

# ST GEORGE'S



## JUNIOR SCHOOL

S H R E W S B U R Y

**COMPLAINTS POLICY – MARCH 2017  
REVIEW DATE: MARCH 2018**

## ST GEORGE'S JUNIOR SCHOOL

### Introduction to Complaints Procedure

Governing Bodies are required by law to have a procedure in place to deal with complaints relating to a school or the provision of facilities or services provided by the school. The law requires this procedure is publicised.

Under Section 29 of the Education Act 2002, a school should have and make available a procedure to deal with "complaints relating to their school and any facilities or services that the school provides"

### Overview

This procedure sets out arrangements for St George's Junior School in respect of any complaints received in relation to the school including any facilities or services that the school provides other than:

- Complaints about home to school transport
- Complaints about the National Curriculum
- Complaints about safeguarding
- Complaints about the curriculum of religious worship
- Complaints about admissions or exclusions appeal procedures
- Complaints for which separate procedures exist

### General Principles

It is important that all concerned are clear about the difference between a concern and a complaint.

All complaints will be dealt with as quickly and efficiently as possible. The length of the period will vary with the gravity and complexity of the complaint and the urgency with which it needs to be settled. However, the intention is that all complaints should be settled within a period which is reasonable in all the circumstances.

All complaints, received, including those ultimately resolved at an informal stage, should be recorded by the Deputy Headteacher as the Complaints Officer. The outcome of the complaint shall also be recorded, together with reasons for that decision, the outcome falling into one of the following categories:

- ⇒ Complaint resolved informally
- ⇒ Complaint dismissed
- ⇒ Complaint to be dealt with under another procedure
- ⇒ Complaint upheld and the appropriate action is deemed to be one of the following:
  - 1) Counselling
  - 2) Training
  - 3) General supervision
  - 4) Other management action

Urgent complaints will be identified as such and given priority.

All complaints will be investigated fully, fairly and carefully and complainants will be kept informed of progress during, as well as at the end of each stage. Anonymous complaints cannot be fully investigated as no complainant can be identified.

The main aim at all stages will be to secure that either the complaint is settled or that a decision is taken about the complaint and it can then, if required, proceed to the next stage.

The complainant may seek independent advice from the Parents/Partnership Co-ordinator. The school may seek advice from the Local Authority, but the Authority cannot determine the outcome of a complaint.

## **STAGES**

These arrangements set out the levels at which a complaint could be considered. These are the informal stage and the formal complaint to the Governing Body of the school. A complaint could be considered at any of these stages if necessary. Please refer to Annex B for more information.

### **INFORMAL STAGE**

Many complaints can be resolved quickly and informally. There are many occasions where concerns are resolved straightaway through the class teacher or school administration team, depending upon the nature of the complaint. This is where the procedure should start and unless there are exceptional circumstances there should always be a full discussion at the informal stage. At this stage, there is no formal record retained.

If the complaint has not been resolved at the first meeting, parents should contact the Headteacher. The complaint may be made verbally or in writing. The school, if asked, will help anyone who would like assistance to set out their complaint, including access to translation services where necessary. An appointment is likely to be necessary, so that the Headteacher can give the matter their full attention. If the complaint is against the Headteacher, the Headteacher should nominate another senior person to attempt to resolve the complaint informally.

### **FORMAL STAGE**

If the Headteacher, or other senior person, cannot resolve the complaint informally, the school undertakes to deal with the complaint as follows:

- Formally acknowledge the complaint within 5 school working days
- Tell the complainant the name and contact details of the person looking into the complaint. This will generally be the Complaints Officer, unless the complaint is against the Complaints Officer, in which case the Headteacher shall appoint another person to look into the complaint.
- Respond to it within 20 school working days or if this is not possible answer telling the complainant what is being done to investigate and how long it is expected to take.

If the complainant is not satisfied with the outcome, the complainant should contact the Chair of Governors. The school shall make the name of the Chair of Governors available to the complainant.

The Chair of Governors **will initially attempt to resolve the complaint informally** and may contact the Local Authority for advice. If the Chair of Governors cannot resolve the complaint informally, they will refer the matter to the Complaints Committee of the Governing Body who will deal with the complaint in accordance with Annex B.

If the complainant is not satisfied with the outcome of the complaint the complainant may refer the matter to the Secretary of State if he or she believes that the Governing Body has acted unreasonably, or has failed to carry out its duties properly.

Within the annex you will find a complaint form (Annex C), schools complaints procedure and a checklist for a panel hearing.

It is hoped that any matter of concern could be dealt with informally at the school through the Headteacher or Governors before proceeding to formal arrangements.

For all other complaints or concerns, parents (and others), are encouraged to raise them initially with the relevant member of staff or the Complaints Officer, who will be able to discuss them either there and then or at a mutually agreed time. Should it not be possible to resolve any complaint or concern satisfactorily in this way, the complaint should be put in writing and sent or given to the Headteacher. If you would like assistance in setting out your complaint, the school will, if asked, help you to do this facilitating access to translation services where necessary. The school then promise to deal with your complaint as follows:-

- a) Formally acknowledge it within 5 working days
- b) Tell you the name and contact details of the person looking into your complaint
- c) Respond to it within 20 school working days or if it is not possible to give you a complete answer, tell you what is being done to investigate and how long it is expected to take
- d) Tell you if it has to be dealt with under a special procedure

If you are not satisfied with the outcome of your complaint, you can write to the Chair of Governors who will arrange for the Complaints Committee to consider what you have to say.

