

# Crofton Junior School



## Complaints Policy

November 2015

## 1 Introduction

Wherever possible, we hope that any concerns expressed by parents about the school can be dealt with by informal discussion with staff however should the concerns not be addressed in this way, the complaint guidelines as recommended by Wakefield Council is followed.

### 1.1 General Principles

The aims of our complaints policy are:

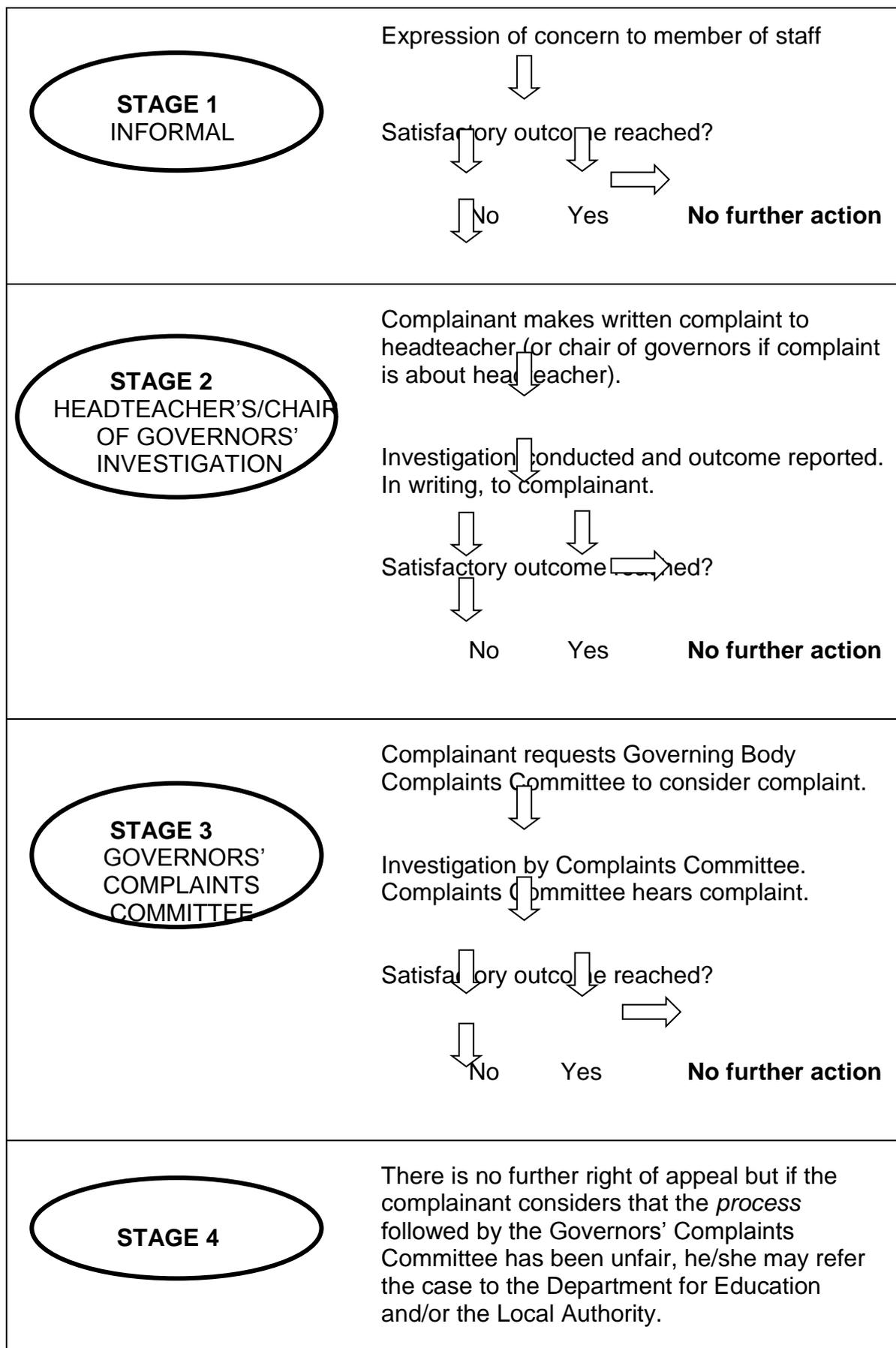
- To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint
- To make sure everyone at the school knows what to do if a complaint is received
- To make sure that all complaints are investigated fairly and in a timely way
- To make sure that all complaints are, wherever possible, resolved and that relationships are repaired
- To gather information which helps us to improve what we do.
- To balance the rights and responsibilities of pupils, parents and school staff and to recognise that responsibilities rest with each of these.

1.3 A complaint is an expression of dissatisfaction, whether justified or not, about any part of the school. This policy deals with such complaints if made by a pupil, a parent or any other external stakeholder, except where there are separate appeals procedures for a parent dissatisfied with a decision regarding either the admission or exclusion of their child.

