

# PRIORY WOODS SCHOOL AND ARTS COLLEGE

## COMPLAINTS POLICY



Adopted by: Priory Woods School

**Date: .....10.02.2017.....**

**PRIORY WOODS SCHOOL & ARTS COLLEGE:  
SCHOOL COMPLAINTS POLICY & PROCEDURE SEPT 2016**

## **Introduction**

This document aims to reassure parents / carers and others with an interest in school that:

- Any complaint against the school will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution: and
- The school recognises that a willingness to listen to questions and criticism and to respond positively, can lead to improvements in school practices and provision for pupils.

The procedure for dealing with any complaint has an informal stage and then a further formal 3 stages.

### **Informal Stage (Stage 1)**

On occasions, a parent may raise a concern directly with school staff without any formality. This can be done either in person, by telephone or in writing. At this stage we may need to clarify whether you are making a complaint, seeking information or have misunderstood a situation. At this stage a parent will be given a copy of this policy.

### **Stage 2 - Complaint heard by Head Teacher**

If your concern is not resolved immediately and you confirm that you wish to make a complaint, the opportunity to discuss the matter with the Head Teacher will be given. If your complaint is against the Head Teacher then this will be heard by the Chair of Governors. Complaints can be made either verbally or in writing.

### **Stage 3 - Complaint heard by Chair of Governors**

If the complaint is not resolved at stage 1 then a written complaint should be submitted to the chair of governors.

### **Stage 4 - Complaint heard by Governing Body's Complaint's Committee**

If the complaint is not resolved by the chair of governors then a letter should be written to the chair or clerk of governors requesting that the complaint be heard by the complaints committee. This will be made up of 3 school governors.

### **Unreasonably Persistent Complaints:**

There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of governors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

### **Further Recourse:**

Where complainants can provide written grounds that the Governing Body may have acted unreasonably or failed to follow this procedure they may request that the Local Authority review the situation. It is anticipated that the LA would intervene **only in very rare cases** where the reviewing officer believed that the Governing Body may have acted procedurally incorrectly or arrived at an outcome which appeared, in all the circumstances, to be unreasonable.

### **Informal stage**

- You can bring a friend to any discussion.
- The member of staff dealing with the concern should make sure that you are clear as to what action (if any) or monitoring of the situation has been agreed.
- This stage should be completed speedily and concluded in writing with appropriate detail.
- Where no satisfactory solution has been found, you should be informed that you can consider making a formal complaint in writing to the Headteacher which will take matters to Stage 1 on the complaints procedure.

### **STAGE 1 - Complaint to the Head teacher for investigation**

- a. The Headteacher should acknowledge your complaint in writing within 5 working days. In some cases the Headteacher will have already been involved in looking at the matter; in others it will be his/her first involvement.
- b. The Headteacher should consider providing an opportunity to meet with you to supplement any information previously provided.
- c. If the complaint is against a member of staff the Headteacher should talk to the staff member against whom the complaint has been made.
- d. If necessary, the Headteacher should interview witnesses and take statements from those involved.
- e. The Headteacher should keep reasonable written records of meetings, telephone conversations and other documentation.
- f. Once all the relevant facts have been established, the Headteacher should produce a written response to you. The Headteacher may wish to meet with you to discuss/resolve the matter before confirming the outcome in writing.
- g. The written response should include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action the school will take to resolve the complaint.
- h. You should also be advised that if you are not satisfied with the response and wish to take the matter further, you can do so, by writing to the Chair of the Governing Body within three weeks of receiving the outcome letter.
- i. Stage 1 should be completed in ten school days. However, it is recognised that this timetable is likely to prove impossible for complaints which are complex. In such cases, the Headteacher should write to you giving a revised target date.
- j. Schools will not pay financial compensation as a response to complaints, though may spend money on a relevant educational purpose (e.g. paying a fee for a repeat examination).

## **Complaints against the Headteacher**

If the complaint is wholly or mainly about the Headteacher the Governing Body should consider the complaint in accordance with Stage 2 of the procedure described below. However, before Stage 2 is instigated the Chair of the Governing Body will invite the Headteacher to respond to the complaint in writing within ten school days. The Chair will send a copy of the Headteacher's response to the complainant and the parent will be asked to indicate within five school days of receipt of the response whether s/he is satisfied with the response. If the parent is not satisfied with the response stage 2 should commence as described below.

### **Stage 2 – A written complaint is submitted to the Chair of Governors**

The Chair of Governors must acknowledge the complaint within 5 school days and provide a full written response within 15 school days.

The Chair of Governors will investigate the complaint and the written response will include what action if any the school proposes to take to resolve the matter. Information will be provided to the complainant of how to progress the complaint to stage 3.

