

# FELSTED PRIMARY SCHOOL

## COMPLAINTS PROCEDURES



Nurturing today's minds for tomorrow's challenges

- Be Respectful
- Be Kind
- Be Safe

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

To ensure you receive an effective response to your complaint, it will be helpful if you:

- co-operate with the school in seeking a solution to the complaint;
- express the complaint in full as early as possible; complaints must be raised within three months of an incident occurring;
- respond promptly to request for information or meetings or in agreeing the details of the complaint;
- ask for assistance if needed; and treat all those involved in the complaint, with respect.

The procedure is divided into three stages;

**The informal stage** aims to resolve the concern through informal contact at the appropriate level in school.

**Stage one** is the first formal stage at which written complaints are considered by the headteacher or the designated governor, who has special responsibility for dealing with complaints.

**Mediation** – If complaints are not resolved after stage one all parties are asked to attend a mediation session before this can be escalated to Stage two

**Stage two** is the next stage once stage one and mediation have been worked through and if the complaint remains unresolved. It involves a complaints appeal panel of governors.

How each of these stages operates is explained below:

### **Informal stage – your initial contact with the school**

1. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's class teacher
2. Once your concern is made known to us, we will see you, or contact you by telephone or in writing, as soon as possible. If it is necessary, all members of staff know how to refer to the appropriate person with responsibility for your particular issues. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.
3. Any actions or monitoring of the situation that has been agreed, will be communicated clearly and we will confirm this in writing to you.
4. If necessary we will contact appropriate people who may be able to assist us with our enquiries into your concern.
5. We will normally update you on the progress of our enquiries within 10 school days. Once we have responded to your concern, you will have the opportunity to ask for the matter to be considered further.
6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

## **Stage one - formal consideration of your complaint**

This stage in our procedures applies where you are not happy with the informal approach to dealing with your concern, as outlined above.

1. Normally, your written complaint should be addressed to the headteacher. If, however, your complaint concerns the headteacher personally, it should be sent to the school marked "for the attention of the chair of governors".
2. We will acknowledge your complaint in writing as soon as possible after receiving it. This will be within three school days.
3. We will enclose a copy of these procedures with the acknowledgement.
4. The complaint will either be investigated by the headteacher or they may ask a senior member of staff to be the investigating officer.
5. Normally we would expect to respond in full within 15 school days but if this is not possible, we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
6. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
7. The headteacher, or chair of governors/designated governor\* may also be accompanied by a suitable person if they wish.
8. Following the meeting, the headteacher, or chair of governors/designated governor will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
9. If the complaint involves a pupil, his/her parent/carer will be contacted and, if interviewed, we will try to ensure the parent/carer is present. In some cases, this might not be possible due to the urgency of the matter and a member of staff with whom the pupil feels comfortable, will attend the interview.
10. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
11. The headteacher or chair of governors/designated governor will keep dated records of all meetings and telephone conversations, and other related documentation.
12. With regards to meetings with yourself or other witnesses, accurate notes will be agreed by both/all parties.
13. Once we have established all the relevant facts, we will send you a written response to your complaint taking into account any confidentiality issues. This will give an explanation of the headteacher's, or chair of governors' /designated governor's decision and the reasons for it. If follow-up action is needed, we will

indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.

14. If you are unhappy with the way in which we reached our conclusions, you will be offered a mediation meeting. You would need to respond to this offer within **10 school days**. You may wish to proceed to stage two, as described below. If you wish to move your complaint to stage two, you should contact us within **10 school days** of receiving our response.

\*The designated governor will usually be the governor with allocated responsibility for dealing with complaints but may from time to time be another member of the governing body (including the chair of governors)

### **Mediation**

This is an opportunity for all parties to meet to discuss the issues raised and attempt to resolve them before considering Stage two. The mediation meeting would include the governor handling the complaint, the complaints governor and the Headteacher. The clerk would also attend to ensure an accurate record of the meeting took place.

### **Stage two - consideration by a governors appeal panel**

If the complaint has already been through stage one and mediation and you are not happy with the outcome as a result of the way in which the complaint has been handled, you can take it further to a governors' appeal panel. This is a formal process, and the ultimate recourse at school level.

The purpose of this arrangement is to give you the chance to present your views in front of a panel of governors who have no prior knowledge of the details of the case and who can, therefore, consider it without prejudice.

However, the aim of a panel is not to reinvestigate the complaint. The panel is there to review how the complaint has been investigated and to determine whether this has been conducted fairly. The panel exists to establish facts and make recommendations which will reassure you that we have taken the complaint seriously.

The governors' appeal panel operates according to the following formal procedures:

1. The governing body will convene a panel of three governors and will aim to arrange for the panel meeting to take place within **20 school days** of receiving your request.
2. You will be asked whether you wish to provide any further written documentation in support of your appeal.
3. The headteacher (or whoever investigated at stage one) will be asked to prepare a pack of the documentation related to the investigation and the stage

one outcome, for the panel. The panel can request additional information from other sources if necessary.

4. You will be informed, at least **five school days** in advance, of the date, time and place of the meeting. We hope 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.
5. With the letter, you will receive any relevant correspondence or reports regarding Stage one and you will be asked whether you wish to submit further written evidence to the panel. Any additional documentation should be submitted prior to the review panel meeting.
6. The letter will explain what will happen at the panel meeting and 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.
7. In exceptional circumstances, and if it is necessary in the interests of the ratifying the investigative process, the headteacher/complaint investigator may, with the agreement of the chair of the panel, invite relevant witnesses directly involved in matters raised by you to attend the meeting.
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.
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.
10. The chair of the panel will ensure that the meeting is properly minuted. You will receive the written outcome of the panel meeting with the panel's decision. You may also request a copy of the minutes and should make this request at the start of the panel's proceedings.
11. During the meeting, you can expect there to be opportunities for:
  - the panel to hear you explain your case and your argument for why it should be heard at Stage two;
  - the panel to hear the complaint investigator's case in response;
  - you to raise questions via the chair;
  - you to be questioned by the complaint investigator through the chair;
  - the panel members to be able to question you and the complaint investigator; and,
  - you and the headteacher/complaint investigator to make a final statement.
12. 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 you and the

headteacher **within three school days**. All participants other than the panel and the clerk will then leave.

13. 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 case;
- decide on the appropriate action to be taken by the school, if necessary; and,
- recommend, where appropriate, to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.

14. The clerk/chair of the panel will send you and the headteacher a letter outlining the decision of the panel. The letter will also explain that you are entitled to have the handling of the complaint reviewed by the Secretary of State for Education.

15. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

### **Closure of complaints**

Very occasionally, a school will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.

We 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 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.

Where you have been through the school's internal complaints procedures and are still unhappy with the outcome or decision from the governing body, you can contact the Secretary of State for Education via the DfE website [www.education.gov.uk](http://www.education.gov.uk) by telephoning 0370 000 2288 or by writing to the address below:

The School Complaints Unit (SCU)  
Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

Please enclose with your letter to the DfE a copy of the complaint outcome. This will save time in that the DfE will not need to ask for our view of what has happened. We would advise parents that, unless the school is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken, as governing bodies are empowered to deal with many issues without reference to either the local authority or the Secretary of State.

Approval date..... Review date.....