

<h1>Complaints procedure</h1>	
DATE OF ADOPTION:	
DATE OF REVIEW:	
DATE OF NEXT REVIEW: January 2019	
TO BE REVIEWED BY: (Finance and Personnel)	

Introduction

At South Tawton we hope to be open and accessible to all members of the school community. Part of that openness is a willingness to hear, and take seriously, comments and concerns from anyone. To encourage that type of feedback, we do not have a formal process for dealing with routine comments and concerns - we want all members of the community to feel they can raise issues easily and informally.

However, there may be some occasions when someone remains dissatisfied, and does wish to make a formal complaint. This procedure sets out the steps to take and how we will deal with the issue.

General Principles of complaints

Dealing with Complaints – Initial concerns

South Tawton Primary takes informal concerns seriously at the earliest stage. In most cases the class teacher will receive the first approach.

We recognise that, when someone feels a need to complain, the issue has already reached a stage where it is causing stress. We aim to be non-adversarial, impartial, fair and reasonable throughout our dealings with any complaint. We will continue to look for and encourage informal means of resolving problems, wherever possible.

We will only treat as formal complaints issues that are notified in writing to either the Head Teacher or governors. That written notification should either use the form attached as Annex A, or else clearly state that this is a formal complaint.

We will respect anyone's wish for confidentiality, although we will not respond to anonymous complaints. Confidentiality extends to all people within the school community, which means that our response to any complaint might not include some details which it would be

unreasonable to disclose.

This policy sets out time limits. Nevertheless, we will always advise people of how long things will take, and keep them informed throughout the process. If, for any reason, we need to work to different timescales than those set out in this procedure, we will let all relevant people know that in writing, and will explain why.

We will investigate all complaints fully and fairly; that means we will address all points at issue, and will ask independent people to carry out any investigation. In most cases, the independent persons will be governors at the school, although we may use other resources offered by the Local Authority if that is not possible (either for practical reasons or for reasons of independence).

We may ask a complainant what action they feel is appropriate in response to their complaint. However, it is for the school to decide what action to take - it may be something other than the complainant's suggestion.

Very occasionally, a complainant might remain dissatisfied after we have concluded our investigation. If they try to reopen the same issue, the chair of the Governing Body may inform them in writing that the procedure has been exhausted and that the matter is now closed.

We will keep a record of the nature of all complaints, and governors will review this periodically to look for recurring issues. That review will look only at the nature of complaints heard, and will not include any personal details.

MEDIATION – At South Tawton Primary, we strongly encourage parents to consider making use of CYPS impartial mediation service to help resolve issues through an informal process. Mediation aims to reduce the stress of dealing with a formal process and works with the disputants to resolve issues through mutual agreement. For more information go to: <http://www.devon.gov.uk/educationandlearningmediation.htm>

email: roger.morris@devon.gov.uk

Tel: 07966474364

The procedure

There are several stages in our complaints procedure. They are:

Initial (informal) stage

Before making a formal complaint, we would expect anyone with a concern to have brought it to the attention of the school. In most cases this will mean speaking to an appropriate member of staff. If a member of staff can resolve the issue there and then, they will do so. If they cannot, then they will listen to the concern - taking notes, if necessary - and explain what they will do next.

In some cases, the member of staff may refer the issue to the Head Teacher. If the concern relates to a particular member of staff, the person raising it might choose to approach the Head Teacher directly.

The Head Teacher will listen to the concern and try to reach an informal solution. If this is not

possible, the person may decide to make this a formal complaint.

If a concern relates to the Head Teacher or to a school governor, then the initial informal contact should be made with either the Chairperson or Vice-Chairperson of the school governors. Again, we will try to reach an informal solution before suggesting a formal complaint. Where the first approach is made to a governor, he/she will refer the complainant to the appropriate person and advise them about the procedure. Governors will 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. Any governor with prior knowledge of a complaint could be ineligible to sit on a panel to hear the complaint - for this reason, concerns should be directed to a single governor. Any discussion they have with other governors will not include specific details of the concern.

