

WEXHAM COURT PRIMARY SCHOOL

Complaints Procedure Policy

2019 - 2021



Date Approved:	July 2019
Date for Review:	July 2021
Responsibility:	Full Governing Body or Head Teacher
Approved By:	Full Governing Body

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 the head teacher has overall responsibility for the operation and management of the school complaints procedure. In practical terms the head teacher will nominate a senior member of staff to deal with matters on a day-by-day basis, which will be the Senior Leader for the phase. The name of this member of staff is readily available from the school office or from any member of staff.

It is expected that attempts will be made to resolve difficulties informally with the class teacher before being referred to the head teacher. The informal stage of the procedure will be exhausted before the matter is referred to the formal stages and a complaint form issued (see Appendix B). If any substantial complaint is made to a member of staff by a parent it will be referred to the line manager or head teacher, as appropriate, if it cannot be resolved immediately by the member of staff to the satisfaction of the parent.

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 compliant with the School's obligations under the Equality Act 2010
- 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 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 should the complaint have validity:

- 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 reoccur;
- 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.

The School expects any complaints to be made as soon as possible after an incident arises (although up to three months is acceptable in certain circumstances). Once a formal complaint has been received, the school's cut-off timeframe will apply to both parties. However, the school will consider exceptions to this time-frame from both parties if necessary.

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.

What is Not Included in this Policy

This policy does not cover certain types of complaints, which are dealt with under separate procedures. These include:

- Any complaint relating to child protection (these will immediately be raised with the local authority (LA) for them to handle);
- Complaints arising through conflict between estranged parents over the application of parental responsibility. (These will be dealt with having the best interest of the child in mind and with reference to the DFE guidance *'Understanding and Dealing with Issues Relating to Parental Responsibility January 2016'* and with further legal advice if necessary);
- Curriculum complaints – addressed under the curriculum complaints procedure;
- SEND complaints – addressed under the SEND procedures;
- Complaints by staff – addressed under the school's grievance procedure or other personnel policies;
- Admissions – addressed under the admissions and admissions appeals procedure;

- Pupil exclusions – addressed under the School’s behaviour policy)
- Whistleblowing – (matters of impropriety e.g. a breach of law, school procedures or ethics) – addressed under the whistle blowing procedure;
- Complaints about school re-organisation;
- Complaints against services provided by third party hirers of the school premises;

Complaints regarding discrimination and harassment based on protected characteristics as defined in the Equality Act 2010 – the general complaints procedure applies but the complainant has a further right of appeal to the Special Educational Needs and Disability First-tier Tribunal).

This is a true version signed by

Mr J. Reekie, Chair of Governors

Signed:

Date:

Miss N Mehat Headteacher

Signed:

Date:

Review date: July 2021

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. A diagram of the process can be found at Appendix D.

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 head teacher or nominee;
- Stage three: complaint heard by governing body's complaints appeal panel; (See Appendix C)

If a complaint concerns the conduct of the head teacher the complaint will bypass Stage two and be investigated by the Chair of Governors at Stage three. In the case of a very serious complaint, the matter will be referred to an independent person other than a Governor.

Managing and Recording Complaints

Recording Complaints

The progress of any complaint and the final outcome will be recorded by the person dealing with the complaint. 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 information given to new parents when their children join the school;
- the home school agreement;
- documents supplied to community users including course information or letting agreements;
- the school website.

Reference:

- The Equality Act 2010.
- Data Protection Act 1998
and the General Data
Protection Regulation
(from May 2018)
- Freedom of Information
Act 2000.

APPENDIX B: COMPLAINT FORM

Please complete and return to Miss N. Mehat (Head Teacher) who will acknowledge receipt and explain what action will be taken.

