

The Saints' Federation

- St Augustine's First School, Draycott in the Clay
 - All Saints' First School, Denstone
 - St Peter's First School, Alton

Complaints Policy

April 2016

This policy has been written using the Department for Education "Best Practice Advice for School Complaints Procedures 2016".

Adopted by the Full Governing Body on _____

Signed by:

Chair of Governors: _____

Executive Headteacher: _____

COMPLAINTS POLICY

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. 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. The Executive Headteacher and Head of School should be advised of any informal complaints.

Formal Complaints

Stage 1 - The Executive Headteacher

It may be that the Executive Headteacher has not been aware of the concern raised prior to this point. At this stage the Executive Headteacher should consider whether the complainant can be satisfied without recourse to the governing body.

The response to the parent should be as described in the paragraph "outcomes" below.

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 investigations under the 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 2 - Formal Complaint to the Governing Body

Where complaints cannot be resolved informally the school should have a procedure for accepting complaints made to the Chair of the Governing Body. Complaints should be accepted in writing and addressed to the Chair of Governors. Under the Equality Act 2010, should it not be possible for the complainant to record their complaint in writing, this may also be received by telephone or in person (eg due to disability or learning difficulties). In this situation brief notes should be made and kept on file.

The school should record when the complaint is received. A complaint should then be acknowledged in writing by, or on behalf of, the Chair of the Governing Body. The acknowledgement should include an explanation of what will happen next, time scales involved and the name of the person from whom they will next hear about the progress of the investigation.

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.

Complainants have a right to copies of these records under the Freedom of Information and Data Protection Acts.

The Role of the Chair of Governors

The Chair of Governors will need to consider whether the investigation can be completed by the Executive Headteacher (who will already have been involved), the Chair him/herself, or whether to refer the complaint to a Complaints Committee of the Governing Body. If the latter course of action is followed the chair shall present a full report to the Committee.

It would be appropriate for this committee to be made up of three Governors. The membership should not include the Executive Headteacher and, according to the matter complained about, it may not be appropriate for certain categories of Governor to be included. Complaints should not be shared with the whole governing body, except in very general terms, in case an appeal panel needs to be organised.

If the whole governing body is aware of the substance of the complaint before the final stage has been completed, schools should arrange for an independent panel to hear the complaint. Complainants have the right to request an independent panel, if they believe there is likely to be bias in the proceedings. This decision is to be made by the governors.

The Committee should meet at a time convenient to the members of the Committee, the Chair (who will present the report), the parent (in order that they may make representations in person) and any witnesses.

Outcomes

In all cases where a complaint has been investigated 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 Committee may wish to offer the complainant the opportunity to discuss the response.

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 complaint.
- 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 Local Authority

Parents do not have a general right of appeal should they disagree with the Governors' decision. They may, however, raise the matter with the Local Authority 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 Local Authority nor the Secretary of State can reverse their decision.

Complaints not in scope of the procedure

This complaints policy covers all complaints with the exceptions listed below, for which there are separate (statutory) procedures. Full details of who to contact

are listed on page 9 in the DfE document "Best Practice Advice for School Complaints 2016".

- Exceptions:
- Admissions to schools
- Statutory assessments of SEN
- School re-organisation proposals
- Matters likely to require a Child Protection Investigation
- Exclusion of children from school
- Whistleblowing
- Staff grievances & disciplinary procedures
- Complaints about services provided by other providers who may use school premises or facilities.