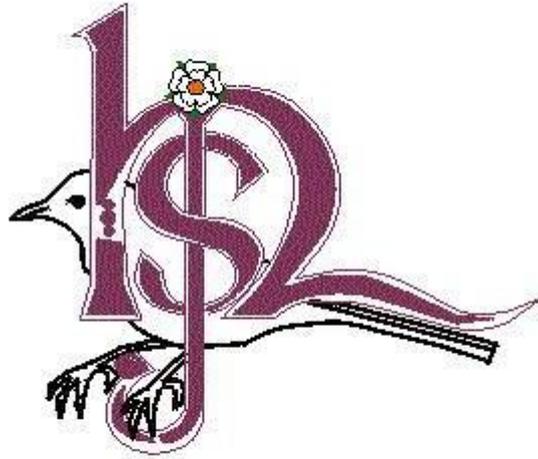


# Honley CE (VC) Junior School



## Model Schools Complaints Procedure

Reviewed and approved by governors	Feb 2017
Next Review Date	April 2018

## 1. Introduction

- 1.1. Honley CE (VC) Junior School has a responsibility to respond to complaints about the school. This document is based upon the Kirklees Model Complaints Procedure (June 2009)
- 1.2. The school has a duty under the Education Act 2002 to publicise this procedure. This will be done by including a summary in the school's prospectus, displaying posters or leaflets, or on the school's website.
- 1.3. Should anyone contact Kirklees Local Authority regarding a school complaint, they will be provided with information on the procedure and encouraged to contact the School directly. The Complaints Officer will also endeavour to inform the Head Teacher of any calls that have been made to the LA regarding a complaint about the school.

## 2. Definition

- 2.1. A complaint is defined as

*"An expression of dissatisfaction or disquiet in relation to a school or member of staff, which requires a response."*

## 3. Who can complain, and what about?

- 3.1. Pupils, parents or carers can make a complaint to the school about most aspects of its function including:
  - Attitude / behaviour of staff
  - Teaching and learning
  - Application of behaviour management systems
  - Bullying
  - Provision of extra-curricular activities
  - The National Curriculum
  - Collective Worship in schools
- 3.2. The Local Authority retains responsibility for:
  - Provision of support services e.g. SEN, education welfare, educational psychology

Complaints about these matters should be referred to the relevant officer in Children & Young People Service.

- 3.3. Members of the general public may make complaints to the school if the school is directly responsible for the issue being complained about e.g.:
- Behaviour of pupils during break-times
  - Disturbance to neighbours during school hours
  - Health and Safety issues of premises
  - Behaviour of staff
- 3.4. School is not responsible for the actions or behaviour of pupils outside of school hours.
- 3.5. Legal, child protection or disciplinary proceedings take precedence over complaints procedures and timescales.

#### **4. General principles:**

- 4.1. The school is clear about the difference between a concern and a complaint. We aim to take informal concerns seriously at the earliest stage, so that the numbers that develop into formal complaints can be kept to a minimum.
- 4.2. The underlying principle is that concerns ought to be handled without the need for formal procedures. For example, it would be helpful if the staff receiving the first approach were able to resolve issues on the spot, including apologising, where necessary.
- 4.3. Formal procedures need only to be started when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

#### **5. Approach to Dealing with Complaints**

- 5.1. At the School, we:-
- Welcome complaints as a positive means of promoting pupil/parent satisfaction
  - Use complaints as a way of identifying opportunities to do things better
  - Listen to pupils and parents
  - Seek to resolve complaints swiftly
  - Reply with an acknowledgement letter or e-mail in the first instance if a complaint is sent in by letter or e-mail, and state we are looking into the matter (nothing inflames a situation more than failure to acknowledge)
  - Have clear, simple to understand and use, published procedures for making complaints
  - Keep complainants informed about progress
  - Provide redress where a complaint is found to have substance

- Regularly review how effective the complaints procedure is

## **6. How We Investigate Complaints:**

6.1. The person who takes forward the first formal procedure will make sure that:-

- Establishes what has happened so far and who has been involved
- Clarifies the nature of the complaint and what remains unresolved; Meets the complainant or contacts them if further information is required
- Clarifies what the complainant feels would put things right
- Interviews those involved, with an open mind
- Keeps notes of any interviews
- Keeps the chair of governors informed without giving any details at this stage

## **7. How We Attempt to Resolve Complaints:**

7.1. At each stage, the school will keep in mind ways the complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. It might also be appropriate to offer:-

- An apology
- An explanation
- An admission that the situation could have been handled differently or better
- An assurance that the event complained of will not recur
- An explanation of the steps taken to make sure it will not happen again
- An undertaking to review school policies in light of the complaint

7.2. The school will encourage complainants to state what actions they feel might resolve the problem at any stage. Please remember: an admission that the school could have handled the situation better is not the same as an admission of negligence.

## **8. Complaint about the Head Teacher?**

8.1. The chair will call a meeting of the governors' complaints committee which will consider the complaint.

## **9. Complaint is about the governing body or about an individual governor?**

- 9.1. The Chair of Governors who will investigate complaints about the governing body or about an individual governor. If the complaint is about the Chair of Governors then the Vice Chair will investigate. Complaints about the governing body as a whole, should be investigated by the School Improvement Officer (Governors).

## **10. More Complex Complaints**

- 10.1. Our complaints procedure aims to limit the number of complaints that become protracted. But there may be occasions when a complainant becomes dissatisfied even though all stages of the procedure have been followed. If the complainant tries to re-open the same issue, again, the Chair of Governors can write to say that the procedure has been exhausted and the matter is now closed.

