



*Providing the keys to success for every child*

## **Whole School Policy on:**

# **Complaints**

**Head Teacher: Miss L Williams**

**Kent County Council**

<b>Document Title:</b>	<b>Policy – COMPLAINTS</b>
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<b>Prepared by:</b>	<b>Miss L Williams</b>
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## **1 Introduction**

**Member of staff responsible for this policy: Miss L Williams**

This document sets out the school's procedure for addressing complaints. It should be used only when informal attempts to resolve problems have been unsuccessful. If you have any concerns about the school or the education provided, you are encouraged to discuss the matter first with your child's **class teacher** at the earliest opportunity. The school considers any concerns very seriously and most problems can be resolved at this stage.

Please note that this procedure does not apply to issues concerning the curriculum, collective worship, admissions, exclusion appeals, decisions about your child's special educational needs or grievances by or against staff. These are the subject of separate procedures, copies of which can be obtained from the school.

All other complaints are handled by the school according to the arrangements set out below.

## **2 Aims and Objectives**

The school will give careful consideration to all complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

**Our Procedure Aims to:**

- be easily accessible and publicised
- be simple to use and understand
- be impartial
- be non-adversarial
- allow swift handling with established time-limits for action and keeping people informed of the progress
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality, wherever possible (some information sharing may be necessary to carry out a thorough investigation)
- address all points of issue, providing an effective response and appropriate redress, where necessary
- provide information to the school's senior management team so that services can be improved



### 3 Formal Complaints Procedure

#### 3.1 Stage 1

If you feel that a concern has not been addressed through informal discussion with the Class Teacher/Head Teacher, and you wish to have the matter formally investigated, this process begins with the completion of a **complaints form**, which you will find at **Appendix A**. If you would like help completing the form, the school will, on request, provide the assistance of someone unconnected with the complaint. The completed form should be returned to (a) The Head Teacher if the concern/complaint is under the Head Teacher's responsibility or (b) The Chair of Governors if the concern/complaint is under the Governing Body's responsibility, (these are indicated below). The complaint form should be returned to the school office, marked Confidential, for the attention of either the Head Teacher or Chair of Governors as appropriate.

The Head Teacher/Chair of Governors will acknowledge in writing receipt of the complaint form within **three working days** after receiving it and will enclose a copy of the school's complaints procedure with the acknowledgement.

If the matter is about:

- the day-to-day running of the school
- the interpretation of school policies
- the actions or inactions of staff at the school

These are concerns/complaints under the Head Teacher's responsibility and will be investigated by the Head Teacher or a senior member of staff nominated by the Head Teacher. See **Appendix B1** for flowchart.

If the matter is about:

- School policies as determined by the Governing Body
- The actions or inactions of the Governing Body
- The Head Teacher

These are concerns/complaints under the Governing Body's responsibility and will be investigated by the Chair of Governors or a governor nominated by the Chair. It may be necessary to appoint an independent investigator in certain circumstances. See **Appendix B2** for flowchart.



### **3.2 Stage 2**

If the concern/complaint has been investigated by the Head Teacher, Stage 2 of the formal procedure will begin with the complaint form being passed to the Chair of Governors or nominated Complaints Governor to review whether the complaint has been properly dealt with (see flow chart in **Appendix B1**). If the concern/complaint has been investigated by the Chair, or the Complaints Governor, the complaint form passes to the Governing Body (see flow chart in **Appendix B2**).

If the complaint is a staff disciplinary or capability issue, then the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. You will be notified if this is the case with your complaint, but we will not be able to tell you which procedure or the final outcome.

## **4 Monitoring and Review**

The Governing Body monitors the complaints procedure, in order to ensure that all complaints are handled properly. The Head Teacher logs all formal complaints received by the school and records how they were resolved. Governors examine this log on an annual basis and consider the need for any changes to the procedure.

Policy revised in March 2011 to align completely with KCC model policy (Section 6 – References). This policy is to be reviewed annually during Term 3.

The next review of this policy is due: Spring Term 3, 2016.

## **5 Availability**

A copy of this procedure is available to all parents/carers on request.

