

Linaker Primary School & Children's Centre

Complaints Procedure

July 2009



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COMPLAINTS PROCEDURE

School Context

Since 1 September 2003, Governing Bodies of all maintained schools and maintained nursery schools in England have been required, under Section 29 of the Education Act 2002, to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law has also required the procedure to be publicised.

Dealing With Complaints – Initial Concerns

We recognise the need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage reduces the numbers that develop into formal complaints.

We aim to ensure that concerns are handled, if at all possible, without the need for formal procedures. Our formal complaints procedure is only necessary if efforts to resolve the concern informally are unsuccessful. In most cases a class teacher or an individual delivering the service, will receive the first approach. Our staff development process includes training to help staff resolve issues on the spot, including apologising where necessary.

Dealing With Complaints – Formal Procedures

Our formal procedures are invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. (See Appendix A)

At our school and centre the Head teacher has overall responsibility for the operation and management of the school complaints procedure. In practical terms the Headteacher will nominate a senior member of staff to deal with matters on a day-by-day basis. The name of this member of staff is readily available from the school office or from any member of staff.

Framework of Principles

To be effective our Complaints Procedure will:

- encourage resolution of problems by **informal** means wherever possible;
- be easily **accessible** and **publicised**;
- be **simple** to understand and use;
- 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**;
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;

- provide **information** to the school's senior management team so that services can be improved.

Investigating Complaints

Whenever a formal complaint is received it will be investigated. At each stage, the person investigating the complaint (the complaints co-ordinator), makes sure that they:

- 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.

Resolving Complaints

At each stage in the procedure we will remain mindful of ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- 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 that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

We encourage complainants to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

At all times we will seek to identify areas of agreement between the parties and clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Vexatious Complaints

If, despite following appropriate procedures the complainant remains dissatisfied, or tries to reopen the same issue, the chair of the Governing Body will inform them in writing that the procedure has been exhausted and that the matter is now closed.

Time-Limits

Complaints are considered, and resolved, as quickly and efficiently as possible. We set realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits may be set and the complainant sent details of the new deadline and an explanation for the delay.

APPENDIX A: THE FORMAL COMPLAINTS PROCEDURE

The Stages of Complaints

Our formal complaints procedure has well-defined stages. At each stage we clarify exactly who will be involved, what will happen, and how long it will take. There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the Headteacher after a meeting with the complainant.

Our school-based stages are followed:

- Stage one: complaint heard by staff member (though not the subject of the complaint);
- Stage two: complaint heard by Headteacher or nominee;
- Stage three: complaint heard by GB's complaints appeal panel; (See Appendix C)

If a complaint concerns the conduct of the Headteacher or a governor or where a Headteacher or governor has been involved in the issue previously then the matter will be referred to a senior member of staff or member of the governing body, not previously involved. In some circumstances school reserves the right to refer the matter to an external body.

Managing and Recording Complaints

Recording Complaints

The progress of any complaint and the final outcome will be recorded by the complaints coordinator. A complaint may be made in person, by telephone, or in writing. (See Appendix B) At the end of a meeting or telephone call, the member of staff will ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.

Governing Body Review

The Governing Body will monitor the level and nature of complaints and review the outcomes on a termly basis to ensure the effectiveness of the procedure and make changes where necessary. Wherever possible, complaints information shared with the whole Governing Body will not name individuals.

We are committed to on-going improvement. Therefore as well as addressing an individual's complaints, the process of listening to, and resolving complaints will contribute to school improvement. When individual complaints are heard, we will identify any underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Body helps us in evaluating our performance.

