

Oakley CE Junior School

COMPLAINTS POLICY

Rationale

Oakley C.E. Junior School is committed to encouraging the involvement of parents in their child's education and in the wider life of the school. We recognise that occasionally things may occur which cause parents concern and it is important that they know what steps to take to make sure that any problems are resolved. This policy is intended to provide guidance for parents in this process and to set out how the school will deal with general complaints.

It is not intended to cover those aspects of school life where the law sets specific complaints procedures i.e. admissions, exclusions, complaints about the delivery of the National Curriculum and the provision of collective worship and religious education. Parents who are not satisfied with an LEA's decision about special needs assessments may appeal to the SEN Tribunal. Further details about these procedures are available in other documents.

Procedure

Informal Stage: Dealing with Concerns and Complaints Informally

Most concerns or complaints can be resolved informally. On the majority of occasions concerns are resolved straight away through the class teacher, Administration Manager or Headteacher depending on the nature of the complaint.

If the person first contacted cannot deal with the matter immediately, s/he takes note of the date, name, contact address or phone number and the issue raised and refers the matter to the relevant person. On certain major issues, the Headteacher may decide to deal with concerns directly at this stage.

It is usually best to discuss problems face to face. If an appointment is necessary, this can be made through the school office.

If the complaint relates to the Headteacher, the parent is advised to contact the Chair of the Governing Body.

The person dealing with the concern makes sure that the parent is clear what action (if any) or monitoring of the situation has been agreed, putting this in writing only if this seems the best way of making things clear.

Where no satisfactory solution has been found parents are asked if they wish their concern to be considered further. If so they are given clear information, both orally and in writing, about how to make a formal complaint and about any independent advice available to them.

Stage 1: Formal Complaint to the Headteacher

If a complaint cannot be resolved informally, a formal complaint can be made to the Headteacher, either by telephone or by letter. The Headteacher promptly acknowledges the complaint orally or in writing. The acknowledgement gives a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This should be within a reasonable period but if a delay occurs, a letter is sent explaining the reason for the delay and giving a revised target date.

The Headteacher provides an opportunity for the complainant to meet with them to discuss the problem. It is made clear to the complainant that if they wish they may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on their behalf, and asked if they have any special requirements the school needs to be aware of e.g. wheelchair access, signing etc.

If necessary, the Headteacher should interview witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil should also be interviewed. Pupils would normally be interviewed with parents present. In some situations, circumstances may prevent this e.g. where this would seriously delay the investigation of a serious/urgent complaint or where particular circumstances mean that a pupil has specifically said they would prefer that parents were not involved. In such circumstances another member of staff with whom the pupil feels comfortable should be asked to attend. If a member of staff is complained against, the needs of that person should be borne in mind. The Headteacher keeps written records of meetings, telephone conversations, and other documentation. Once all the relevant facts have been established, the Headteacher should then produce a written response to the complainant, or may wish to meet the complainant to discuss /resolve the matter directly. A written response includes a full explanation of the decisions and the reasons for it. Where appropriate, this includes what action the school will take to resolve the complaint.

The complainant is advised that should s/he wish to take the complaint further s/he should notify the Chair of the Governing Body within 5 weeks of receiving the outcome letter. This should be done in writing via the school office.

If the complaint is against the action of a Headteacher, or if the Headteacher has been very closely involved at the Informal Stage, the Governors Complaints Panel should carry out all the stage 1 procedures.

Stage 2: Formal Complaint to Chair of Governors

The letter to the Chair should explain the reasons for pursuing the matter beyond the Headteacher's response and enclose any necessary documentation.

The Clerk to the Governing Body should write to the complainant to acknowledge receipt of the letter to the Chair within five working days of receipt.

The Chair of Governors will decide who is responsible for dealing with the issues involved and therefore what powers are available to governors with respect to the particular complaint. For matters that are the Headteacher's responsibility, the Chair is only empowered to look at whether the Headteacher's decision or action was reasonable in the light of the information available at the time.

If the matter relates to the conduct of the Headteacher, the Chair of Governors will need to decide whether the matter should be dealt with through the complaints procedure or staff disciplinary procedure.

In the rare circumstance that a parent is unhappy with the outcome, the Chair of Governors may offer a right of appeal to the Governing Body's complaints panel.

Stage 3: Formal Complaint to Governors

Upon receipt of a written request by the complainant for the complaint to proceed to stage 3, the procedures outlined below should be followed.

The Clerk to the Governing Body should promptly write to the complainant to acknowledge receipt of the written request. The acknowledgement should inform the complainant that the complaint is to be heard by three members of the school's Governing Body and when this is likely to happen. The letter should also explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be received by the full members. The Clerk to the Governors should arrange to convene a Governors' Complaints Panel elected from members of the Governing Body.

The Chair/Vice-Chair will ensure that the complaint is heard by the Panel within a reasonable time from receiving the letter. All relevant correspondence regarding the complaint should be given to each panel member as soon as the composition of the Panel is confirmed. If the correspondence is extensive, the Chair of the Panel should prepare a thorough summary for sending to panel members.

The Chair/Vice-Chair will write and inform the complainant, Headteacher, any relevant witnesses, and members of the Panel at least 5 working days in advance, of the date, time and place of the meeting. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/advocate/interpreter. The letter will also explain how the meeting will be conducted and the complainant's right to submit further written evidence to the Panel.

If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

The meeting will allow for

- ◆ the complainant to explain their complaint and the Headteacher to explain the school's response

- ◆ the Headteacher to question the complainant about the complaint and the complainant to question the Headteacher and/or other members of staff about the school's response.
- ◆ Panel members to have the opportunity to question both the complainant and the Headteacher
- ◆ any party to have the right to call witnesses (subject to the approval of the Chair) and all parties having the right to question all the witnesses
- ◆ final statements by both the complainant and the Headteacher.

The Chair of the Panel will explain to the complainant and the Headteacher that the panel will now consider its decision, and a written decision will be sent to both parties within 15 working days. The complainant, Headteacher, other members of staff and witnesses will then leave.

The panel will then consider the complaint and all the evidence presented and (a) reach a unanimous, or at least a majority, decision on the complaint and (b) and decide upon the appropriate action to be taken to resolve the complaint and (c) where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.

A written statement outlining the decision of the Panel must be sent to the complainant and Headteacher. The letter to the complainant should explain whether a further appeal can be made, and if so, to whom.

Responsibilities

This policy is to be:

Monitored by the Headteacher and Governing Body.