## **6 References**

KCC model policies: <http://www.kenttrustweb.org.uk/Advisory/govpolicies.cfm>

## **7 Appendices**

Appendix A	Complaint Form
Appendix B1	Process for Complaint/Concern under Head Teacher's Responsibility
Appendix B2	Complaint/Concern under Governing Body's Responsibility
Appendix C	Procedure for conducting a Governing Body Complaints Panel Hearing
Appendix D	Remit of the Complaints Panel
Appendix E	Letter of Acknowledgement to Complainant regarding establishment of Governing Body Complaints Panel
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Appendix G	Example Agenda for a Complaints Panel Hearing



## **Appendix A - Complaint Form**

Please complete and return to the School Office, marked for the **CONFIDENTIAL** attention of the Head Teacher or Chair of Governors.

**Your name:**

**Pupil's name:**

**Your relationship to the pupil:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Mobile telephone number:**

**Please give details of your complaint** (attach sheets if required):

**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 additional paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

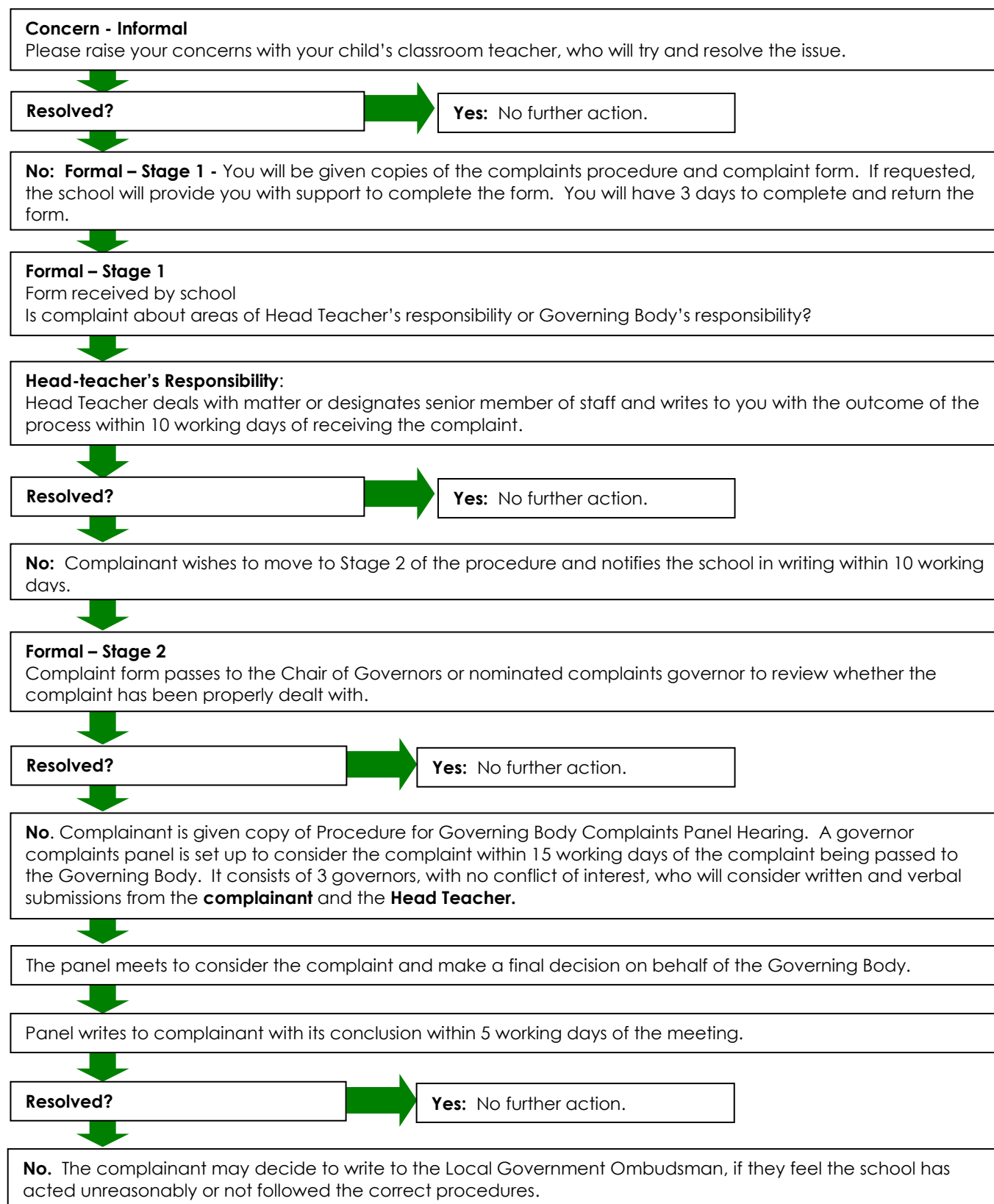
**By whom:**

**Complaint referred to:**

**Date:**



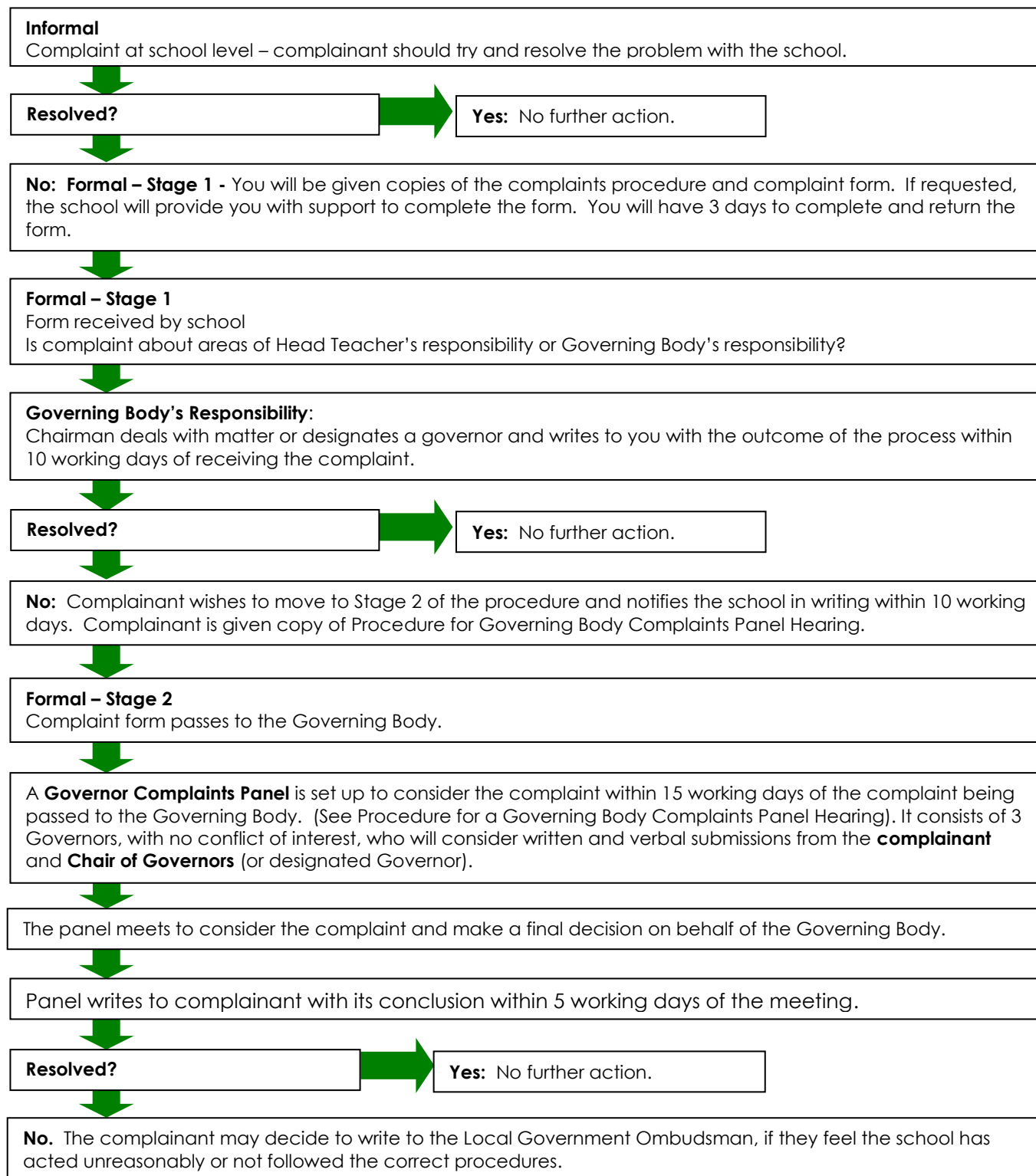
## Appendix B1 – Process for Complaint/Concern under Head Teacher's Responsibility