### **Stage 3 – Consideration by the Governing Body Complaint's Committee**

- a. If the complainant decides to take the matter further, the Chair of the Governing Body should write to the parent to acknowledge the complaint within **five school days of receipt of the complaint**. A copy of the acknowledgement and the complaints form should be sent to the Headteacher and the Clerk to the Governing Body.
- b. **Investigating the complaint** – If the complaint has been investigated at Stage 1 and 2 the result of the investigation must be made available to the Clerk/Chair by the Headteacher. However, where the complaint is against the Headteacher and the complaint is referred to Stage 3, the Chair of the Governing Body must decide, in consultation with the Chair of the Complaints Committee (see c below) whether and how the complaint should be investigated.
- c. Governing Bodies are advised to establish a complaints panel from which three governors can be drawn by the Clerk to constitute a Committee. The Headteacher should not serve on the committee.
- d. The Committee should consider the complaint on the basis of the written evidence and usually also set up a hearing and hear both parties. Governors may also take evidence on their own initiative. Governors should reconsider the issues raised in the original complaint and not confine themselves to consideration of procedural issues. If they decide to set up a hearing, the Committee should follow the procedure set out below.

The Chair of the Committee should take a decision at the beginning of Stage 3 on whether to seek the services of a clerk from the Local Authority's service offer or other source to:

- deal with the administration of the procedure;
- provide independent advice on procedure and evidence;

- ensure that the relevant facts are established;
- minute the meeting and
- draft the decision letter.

e. The Clerk/Chair of the complaints committee should write to the parent to explain how the review will be conducted. The letter should be copied to the Headteacher.

f. The Clerk/Chair of the Complaints Committee should confirm the date of the meeting with the other governor(s).

g. The parent and Headteacher should be invited to attend the meeting. The date and time of the meeting should be convenient to the parent and Headteacher, within reason. The meeting will be within **twenty school days** of receiving the complaint. The notification should inform the parent of his/her right to be accompanied to the meeting by a friend/representative. It should also explain how the meeting will be conducted and of the parent's right to submit further written evidence to the committee and that these must be made available to the clerk of the committee within **five school days** of the acknowledgment letter.

h. The Head teacher should also be invited to prepare a written report for the Committee in response to the complaint.

i. All relevant correspondence regarding the complaint should be circulated to the committee members; the parent and the Head teacher at **least 5 days** in advance of the meeting.

j. If the Head teacher and/or the parent wish to call witnesses, the agreement of the Chair of the Committee should be obtained in advance of the meeting.

k. It is the responsibility of the Chair to ensure that the meeting is properly conducted. However, the proceedings should be as informal as possible.

l. The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. However, at the end of the meeting the Committee will need to issue a finding in writing either upholding or not upholding the complaint or upholding some parts and not others.

m. If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interest of natural justice to adjourn the meeting so that the other side has time to respond to the new evidence. Late evidence of witnesses should not be accepted unless there is a good reason for the lateness.

n. The meeting should allow for:-

- the parent to explain his or her complaint and the Headteacher to explain the reasons for his or her decision;
- the Headteacher to question the complainant about the complaint and the complainant to question the Headteacher;
- panel members to have an opportunity to question both the complainant and the Headteacher;
- any party to have the right to bring witnesses (subject to the approval of the Chair) and all parties having the right to question all the witnesses.

- final statement by the Headteacher and parent.

o. The Chair of the Committee should explain to the parent and the Headteacher that the Committee will consider its decision, and a written response will be sent to both parties as soon as possible. The complainant, Headteacher and any witnesses will then leave.

p. The panel will consider the complaint and all the evidence presented and reach an unanimous, or at least a majority, decision on the complaint. Where appropriate the Committee can decide on the action to be taken to resolve the complaint and/or suggest recommended changes to the school's system or procedures to ensure that problems of a similar nature do not happen again.

q. As in Stage 1 Governors will not pay financial compensation as a response to a complaint, though may spend money on an appropriate educational purpose.

r. The Clerk/Chair will send a written statement outlining the decision with reasons to both the complainant and the Headteacher.

i. The complainant should be advised that if s/he is dissatisfied with the response s/he has the right to take the matter further by complaining to the Secretary of State for Education.

ii. Stage 3 should be completed in 15 school days. However, it is recognised that this timetable is likely to prove impossible for complaints which are complex. In such cases the Chair of the Complaints Committee should write to the complainant giving a revised target date.

s. In exceptional circumstances the Committee may decide after taking advice from the Local Authority not to proceed to consider the complaint on the grounds that the complaint has already been dealt with or is malicious.