Publicising the Procedure

Details of our Complaints Procedures are included, as appropriate, in:

- the school prospectus;

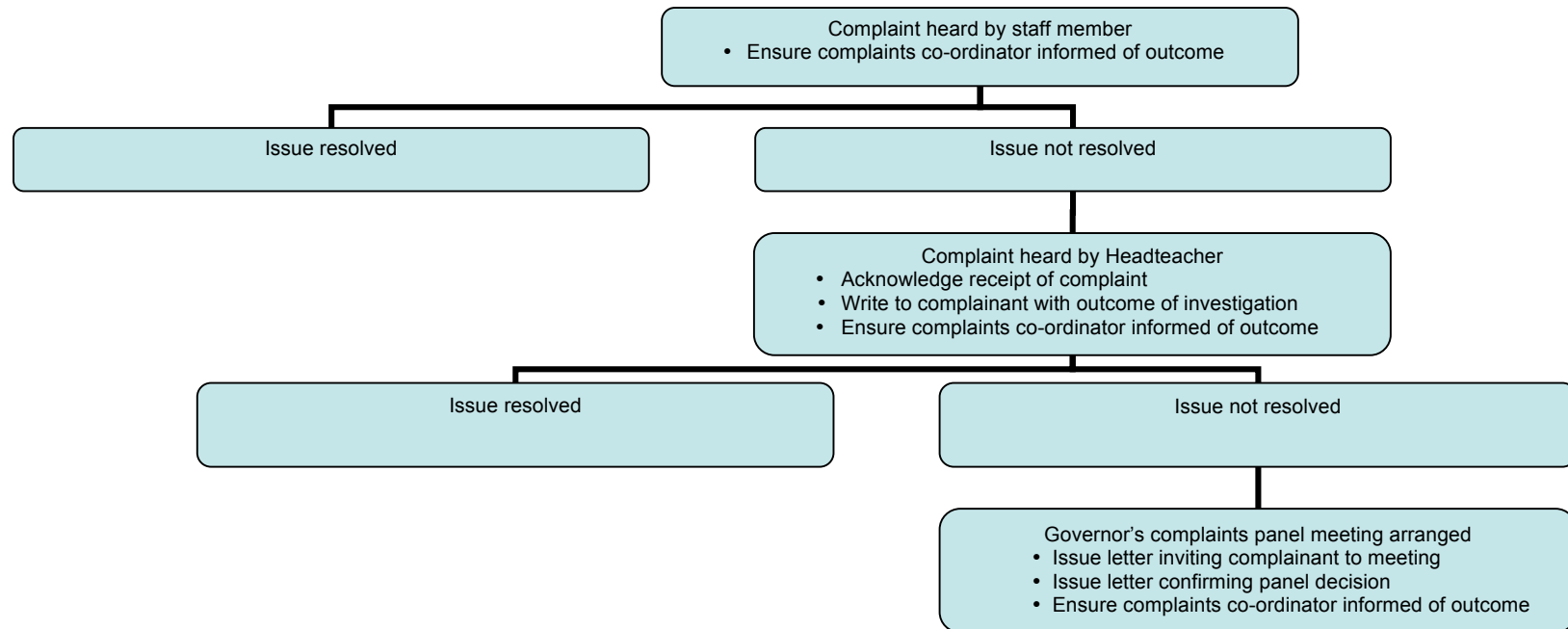
- the governors' report to parents;
- the information given to new parents when their children join the school;
- the information given to the children themselves;
- the home-school agreement;
- home school bulletins or newsletters;
- documents supplied to community users including course information or letting agreements;
- a specific complaints leaflet which includes a form on which a complaint can be made;
- posters displayed in areas of the school that will be used by the public, such as reception or the main entrance;
- the school website.

Reference:

The Education Act 2002: Section 29
The Governors Guide to the Law

Flowchart

Summary of Dealing with Complaints



APPENDIX B: Complaint Form

Please complete and return to The Headteacher who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

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)?

What actions do you feel might resolve the problem at this stage?

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

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

APPENDIX C: CHECKLIST FOR A PANEL HEARING

The panel needs to take the following points into account:

- The hearing is 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 is invited to explain their complaint, and be followed by their witnesses.
- The Headteacher may question both the complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.