

COMPLAINTS POLICY
(statutory)

Reviewed: January 2017
April 2015
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Policy approved: by Governors Resources Committee
At their meeting on 9th January 2017

Ratified by FGB:

Next Review: November 2019

UN Convention on the Rights of the Child

Article 12

You have the right to give your opinion, and for adults to listen and take it seriously

Principles

All complaints or concerns will be listened to and dealt with. Newlands Primary School values the partnership with our Parents and Guardians. Informal discussions at an early stage are encouraged.

Aims

This policy recognises that when things go wrong, our aim is to resolve concerns as quickly and effectively as possible. We aim to:

- Resolve concerns through informal discussion at the earliest stage
- Be speedy with well defined timescales, and with named contacts

We will:

- Focus on resolution and review rather than blame
- Promote confidentiality, discretion and equal opportunity
- Ensure that investigative processes are fair and transparent for all concerned, and be forthright dealing with vexatious, abusive, malicious and anonymous complaints

We want parents to feel confident that staff will respond to complaints in a sensitive, non-defensive and sympathetic manner.

Complaint Procedure

The Preliminary Stage – an informal approach

The vast majority of concerns or complaints can be resolved informally. There are many occasions where concerns can be resolved straight away through the class teacher or Admin Officer or Headteacher, depending on whom the parent/guardian first approaches. Concerns or complaints that are significant enough to involve the Headteacher will be recorded on a “Record of Concerns” form and kept securely.

Newlands Primary School places a great emphasis on this informal approach, to achieve a satisfactory resolution for all parties at the earliest opportunity.

1. Parents are encouraged to speak informally with the appropriate or designated member of staff as soon as they have a concern.

The school procedure is to contact the child’s class teacher in the first instance for any matters relating to the child’s education. If the matter cannot be resolved this way, a meeting with a member of the school’s leadership team, SENCo or the Deputy Headteacher may be arranged.

It is helpful, at this stage, to establish the desired outcomes, for example, a review of a decision, a meeting, an investigation or an assurance. In some circumstances, the Headteacher may wish to intervene and deal directly with the concerns.

2. If the concern is about the Headteacher, we encourage preliminary discussions between the parent and the Headteacher as in most instances, the issue can still be resolved informally. However, in some circumstances, parents may need to be advised to approach the Chair of Governors.
3. Most concerns dealt with informally are resolved to everyone’s satisfaction. If this is not the case, formal complaints procedures may be followed. This will be explained to allow the parent to decide if they wish to proceed.

Stage 1: The Headteacher

1. Parents are advised to write to the Headteacher, giving the details of the concern and enclosing any appropriate paperwork. All correspondence should be dated so that time frames can be adhered to.
2. The Headteacher, or designated senior member of staff, will respond within 2 school days unless there are exceptional circumstances. This will be to acknowledge the complaint. A full written response will be offered within five school days.
3. If the complaint requires an in-depth investigation, the Headteacher will let the complainant know that the complaint will be fully investigated and a response will be prepared within 20 school days.
4. Following any meeting with parents, the Headteacher will summarise the main points in a follow-up letter. This is to prevent misunderstandings and ensure all parties have a clear record of progress or agreements.
5. If a parent remains dissatisfied, the Headteacher will decide when to give a final response and refer the parent to stage 2 of the process

For matters that are the Headteacher's responsibility, the Chair of Governors is only empowered to look at whether the Headteacher's decision or action was reasonable in the light of the information available at the time.

Stage 2 – Chair of Governors

1. Parents should write to the Chair of Governors via the schools' address outlining their complaint, explaining the reasons for pursuing it beyond the Headteacher's response and enclosing any relevant paperwork.
2. If a parent needs help with this, the Clerk to the Governors should be contacted.
3. The Chair of Governors will acknowledge the complaint within 5 school days and will give a full response within 20 school days.
4. At this stage, informal discussions between the Chair of Governors and Headteacher are key to resolving the complaint and agreeing a way forward.
5. The Chair of Governors will decide who is responsible for dealing with the issue and what powers are available to governors with respect to the particular complaint.
6. The Chair of Governors and Headteacher will take the appropriate action to resolve the complaint and will inform the complainant about the conclusion.
7. In the rare circumstances that a parent is unhappy with the outcome, the Chair of Governors may offer a right of appeal to the governing body complaints panel.

Stage 3 – Governing Body's Complaints Panel

1. The request should be made in writing to the Clerk to the Governors, via the school's address
2. The complainant should include information about the
 - Nature of the original complaint
 - Steps taken by the Headteacher or designated member of staff to deal with the matter and the Headteacher's response
 - Chair of Governor's response
 - Reasons for pursuing the complaint beyond the Chair of Governors
3. The school will notify the LA of a parent's request and copy the relevant information to the Assistant County Education Officer (Standards and Improvements Branch)
4. When the issues relate to the Headteacher's delegated responsibilities, the panel can reconsider the matter
5. If the matter falls within the Headteacher's decision-making remit by virtue of his/her terms and conditions of office, the panel will only have the power to review the Headteacher's decision. It may look at whether the decision or action was reasonable.
6. The Clerk will arrange a meeting within 20 school days of the request and inform parents about the process and agenda.

7. The complaints panel will consist of three governors with no previous involvement in the matter. For complaints specifically about the national curriculum, religious education and related matters, members will, where possible, be drawn from the governor's Improvements Committee.
8. The Clerk will inform the complainant in writing of the panel's decision preferably within 2 school days of the meeting.
9. The panel may suggest that the complainant and Headteacher meet again to agree a way forward.
10. This is the final stage for general complaints. If a parent feels the Headteacher's and Governors' actions have been unreasonable or the correct process has not been followed, the only recourse is to the Secretary of State. At this point, parents will be advised to seek advice from the LEA's complaints advisor.

Stage 4 – LA (Local Authority)

1. They may appeal to the LA, if a parent is not satisfied with the decision of the governors' complaints panel about;
 - The national curriculum and related matters.
 - Provision of collective worship and religious education.
1. The letter of complaint should include copies of information submitted to the governors' panel, the panel's decision letter and should also explain the reason for appealing to the LEA.
2. The LEA will acknowledge the response within 5 school days and set its procedures in motion.

For general complaints about a school, the LA has no remit or powers beyond reminding schools of their legal obligation.

For individual complaints, which relate to internal school matters and have exhausted the school's own complaints procedures (i.e. they have completed stage 3) there is no right of appeal to the LA as it has no powers to direct the school to change its decision.

If a complaint cannot be resolved further, advice will be sought from the LA's complaints advisor.

The school will deal in a forthright manner with vexatious and abusive complaints. In these matters, the LA's guidance will be followed.

This policy acknowledges Hampshire Guidance on Developing a General Complaints Procedure November 2002.

It is in line with the Education Act 2002 Section 29.

The school will keep records of complaints.

The policy will be published and referred to in the prospectus.