## **11. Timescales**

- 11.1. The school will consider and resolve complaints as quickly and efficiently as possible and set realistic time limits for each action. However, where investigations are complex, new time limits can be set and the school will inform the complainant of the reason for the delay and give them new deadlines.

## **12. Stage 1 – A Complaint Heard by a Member of Staff**

- 12.1. It is in everyone's interest to resolve complaints at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. Staff will be made fully aware of the procedures and know what to do if and when they receive a complaint.
- 12.2. A complainant might feel they would have difficulty discussing a complaint with a particular member of staff. The school will be flexible and refer the complainant to another member of staff. If the complaint is about the Head Teacher, the complaint should be referred straight to the Chair of Governors.
- 12.3. If a staff member directly involved feels compromised and unable to deal with the matter, once again refer to another staff member. This does not have to be a more senior member of staff; the ability to consider a complaint objectively and impartially is more important.
- 12.4. If a complainant approaches a governor in the first instance, the complainant should be referred to an appropriate member of staff. Governors should not act on individual complaints outside the formal procedure or be involved in the early stages in case they need to sit on a panel at the later stage.

## **13. Stage 2 – A Complaint Heard by the Head Teacher**

- 13.1. The Head Teacher will decide who is the most appropriate person to deal with a complaint. The Head Teacher should be kept informed of any investigation carried out and should be involved in the final decision.
- 13.2. If the complaint is by letter/e-mail the Head Teacher will acknowledge the complaint within 3 school days. The acknowledgement should include a summary of the complaints procedure and a target date of 15 school days for providing a response. If this date cannot be met, the complainant should be contacted and given a reason for the delay and a revised target date.
- 13.3. The Head Teacher will talk to or meet with the complainant to discuss their concerns and find solutions. The complainant may bring a friend, family member or advocate to the meeting and interpreting services will also be made available where necessary. The Head Teacher may find it useful to have another member of staff present to observe and record the meeting and promote staff safety. Care will be taken in these circumstances not to create an intimidating atmosphere for the complainant.
- 13.4. The Head Teacher will make whatever enquiries s/he considers necessary to ascertain the facts and the legitimacy of decisions taken. This may include
  - Interviewing staff / pupils
  - Reviewing minutes of meetings
  - Reviewing school records
- 13.5. Pupils will be interviewed in the presence of another member of staff, or in the case of serious complaints (e.g. where the possibility of criminal investigation exists) in the presence of their parents. Again, care will be taken in these circumstances not to create an intimidating atmosphere.
- 13.6. It is important that the Head Teacher investigates complaints thoroughly and objectively. If s/he feels unable to do this (e.g. if s/he has been directly involved in the decision making process that led to the complaint) s/he should delegate responsibility for investigating the complaint to another member of the leadership team or to the Chair of Governors. It is strongly advised that the Head Teacher (or designated person) should keep a record of interviews, telephone conversations and other documentation.
- 13.7. Once all the relevant facts have been established, the Head Teacher will provide a written response to the complainant. This will include a full explanation of decisions taken and the reasons for them. Where appropriate, it will include details of actions the school will take to resolve the complaint.
- 13.8. Sometimes, it may be useful at this point to offer the complainant a meeting to discuss the response and seek reconciliation. The complainant should be provided

with details of how to contact the Governing Body if they are not satisfied with the response.

#### **14. Stage 3 – A Complaint Passed to Chair of Governors:**

- 14.1. The Chair of Governors decides whether to convene the Staff Disciplinary Committee to look into the complaint. If the complaint is about the Head Teacher then the Chair will deal with the matter. It may not always be a disciplinary matter so the Chair of Governors would need to work with the Head Teacher to determine the relevant approach.

#### **15. Stage 4 - The Governors' Staff Disciplinary Committee**

- 15.1. The Staff Disciplinary Committee is the last school-based stage of the process and must not be perceived as a rubber stamp exercise.

- 15.2. The meeting will allow for:-

- The complainant to explain their complaint and the Head Teacher to explain the school's response
- Witnesses to be brought by the complainant or the Head Teacher
- The Head Teacher and the complainant to ask questions of each other and any witnesses
- The committee to ask questions of the complainant, Head Teacher and any witnesses
- The complainant and the Head Teacher to summarise their position

- 15.3. Having considered all the evidence and questioned all parties, the Committee can:-

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to resolve the complaint
- Recommend changes or actions to school systems and procedures to make sure that similar problems do not recur

- 15.4. A written response detailing the decisions, recommendations and the basis on which these have been made should be sent to the complainant within 15 school days.

- 15.5. The Committee should feed back to the Head Teacher and governors may choose to revisit or review their policies.

- 15.6. The school should retain a copy of all correspondence and records of meetings.

## 16. Withdrawing a Complaint

- 16.1. Complaints may be withdrawn in writing at any time.
- 16.2. The Head Teacher and Chair of Governors should review the issue of concern and consider whether further investigation is required through other internal management systems.
- 16.3. The Complainant should be notified of the right to appeal to the Secretary of State for Education or the Local Government Ombudsman if they are unhappy with the way in which procedures have been carried out.
- 16.4. A complaint may be made to the Secretary of State for Education if a person believes a governing body or LA is acting unreasonably or is failing to carry out its statutory duties properly. The complainant should set out fully the concerns and reasons why the complaint is being submitted, enclosing all previous correspondence relevant to the complaint. The complaint should be mailed to the Department.
- 16.5. **Ofsted has powers to investigate certain complaints by parents about their child's school for the purpose of deciding whether to use its inspection powers. For further information see the Ofsted website:**

<http://www.ofsted.gov.uk/resources/complaints-ofsted-about-schools-guidance-for-parents>

Parents may also comment on their view of the school under twelve headings on Parent View: <http://parentview.ofsted.gov.uk/>