



Complaints Policy and Procedure

INTRODUCTION

The main purpose of a complaints procedure is to solve problems and to give parents a means to raise issues of concern and have them addressed. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally.

Complainants should be treated respectfully during and after the course of any complaints investigation.

All members of staff should be aware of the complaints procedure and understand:

- The importance of attempting to resolve problems before they become formal complaints.
- The importance of treating complaints respectfully

EXPRESSING CONCERNS

At this informal stage the school should consider the best way of dealing with the concerns raised according to the circumstances. It is preferable for all concerned that concerns are resolved now rather than later.

FORMAL COMPLAINTS

Action through a complaints procedure may lead to action being initiated under other procedures. This may be disciplinary or child protection procedures and consideration should be given to this possibility at the earliest stage. In these cases the publicised complaints procedure will be suspended until action under the other procedures (including appeals) has been concluded. The complainant should be advised if this is the case and also informed of the likely delay in the final resolution of their complaint.

STAGE 1 - THE HEADTEACHER

It may be that the headteacher has not been aware of the concern raised prior to this point. At this stage the headteacher will, in most cases, resolve the matter to the satisfaction of all concerned without recourse to the complaints procedure.

STAGE 2 - FORMAL COMPLAINT TO THE GOVERNING BODY

Where concerns cannot be resolved by the headteacher, each school must have a procedure for accepting formal complaints. These should, in the first instance, be to the chair of the governing body giving details of the complaint, and should be accepted in writing or verbally. Where a complaint is accepted verbally it should be reported back to the complainant to ensure that details have been collected correctly. Attached is a form that

could be used for this purpose and it would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage.

Details of a complaint should be kept confidential except in so far as they need to be shared with people who might contribute to their resolution.

THE ROLE OF THE CHAIR OF GOVERNORS

The chair of governors will need to consider whether it is appropriate for him/herself to investigate the complaint, or whether to refer it to a complaints committee of the governing body to undertake a review. If the latter course of action is followed the chair will need to convene a meeting of the complaints committee.

When considering a complaint the chair of governors may wish to seek technical or procedural advice from officers of the County's Education Service on the appropriate course of action to be taken.

The chair should write to the complainant following investigation into the complaint. If it is to be referred to a complaints committee then a letter should be sent giving an explanation of what will happen next, timescales involved, and the name of the person from whom they will next hear about the progress of the investigation.

THE ROLE OF THE GOVERNING BODY COMPLAINTS COMMITTEE

The procedure adopted by the committee for reviewing the complaint would normally be part of the school's formal procedure and membership should consist of three or five governors. This should be a cross-section of the different categories of governor, but the headteacher and chair of governors should not be members of this committee, which must be independent and seen to be impartial. The committee will elect their own chair.

The complainant must be given the opportunity to make representation in person. The committee should therefore meet at a time and a venue convenient to all parties.

THE ROLE OF THE CLERK TO THE GOVERNING BODY COMPLAINTS COMMITTEE

The DfE strongly recommends that any committee reviewing a complaint should have a clerk. Their role would be to:

- Set the date, time and venue
- Collate any written material and send to all parties in advance
- Record the proceedings
- Notify all parties of the decision

OUTCOMES

In all cases where a complaint has been investigated by the governors, the complainant will be given a written response covering:

- The complaint
- The scope of the investigation

- The conclusion of the investigation
- Any action which has resulted

The complainant may also be offered the opportunity to discuss the response.

The aim of the investigation or review 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 governors do not find in their favour. It may only be possible to establish the facts and make recommendations, which will satisfy the complainant that his/her complaint has been taken seriously.

If the investigation upholds the complaint, redress should be appropriate to the complaint and may include:

- An appropriate expression of regret
- Providing the solution desired by the complainant
- Changing the procedures to avoid future problems

Each school will take responsibility for:

- Deciding who can take remedial action
- Ensuring that the remedy is carried out
- Ensuring that any remedy is within the school's powers
- Ensuring the approach to remedies is reasonable and consistent

Where a complaint is not upheld the complainant must be given a response and informed of any further action that might be appropriate in their situation.

Stages 3 and 4 - The role of the CMAT Board

Parents do not have a general right of appeal should they disagree with the governors' decision. They may, however, raise the matter with the CMAT Board or Secretary of State if they consider the complaint wasn't investigated properly and fairly. If the governors have followed a proper procedure and considered the complaint reasonably, neither the CMAT Board nor the Secretary of State can reverse their decision.

COMPLAINTS POLICY AND PROCEDURE

Please complete this form and return it to the school who will then forward it to the chair of the governing body. Please continue on a separate sheet if necessary.

1. **Name**
2. **Address**
3. **Telephone Number** (Home)
Telephone Number (Work)
4. **Name of Child**
5. **Details of the Complaint** (please include the date of period of time to which your complaint relates and confirm whether you have already expressed your concerns informally, and to whom and when)

6. **Do you have a suggestion for change?**

Please attach copies of any more information you have to back up your complaint, such as letters or reports.

Signed **Date**