## Appendix B2 – Complaint/Concern under Governing Body's Responsibility





## Appendix C – Procedure for conducting a Governing Body Complaints Panel Hearing

The Governing Body Complaints Panel operates according to the following formal procedures:

1. The Chair of the Governing Body Complaints Panel will aim to arrange for the panel meeting to take place within **15 working days**.
2. The Chair of the Governing Body Complaints Panel will ask you whether you wish to provide any further written documentation in support of your complaint. You may include written witness statements.
3. The Head Teacher will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
4. The Chair of the Governing Body Complaints Panel will inform: you, the Head Teacher, any relevant witnesses and members of the panel by letter, at least **seven working days** in advance, of the date, time and place of the meeting. We hope that 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, the Chair of the Panel will send you all relevant correspondence, reports, witness statements and any other documentation about the complaint and ask whether you wish to submit further written evidence to the panel, if so this must be received by the panel no later than **four working days** before the meeting.
6. The letter from the Chair of the Panel will also inform you 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. With the agreement of the Chair of the Panel, the Head Teacher may invite members of staff directly involved in matters raised by you to provide a written statement and/or representation in person to the panel.
8. All persons invited to the hearing to present their statements will leave the premises once they have done so.
9. 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.
10. 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.
11. The Chair of the Panel will ensure that the meeting is properly minuted. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and **you do not have an automatic right to see or receive a copy**. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.



12. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the clerk can then be asked maintain confidentiality in the minutes.
13. During your representation to the panel, you can expect there to be opportunities for:
  - you to explain your complaint
  - the panel members to be able to question you
  - you to make a final statement
14. 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 the Head Teacher and yourself **within five working days**. All participants other than the panel and the clerk will then leave.
15. The panel will then consider the complaint and all the evidence presented in order to:
  - reach a majority, decision on the complaint;
  - decide on the appropriate action to be taken to resolve the complaint;
  - recommend, where appropriate, to the Governing Body changes to the school's systems, policies or procedures to address the issues raised.
16. The Chair of the Panel will send you and the Head Teacher a written statement outlining the decision of the panel **within five working days**. If you are not satisfied with the outcome you may appeal to the [Local Government Ombudsman](#), details of which should be provided in the letter.
17. We will keep a copy of all correspondence and notes regarding the complaint on file in the school's records; this will be **separate** from pupils' personal records.



## **Appendix D – Remit of the Complaints Panel**

The panel needs to consider whether the complaint:

- relates to a decision taken by the Head Teacher, member of staff or the Governing Body
- is about the way a complaint or concern was handled

If the complaint was in relation to a decision taken by the Head Teacher or member of staff, the panel will need to consider whether:

- A.** it was a decision within the Head Teacher's responsibility; or
- B.** an area where the Governing Body have responsibility, or share responsibility but have delegated this to the Head Teacher.

If the complaint relates to **A**, the panel can:

- consider the manner in which the complaint was addressed but not consider an alternative outcome
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

If the complaint relates to **B**, 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.



## **Appendix E – Letter of Acknowledgement to Complainant regarding establishment of Governing Body Complaints Panel**

Dear .....

Parental Complaint from Mr/Mrs/Ms/Miss .....

I am writing with regard to your complaint, which has been passed to me by the Chair of Governors/Name of Designated Governor and will now be considered by a panel of governors under the schools complaints procedure. The panel must consider your complaint within 15 working days of receiving it, and give you seven working days notice of the date of the meeting. The panel have asked me to invite you to attend a meeting at (time) on (date) at the school, (or other venue as appropriate). You are entitled to have a friend or a representative attend this meeting with you.

I have enclosed copies of the relevant correspondence, reports and documentation about the complaint with this letter.

Please let me know if:

- there is any other documentation you wish the panel to consider and provide this information no later than four working days before the meeting;
- there are any witnesses you want to bring to the meeting (you will need to provide their written statements in line with the timescales above);
- you want to have a friend or representative with you; or if
- you are unable to attend on this date.

You can contact me by writing to the school office.

I enclose a copy of the 'Procedure for a Governing Body Complaints Panel Hearing' for your information.

Yours sincerely

Clerk / Chair of the Governing Body Complaints Panel



## **Appendix F - Letter from Chair of Governing Body Complaints Panel to Complainant following Hearing**

Dear .....

Parental Complainant from Mr/Mrs/Ms/Miss .....