Wexham Court Primary Complaint Form	
Your Name:	Your Address:
Pupil's Name:	
Your relationship to the pupil:	Postcode:

	Contact telephone number:
<p>Please give details of your complaint:</p> <p>(please continue overleaf if required)</p>	
<p>What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?</p>	
<p>What actions do you feel might resolve the problem at this stage?</p>	
<p>Are you attaching any paperwork? If so, please give details.</p>	
<p>Signature:</p> <p>Date:</p>	<p>Office Use:</p> <p>Date of acknowledgement sent:</p> <p>By whom:</p> <p>Complaint referred to:</p> <p>Date:</p>

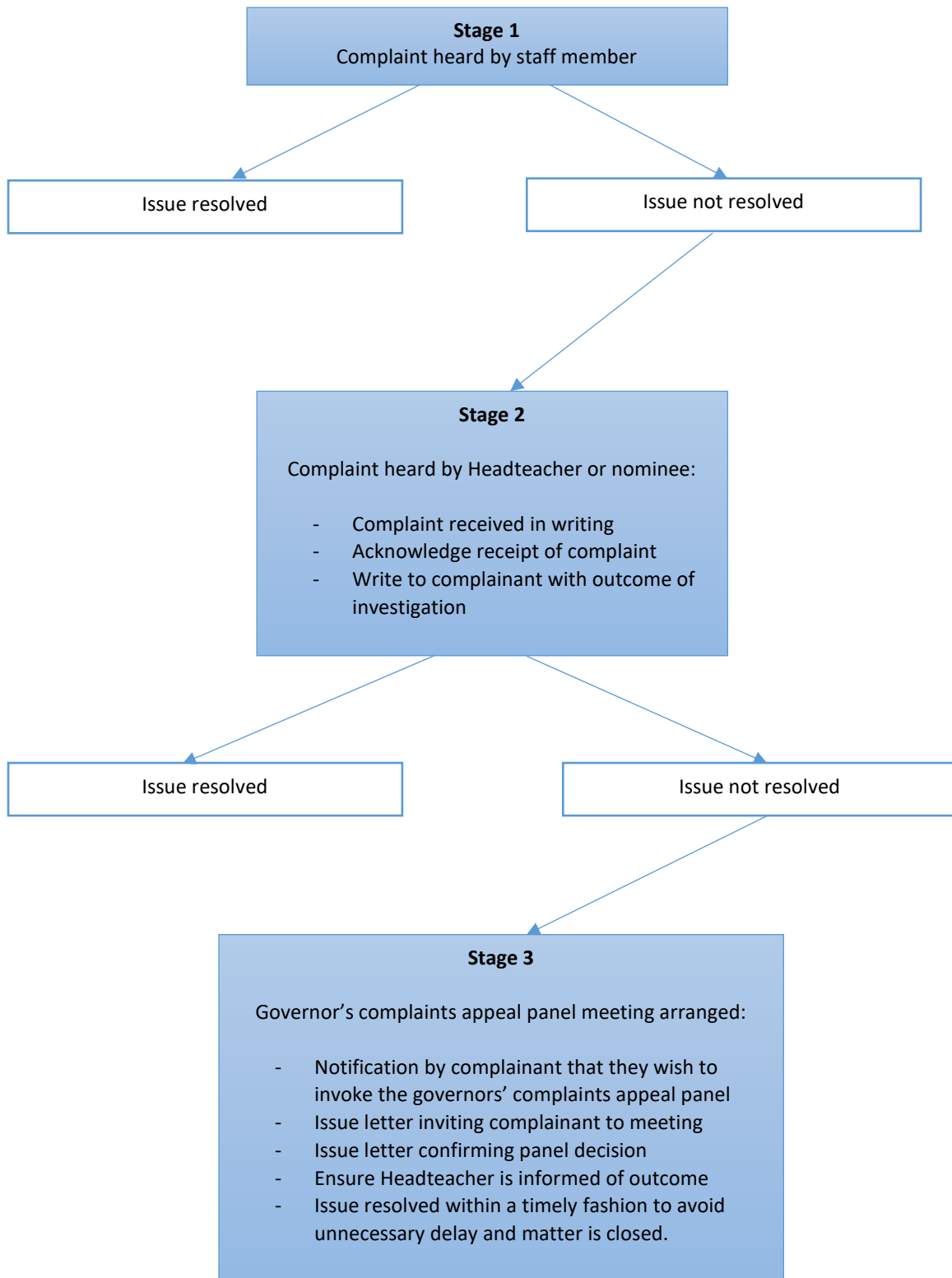
APPENDIX C: CHECKLIST FOR A PANEL HEARING

The governor's complaints appeal panel needs to take the following points into account:

- There will be three Governors sitting on the Governor's Appeal Panel.
- None of the Governors who sit on the panel will have any previous knowledge of, or dealings with, the complaint.
- 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.

APPENDIX



If there is no resolution after Stage 3, the complainant will be advised of how to take their complaint further if they so wish.

