and Safety
- ❖ National Curriculum
- ❖ Religious Education and Collective Worship
- ❖ Sex Education
- ❖ Special Educational Needs
- ❖ Staff Capability
- ❖ Staff Discipline
- ❖ Staff Grievance
- ❖ Racist Incidents *
- ❖ Disability and Equality Act

The Headteacher will in most cases determine which if any of these statutory procedures apply.

If one of these statutory procedures needs to be invoked at some point during the investigation of a more general complaint the complaints procedure should be suspended until the statutory procedure has been concluded.

* Although racist incidents are subject to a statutory procedure, the Race Relations Amendment Act 2000, this does not necessitate the complaints procedure being suspended. However, there is a duty for Local Authorities to monitor racist incidents and so schools must complete the appropriate form.



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HOW TO MAKE A COMPLAINT CHART