Thank you for attending the hearing of the Governing Body Complaints Panel on .....

I am writing on behalf of the Panel to let you know its conclusions.

The Panel has given careful consideration to your complaint about ....., which raises the following issues:

1. ....

2. .... etc.

### **The Panel's conclusions are as follows:**

#### Issue 1

As regards your complaint that ....., the Panel considered the following factors:.....

In the light of these considerations, the Panel does/does not uphold this aspect of your complaint.

#### Issue 2

As regards your complaint that ....., the Panel considered the following factors:.....

In the light of these considerations, the Panel does/does not uphold this aspect of your complaint.

In addition to its conclusions on your complaint, the Committee will also be making the following recommendations to the full Governing Body:

..... *(N.B. There is no obligation to make recommendations)*

### **This completes the Panel's conclusions.**

Finally, please note that the hearing of the Governing Body Complaints Panel and the appointed documentation must be treated as confidential by all parties, including yourself.

If you are unhappy with the findings of the panel you may appeal to The Local Government Ombudsman, PO Box 4771, Coventry, CV4 0EH, on the grounds that the Governing Body has failed to discharge a statutory duty or that the Governing Body had acted, or was proposing to act, unreasonably

Yours sincerely

Chair of Governing Body Complaints Panel



## Appendix G – EXAMPLE Agenda for Governing Body Complaints Panel

### Information - Complaints Panel Remit:

(Refer to Complaints Panel Procedures contained in the Complaints Policy)

In summary, the Complaints Panel has been convened to consider the Complaint made by \_\_\_\_\_.

**The Complaints Panel will consider whether the school has followed its Policies judiciously and in manner which considers the well-being of all children in its care.**

The Complaints Panel will consider all pre-submitted evidence and individual representations made. Complaints Panel timings (as set out below) will be STRICTLY ADHERED TO.

Once (non-staff) attendees have made their representations they shall LEAVE THE PREMISES.

At the end of the Hearing, the Complaints Panel will record its findings and any recommendations it deems appropriate.

### Agenda for Complaints Panel Hearing

16:00 - 16:30	(30 mins)	Panel convenes and prepares for hearing
16:30 - 16:45	(15 mins)	<b>Complainant</b> <u>required</u> to present their statement to the Panel in private and answer questions from the Panel
16:45-16:50	(05 mins)	<b>Panel reflection/discussion time</b>
16:50 - 17:00	(10mins)	<b>Complainant's Witness (if required)</b> <u>invited</u> to present their statement to the Panel in private and answer questions from the Panel
17:00-17:05	(05 mins)	<b>Panel reflection/discussion time</b>
17:05 - 17:15	(10 mins)	<b>Head-teacher</b> <u>required</u> (B1) / <u>invited</u> (B2) to present their statement to the Panel in private and answer questions from the Panel
17:15-17:20	(05 mins)	<b>Panel reflection/discussion time</b>
17:20 - 17:35	(10 mins)	<b>Staff Witness (if required)</b> <u>invited</u> to present their statement to the Panel in private and answer questions from the Panel
17:35-17:40	(05 mins)	<b>Panel reflection/discussion time</b>
17:40 - 17:50	(10 mins)	<b>Chair of Governors / Complaints Governor</b> <u>required</u> (B2) to present their statement to the Panel in private and answer questions from the Panel
17:50-18:15	(25 mins)	<b>Panel reflection/discussion time – record findings and recommendations</b>
18:15		End of Complaints Panel Hearing

### Notes:

Attendees should use the representation time to make their **key issues clear to the Complaints Panel**; the panel will use the time to ask any questions they have. It is to be assumed that the Panel will have reviewed and considered the File of Evidence in detail and as such, **the evidence will not be reviewed in detail during the hearing.**

As required by the Complaints Policy the overall Complaints Hearing will be minuted.

All representees must be free and confident to say what they feel without fear of retribution, therefore, all persons who have been invited to present their statement to the panel will be offered the opportunity to deliver their representation in COMPLETE CONFIDENCE. If the representee chooses this option, their representation will NOT be minuted.

On completion of the hearing and once the Panel's findings and recommendations have been recorded, all Files of Evidence and the Panel's notes will be collected by the Clerk.

One File of Evidence will be retained by the school. The complainant may retain their File of Evidence. All Panel notes and other copies of the File of Evidence will be collected and destroyed.