We will not keep formal records of concerns raised only as far as this informal stage.

Stage One - Complaint Heard by Head Teacher

If a person wishes to make a formal complaint, they should do so in writing - preferably using the form attached as Annex A. They should address their complaint to the Head Teacher.

The Head Teacher will record details of the complaint and, within three school days, will acknowledge that they have received it. That acknowledgement might be in person, by telephone, by e-mail or in writing.

The Head Teacher will investigate the issue, or may delegate that investigation if that would be appropriate.

After the investigation the Head Teacher will make a decision on what action to take. This decision will always be made by the Head Teacher, no matter who undertook the investigation.

The Head Teacher will aim to complete the investigation, make a decision and notify the complainant within ten school days. If there is any reason why this will not be possible, the Head Teacher will let the complainant know why as soon as possible, and will tell them what date a decision will be reached.

A complaint about the Head Teacher, or a school governor, should be addressed to the Chairperson of Governors and will always start at Stage Two.

Stage Two - Complaint Heard by Governors

If a person is dissatisfied with the outcome of a complaint to the Head Teacher, or if there complaint is about the Head Teacher, they should write to the Chairperson of Governors or vice Chair person. They should give details of their complaint and, if relevant, explain why they are dissatisfied with the Head Teacher's decision.

Within five days, the Chairperson of Governors or vice Chairperson will acknowledge receipt of the complaint, either in person, by telephone, by e-mail or in writing.

The Chairperson of Governors or vice Chairperson will convene a complaints appeal panel from among the governing body. The panel will consist of three governors with no previous

involvement or knowledge of the complaint. The panel will include at least one parent governor. Individual complaints will 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 Complaints Appeal Panel will choose their own chairperson, discuss the general details of the complaint and decide who they need to hear from. They will do all of those within ten school days of the complaint being received by the Chairperson of Governors or vice Chairperson of Governors. It is up to the panel to decide who they need to hear from.

The Clerk to the Governing Body will arrange a hearing for the panel to listen to the complaint, consider the evidence and hear all relevant accounts of the circumstances surrounding the matter. Co-ordinating a date when all the relevant people are available might take some time - the Clerk will aim to have agreed a date within five school days of the panel deciding who they need to hear from. In any event, we aim to hold the hearing within four weeks of receipt of the complaint.

The Complaints Appeal Panel will hear the relevant accounts at the hearing and reach a decision. Their decision might be one of:

- 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.

The panel will aim to reach a decision at the end of the hearing. The chairperson of the panel will notify the complainant of the panel's decision in writing within three school days.

Beyond Stage Two

If a person is still dissatisfied after the decision of the Complaints Appeal Panel, then the school's complaints procedure has been exhausted.

Their remaining avenues for complaint are outside South Tawton Primary and outside the remit of this procedure. A good starting point would be to contact the Local Authority - contact details are not given here, as they are subject to change beyond the school's control.

How we will investigate complaints

At each stage, the person investigating the complaint will:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;

- keep notes of the interview.

Possible outcomes of complaints

At each stage in this procedure we will keep in mind ways in which an issue can be resolved. We may decide that a complaint is wholly or partly valid. In that case we will, at very least, acknowledge that. We might also, where appropriate:

- offer an apology;
- offer an explanation;
- concede that the situation could have been handled differently or better;
- make an assurance that the event complained of will not happen again;
- explain what steps we have taken to ensure that it will not happen again;
- promise to review school policies in light of the complaint.

Complaints about specific members of staff could result in disciplinary investigations and action. In these cases, the outcome of any disciplinary investigation is a matter between the school and the member of staff. Complainants will not be entitled to know the outcome.

We will try to identify areas of agreement and clarify any misunderstandings that might have occurred, especially when this helps discussion of any outstanding issues.

Record keeping and reporting

The Head Teacher will keep a confidential record of all complaints received. This will be kept in a secure place.

The record will include details of the complaint, the procedure and the outcome.

The governing body will periodically review what complaints have been received, based on a report from the Head Teacher. The report will include only the nature of the complaints, without any detail other than that needed for governors to identify the sorts of issues that have caused disagreement or dispute.

