



**WESTROP PRIMARY
& NURSERY SCHOOL**

Complaints Policy and Procedure

Date reviewed	September 2018
Reviewed by	Helen Hopwood/ Tara Jeynes
Review date	September 2020

Scope and Purpose

At Westrop Primary school we are committed to dealing with concerns at the earliest opportunity. If parents, pupils or members of the public have concerns they should:

- 1.** Discuss their concerns with the member of staff most directly involved and, if not satisfied;
- 2.** Discuss their concerns with a senior member of staff;

We expect the majority of concerns will be resolved in this way (and not recorded as a formal complaint). However if not resolved through discussion with staff the following formal procedure will be followed

For the school to be able to investigate a complaint, it needs to be made within one year of the incident occurring. If a complaint is older than a year it will not be investigated.

The prime aim of Westrop Primary School's policy is to resolve the concern/complaint as fairly and quickly as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner.

The following details outline the three stages that can be used to resolve complaints.

Procedure

Stage 1 – Raising a concern informally with a staff member and/or Headteacher

Concerns can be raised with the school at any time and will usually generate an immediate response, which will resolve the concern. The school requests that parents make their first contact with the appropriate member of staff, e.g. child's Class Teacher or the Headteacher.

On some occasions, the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within a day or two. The vast majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at stage 1, please write to or call the school within 10 school working days. The school will then look at your complaint at the next stage.

Stage 2 – Formal Complaint heard by the Headteacher

Formal complaints shall be put in writing and addressed to the Headteacher (see - Appendix 3). The complaint will be logged, including the date it was received. The school will normally acknowledge receipt of the complaint within two school working days of receipt.

The Headteacher will investigate the complaint and make a response. The head may delegate the task of collating the information to another staff member but not the decision on the action to be taken. In many cases this response will also report on the action the school has taken to resolve the issue. Additionally, a meeting may be convened to discuss the matter further. This meeting will normally take place within ten school working days of the Headteacher receiving the written complaint. The aim will be to resolve the matter as quickly as possible.

If you are not satisfied with the result at stage 2 please write to or call the school within ten school working days of getting a response.

Complaint about the Headteacher

Complaints against the Headteacher will need to be raised with the Chair of Governors - initially informally as in Stage 1 and then, if necessary, formally as in Stage 2. The Chair of the Governing Body will make arrangements for your complaint to be investigated. Following the investigation, the Chair will give a written response within ten working days.

If you are not satisfied with the result at this stage, please write to the Clerk of Governors within ten school working days of receiving the response. If no communication is received from you within ten working days of receiving the response, the matter will be considered closed. If the matter is not resolved the complaint can be heard by the Governors' Complaints Panel, stage 3 outlined below

Stage 3 – Formal Complaint heard by the Governing Body Complaints Appeal Panel (see Appendix 1)

If the matter has still not been resolved at Stage 2 then you will need to write to the Chair of Governors giving details of the complaint. The Chair or a nominated Governor will convene a complaints appeal panel. The hearing will normally take place within fifteen school working days of the receipt of the written request for Stage 3 investigation.

The aim of the Appeal Panel hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant.

The Chair of the Appeal Panel will ensure that all parties are notified of the Panel's decision in writing within three school working days after the date of the hearing. The letter will also contain what you need to do if you wish to take the matter further.

The Governors appeal hearing is the last school-based stage of the complaints process.

Further Avenues

If you consider that the governing body has not acted appropriately in carrying out its investigation into your complaint, you have a right to complain to the Local Authority (LA) as they have a responsibility to ensure that governing bodies act properly. The LA does not have the power to instruct a governing body to reverse its decision but will want to satisfy itself that the governing body has conducted the investigation fairly.

In the unlikely event that you will need to complain to the LA about the governing body's handling of a complaint please write to:

Group Director: Children
Services Swindon Borough
Council Beckhampton St
SN1 2JH

Please note that the LA can only act when each step of the school's complaints procedure has been followed.

If you think your school's governing body or your local authority is acting 'unreasonably' you can write to the Secretary of State for Education. Complaints to the Secretary of State are handled by the government's Department for Education (DfE) (www.education.gov.uk/form/school-complaints-form)

Appendix 1

The Remit of the Governor Complaints Appeal Panel

The Appeal Panel can:

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or in part;
- Decide on the appropriate action to be taken to resolve the complaint;
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

There are several points which any governor sitting on a complaints panel needs to remember:

- It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- The aim of the hearing, which needs to be held in private, 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 hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- The governors sitting on the panel need to be aware of the complaints procedure.

