



# PETTERIL BANK COMMUNITY SCHOOL

## Complaints procedure and policy



### Overview

The procedure below fulfils the requirements of The Education Act 2002 (Section 29) for "all governing bodies to have a procedure to deal with complaints relating to aspects of the school, and any community facilities or services that the school provides."

This procedure does not apply to (and should not be used for) statutory appeals in relation to:

- Admissions
- Exclusions
- Assessment of children with special educational needs

Similarly, it should not be used for dealing with complaints that make allegations against staff of child abuse, or relate to staff discipline or capability, where other statutory procedures apply. If a concern is brought to the attention of the school that relates to any of these matters, the school will refer to the local authority or its HR provider to ensure that the relevant statutory or local authority procedure is used.

The governing body is not responsible for handling complaints about third party providers offering community facilities or services through our premises or using school facilities for external events. The governing body will however take reasonable steps to ensure that such providers have their own complaints procedures.

### **Who can raise a concern or make a complaint?**

Anyone who has dealings with the school can use this procedure, whether a pupil, a parent or carer, a visitor, a neighbour, or a provider of a service to the school. If you wish to raise a concern or complain on someone else's behalf, the school will only deal with this if the person on whose behalf you are complaining is unable to do so for themselves. If this is the case, we may be able to direct you to or obtain support from a local advocacy service, such as [People First](#).

### **How will my concern or complaint be handled?**

Our procedure has three stages:

1. Responding to concerns
2. Investigating complaints
3. Appeal to the governing body

At any point in the handling of your complaint, there is also the possibility of a 'resolution' meeting. The school will try to deal with your complaint as quickly as possible. If you have concerns about the time being taken, you should raise this with the Clerk to the governing body.

We expect concerns and complaints to be brought to the attention of the school as quickly as possible. Complaints notified to the school after three months from the date of any incident will usually be ruled 'out of time', unless there are exceptional circumstances.

If you report any of the concerns in the list below, we will need to refer to the local authority or other adviser to ensure that the relevant statutory or local authority procedure is used.

- the admission of your child
- the exclusion of your child
- local authority processes for assessing children with special educational needs
- allegations against staff of child abuse or other disciplinary matters

### **1. Responding to concerns**

If your concern is about something that a person has or has not done, for example a member of staff, the Headteacher, a governor, or a volunteer, you should make an arrangement through the school office to discuss the concern with that person or their manager. If your concern is about an aspect of school practice or policy, you should contact the Headteacher. We want to respond to your concern as quickly as possible, but it may not be possible to arrange an immediate meeting: an appointment within a few days may be necessary. Please do not approach staff while they are 'on duty'.

We can reassure you that most concerns are usually resolved at this stage. We will give you a verbal response, usually within 5 school days, and may confirm this in writing.

### **2. Investigating complaints**

a) Establish procedures for dealing with all complaints relating to the school or to the provision of facilities or services under section 27, other than complaints failing to be dealt with in accordance with any procedures requires to be established in relation to the school by virtue of a statutory provision other than this section and

b) Publicise the procedures so established.

2) In establishing or publishing procedures under subsection (1), the governing body shall have regard to any guidance given from time to time (in relation to England) by the Secretary of State

### **Dealing with Complaints - Initial concerns**

School need to be clear about the different between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

These key messages deal with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher will be the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

Staff should always report any parent concerns to the head teacher at the earliest opportunity using the parent complaint form. Discussions with parents will be offered to ensure any issues can be fully resolved at the formal stage.

Framework of Principles

- The 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

At each stage, the person investigating the complaint (the head teacher) 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 the school will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or 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
- And 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

Complainants will be encouraged to state what actions they feel may 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.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

### Vexatious complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedure

having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governing body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

### **Dealing with complaints – Formal procedures**

The formal procedures will need to be invoked when the initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

The nominated member of staff to have the responsibility for the operation and management of the school complaints procedure is the head teacher (or the senior leadership team member covering for his/her absence).

### **The stages of complaints**

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 head teacher after a meeting with the complainant. Usually the following stages will be followed.

**The four school – based stages are:**

- Stage one - complaint heard by staff member
- Stage two - complaint heard by head teacher
- Stage three - complaint heard by Chair of Governors
- Stage four - complaint heard by GB's complaints appeal panel

If a complaint concerns the conduct of the head teacher or a governor or where a headteacher or governor has been involved in the issue previously, it will be dealt with by the chair of governors (stage 3) and then the GB panel (stage 4) if required.

### **Recording complaints**

It is normal practice for the school to record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing. At the end of the meeting or telephone call, it would be helpful if the member of staff ensured that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record. The head teacher is responsible for ensuring records are kept and held centrally.

### **Governing Body review**

The GB can monitor the level and nature of the complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Preferably, complaints information shared with the governing body will not name individuals.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to the school improvement. When individual complaints are heard, the school may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing body can be a useful tool in evaluating a school's performance.

### **Publicising the procedure**

There is a legal requirement for the complaints procedure to be publicised. At Petteril Bank Community School it will be published in the following ways

- On the school website.

**Monitoring and review**

This policy is monitored on a day-to-day basis by the head teacher, who reports to governors about the effectiveness of the policy on request. The policy will be reviewed every two years

Date of next review: October 2017

This policy was agreed by the governing body on 13<sup>th</sup> October 2015

Signed \_\_\_\_\_ (On behalf of the Governing Body)