**This policy will be reviewed annually or earlier if legislation should change.**

This policy was adopted by the School Governors on: .....

Signed by:

.....Governor .....Headteacher

## **Annex A**

Section 29 of the Education Act 2002 requires that:

- (1) The Governing Body of a maintained school shall:
  - a) establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27, other than complaints failing to be dealt with in accordance with any procedures required to be established in relation to the school by virtue of a statutory provision other than this section, and
  - b) publicise the procedures so established.
- (2) In establishing or publicising procedures under sub-section (1), the Governing Body shall have regard to any guidance given from time to time (in relation to England) by the Secretary of State.

Section 39 of the Education Act 2002 provides the following:

‘maintained school’ means community, foundation or voluntary school, a community or foundation special school or a maintained nursery school;

‘maintained nursery school’ means a nursery school which is maintained by a local authority and is not a special school.

## School Complaints Procedure

### Annex B

#### **Stage One: Complaint Heard by Headteacher**

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the St George's Junior School can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they know what to do when they receive a complaint.

It would assist the procedure if the school respected the views of a complainant who indicates that he/she would have difficulty discussing a complaint with the Headteacher. Where the complaint concerns the Headteacher, he/she or the Complaints Coordinator can refer the complainant directly to the Chair of Governors.

Similarly, if the Headteacher feels too compromised to deal with a complaint he/she may consider referring the complainant directly to the Chair of Governors. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a Governor, the next step would be to refer the complainant to the Headteacher and advise them about the procedure. It would be useful if Governors did not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

#### **Stage Two: Complaint Heard by Chair of Governors**

If the complainant is unhappy that the complaint has not been resolved they may request that their complaint be considered by the Chair of Governors. The Chair of Governors would investigate the complaint and convey the outcome to the complainant.

#### **Stage Three: Complaint Heard by the Governing Body Complaints Committee**

If the complainant feels that their complaint still hasn't been resolved, they need to write to the Chair of Governors' Complaints Committee giving details of the complaint. The Chair would acknowledge receipt of the letter within a 10 day period and would ask the Clerk to convene a Governing Body Complaints Committee Meeting. This meeting should, wherever possible, take place within 3 weeks (excluding school holidays) of dispatch of the acknowledgment letter unless a longer period (perhaps to arrange suitable dates or collate information) is necessary in which case the Chair must inform the complainant the reason for the delay.

The Governors' Complaints Committee is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

Individual complaints would not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The Governing Body should appoint a committee consisting of 3 or 5 members (preferably with reserves) with delegated powers to hear complaints at this stage in the complaint process, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual complaints;
- making recommendations on policy as a result of complaints.

If the Governing Body does not appoint a Chair, the panel will choose its own Chair.

It would not be appropriate to appoint anyone who works at the school to sit on this committee.

The complainant and the person who is the subject of the complaint (if appropriate) should be permitted to bring a supporter (friend, spouse, union representative, etc) should they so choose. The panel must be informed of who is attending prior to the date of the meeting.

### **The Remit of the Complaints Committee**

The 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 Committee needs to remember:

- a) It is important that the committee is independent and impartial and that it is seen to be so. No Governor may be a member of the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the committee, 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.
- b) The aim of the meeting, 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 committee 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.
- c) An effective committee 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.

- d) 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 committee 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. It would not normally be appropriate for the child to be present throughout the meeting.
- e) The Governors sitting on the committee need to be aware of the complaints procedure.
- f) The committee should meet on an annual basis to review the complaints procedure.

## **Roles and Responsibilities**

### **The Role of the Clerk**

It is important that any Complaints Committee meeting which is considering complaints should be clerked. The Clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the meeting, 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 meeting;
- meet and welcome the parties as they arrive at the meeting;
- record the proceedings;
- notify all parties of the committee's decision.

It is important that the Clerk does not influence in any way the decision taken by the committee and must be seen to be impartial at all times.

### **The Role of the Chair of the Governing Body**

The Chair of the Governing Body shall:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the Clerk to arrange the meeting.

### **The Role of the Chair of the Committee**

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

- the remit of the committee 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 meeting is conducted in an informal manner with each party treating the other with respect and courtesy;
- the committee is open minded and acting independently;

### **School Complaints Procedure**

no member of the committee 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.

#### **Notification of the Committee's Decision**

The Chair of the Committee needs to ensure that the complainant is notified of the decision, in writing, with the committee's response; within 7 days of the meeting. The letter needs to explain that the complainant can contact the Children's Secretary if they wish to pursue the matter.

## **School Complaints Procedure**

### **Checklist for Complaints Committee Meeting**

The panel needs to take the following points into account:

The meeting is as informal as possible.

Witnesses are only required to attend for the part of the meeting in which they give their evidence.

After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses

The Headteacher may question both the complainant and the witnesses after each has spoken.

The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.

The complainant may question both the Headteacher 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 is then invited to sum up the school's actions and response to the complaint.

Both parties leave together while the committee decides on the issues.

The chair explains that both parties will hear from the panel as soon as possible but in any event within a 7 day period.

**Annex C**  
**Example of a Complaint Form**

Please complete and return to.....  
(Headteacher/Complaints Coordinator) who will acknowledge receipt and explain what action will be taken.

**Your Name:**

**Pupil's Name:**

**Your Relationship to the Pupil:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Please give details of your complaint**

**What action, if any, have you already taken to try and resolve your 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**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**