Roles and Responsibilities

(1) The Role of the Clerk

The DfE strongly recommends that any panel or group of governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required to:

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- Collate any written material and send it to the parties in advance of the hearing;
- mMeet and welcome the parties as they arrive at the hearing;
- Record the proceedings;
- Notify all parties of the panel's decision.

(2) The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;
- Key findings of fact are made;
- Parents and others who may not be used to speaking at such a hearing are put at ease;
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- The panel is open minded and acting independently;
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Checklist for a Panel Hearing

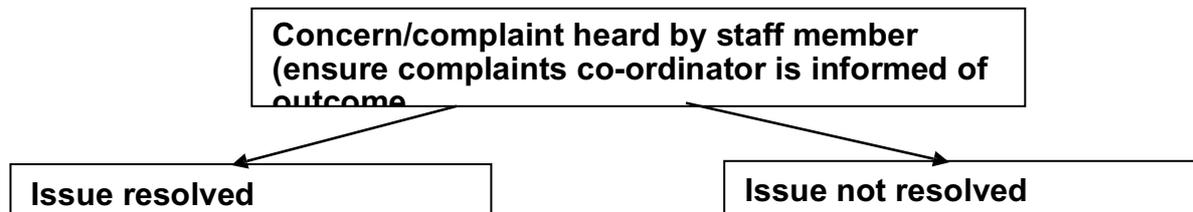
The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Headteacher (or representative for the school) may question both the complainant and the witnesses after each has spoken.
- The Headteacher (or representative for the school) is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher (school representative) and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher (school representative) is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

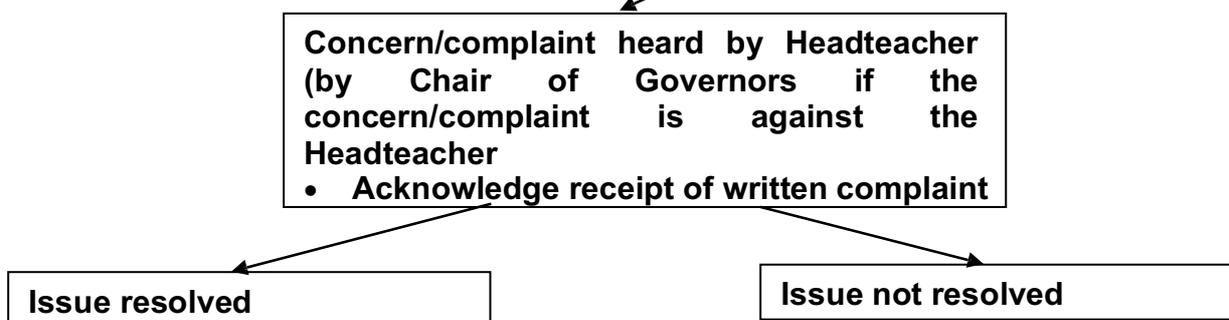
Appendix 2

Flowchart – Summary of Dealing with Complaints

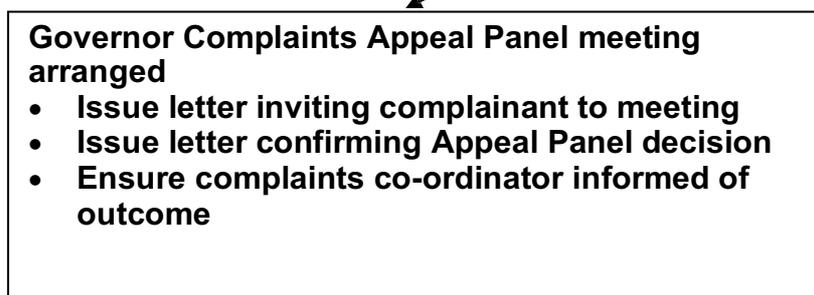
Stage One



Stage Two



Stage Three



What action, if any, have you already taken to try to resolve your concern/complaint? Who did you speak to and what was the response?

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork – if so, please give details

Signature

Date

Official Use Only

Date Acknowledgement sent

By Who

Complaint referred to

Date