Considerations for the Complaints Appeal Panel

It is important that the appeal hearing is impartial and that it is seen to be so. No governor will sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.

The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, the complainant might not be satisfied with the outcome if the hearing does not find in their favour. In this case, the panel will aim to satisfy the complainant that his or her complaint has been taken seriously.

Complainants may feel nervous and inhibited in the formal setting of a hearing. Also, parents might feel emotional when discussing an issue that affects their child. The panel chairperson will ensure that the proceedings are as welcoming as possible.

In the event of a child complainant, special care will be taken to ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults.

All governors sitting on the panel will be aware of this complaints procedure.

The following checklist should be followed:

- The hearing should be as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant will be invited to explain their complaint, and be followed by their witnesses.
- The Head Teacher may question both the complainant and the witnesses after each has spoken.
- The Head Teacher will then be invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Head Teacher and the witnesses after each has spoken.
- The panel might ask questions at any point.
- The complainant will then be invited to sum up their complaint.
- The Head Teacher will then be invited to sum up the school's actions and response to the complaint.
- Both parties will leave together while the panel decides on the issues.
- The chairperson will explain to both parties that they will hear from the panel within a three school days.

Roles and responsibilities

Clerk to the Governors

The Complaints Appeal Panel will be clerked. The clerk will be the contact point for the complainant and will:

- set the date, time and venue of the hearing, 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 hearing;
- record the proceedings;
- notify all parties of the panel's decision.

Chairperson of Governors

The Chairperson of Governors will:

- check that the correct procedure is followed;
- if a hearing is appropriate, notify the clerk to arrange the panel.

Chairperson of the Complaints Appeal Panel

The chairperson of the panel will:

- explain the remit of the panel to the parties;
- allow each party sufficient opportunity to put their case without undue interruption;
- ensure all of the issues are addressed;
- ensure that key facts are established;
- put at ease any people who may not be used to speaking at such a hearing;

- ensure the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- ensure an open minded and independent consideration of the issues;
- ensure that no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- allow each side sufficient opportunity to state their case and ask questions;
- ensure that written material is seen by all parties.

Signed (Chair of F&P)

Date

Annex A

South Tawton Primary School

Complaint Form

Please complete and return to the Head Teacher who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name (if applicable):

Your relationship to the pupil (if applicable):

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)?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Below this point for official use only

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Annex B - Timescales

We will endeavour to work within all of these timescales. If, for any reason, things will take longer, we will let all relevant people know, including reasons for the delay and revised deadlines.

Examples where we might have to change timescales could include:

- where we need further meetings between the complainant and a member of staff;
- where further investigations are needed;
- where work commitments of members of a Complaints Appeal Panel complicate setting a date for the hearing;
- where we need to hear from people who are not available, perhaps because of holidays.

From ...	To ...	No more than ...	Why?
Informal concern raised	Informal resolution	As agreed between the person raising the concern and the member of staff they speak to	To keep this informal, while making sure that there is a timescale agreed.
Complaint received by Head Teacher	Acknowledgement of receipt	Three school days	So that the Head Teacher can try to respond in person or by telephone before writing.
Complaint received by Head Teacher	Decision made by Head Teacher	Ten school days	To allow reasonable time to investigate the issue.
Complaint received by Chairperson of Governors	Acknowledgement of receipt	Five days (including school holidays and weekends)	Because the Chairperson of Governors does not work at school.
Complaint received by Chairperson of Governors	Complaints Appeal Panel decision on who they need to hear from	Ten school days	To allow time to appoint the panel, have an initial meeting, discuss the complaint in general terms and agree who they need to hear from
	Date of hearing agreed and notified to all relevant people	Five school days	To allow time to contact all people and negotiate a date / time.
	Complaints Appeal Panel hearing	Four weeks	To allow co-ordination of the diaries of all relevant people.

From ...	To ...	No more than ...	Why?
Complaints Appeal Panel reaches a decision	Complainant notified	Three school days	To allow time to draft letter and confirm with panel members.