1.4 There are also separate procedures to deal with a complaint raised by or on behalf of a member of staff:

- Grievance Procedure – complaint by an employee of unfair treatment
- Harassment Procedure – complaint by an employee who believes they are being subject to bullying or intimidation
- Disciplinary Procedure – complaint by an employee about the conduct of another member of staff
- Whistleblowing Procedure – any unresolved allegation of institutional
- Malpractice

## PROCEDURE FOR DEALING WITH GENERAL COMPLAINTS



## 2.1 **The First Stage – dealing with informal complaints and concerns**

We believe that most complaints can be resolved satisfactorily by informal discussion either over the telephone or through a meeting involving the key people involved. At first, it may be unclear whether a parent is asking a question or expressing opinion rather than making a complaint; a parent/ carer may want a preliminary discussion about an issue to help decide whether he or she wishes to take the matter further. Staff will therefore not assume that discussions at this stage are a complaint but will take this opportunity to clarify the nature of the concern and to address it if possible.

### **Stage 1 process:**

- 2.2.1 At this stage, the person receiving a verbal complaint will:
- Remain calm & respectful throughout the conversation;
  - Listen patiently to what is being said;
  - Obtain details about the complaint;
  - Ensure they have understood the nature of the complaint by asking for clarification if necessary but not debating the facts in the first instance;
  - It may also be helpful at this point to identify what sort of outcome the parent/ carer is looking for.
- 2.2 If the member of staff first contacted cannot deal with the matter immediately, s/he will need to refer the matter to someone else as soon as is practicable giving all the relevant details noted above.
- 2.2 Informal complaints to the Chair Governing Body will be referred to the Headteacher in the first instance. However, if the complaint concerns the Headteacher and/or has already been taken up with the Headteacher without being resolved, the complaint must be made in writing to the Chair of Governors.
- 2.3 Where no satisfactory resolution has been found within 10 school working days, the complainant should be asked if they wish their complaint to be considered further. If so, they should be advised about how to proceed with their complaint.

## 3.1 **The Second Stage – Formal consideration by the Headteacher (or other appropriate person)**

At this stage it should now have become clear that the concern is a definite complaint.

### **Stage 2 Process:**

- 3.2 The Headteacher will acknowledge the complainants' letter in writing within 3 working days of receiving the Stage 2 complaint giving a brief explanation of the school's complaint procedure and a target date for providing a response to the complaint. This will normally be within 10 school days. Where this is not possible, a letter will be sent to the complainant explaining the reasons for the delay and giving a revised response date.

- 3.3 Once the investigation has been complete, the Headteacher will review all the information and discuss the findings with the complainant with the aim of resolving the complaint to the complainant's satisfaction. If the complainant wishes they may be accompanied to any meetings by a friend, relative, representative or advocate who can speak on their behalf. The Headteacher will ensure that another member of staff is present to record the proceedings.
- 3.4 The Headteacher will decide on the outcome and inform the complainant in writing of the decision.
- 3.5 Where the complaint at Stage 2 is against the Headteacher, arrangements should be made for the proceedings under this stage to be conducted by a single Governor (usually the Chair of Governors or Vice-Chair of Governors).
- 3.6 Possible outcomes at this stage include:
- a) complaint withdrawn
  - b) complaint dismissed
  - c) complaint dealt with under another procedure
  - d) complaint upheld

#### 4.1 **The Third Stage (Appeal) – Consideration by a Committee of the Governing Body**

- 4.2 If the complainant remains dissatisfied, they should write to the Chair of Governors.
- 4.3 The Chair may be able to resolve the complaint informally, with the result that the complainant withdraws their complaint.
- 4.4 If this is not possible, the Chair will convene an appeal hearing by a Committee of the Governing Body.
- 4.5 At this stage, the school should seek advice from the Family Services' Complaints & Representations Service.
- 4.6 Only Governors who have no prior knowledge or involvement of the case should deal with the appeal: it should not be considered by the full Governing Body but by a Complaints Committee established to deal with complaints.

#### **Stage 3 Process:**

- 4.7 The Chair of Governors will write to the complainant to acknowledge receipt of the written request within five school days.
- 4.8 The acknowledgement will inform the complainant that the Governing Body Appeal Committee will be convened within 20 school working days of the receipt of a written request for an Appeal hearing. Where this is not possible, the Chair of Governors will explain the reason for the delay to the complainant and suggest a revised target date. If no dates within this timescale are convenient to the complainant, the panel may meet outside this time period. Notice of the meeting will be made in writing at least 5 days in advance of the meeting date unless a shorter timescale is mutually agreeable.
- 4.8 The letter will ask the complainant (if s/he has not already done so) to submit a written statement setting out clearly those aspects of the complaint, which are the subject of the complaint, to the Chair of the Complaints Committee at least eight school days prior to the meeting.
- 4.9 The Headteacher and /or appropriate member of staff will be invited to provide a written statement at least eight days prior to the meeting.

- 4.10 The letter will inform the complainant and the Headteacher / member of staff of their right to be accompanied to the meeting by a friend/ advocate/ interpreter.
- 4.11 The meeting will follow the procedure set out in Wakefield's 'Complaints Procedure for School' June 2012.
- 4.12 The Appeals Committee may:
- a) dismiss the complaint in whole or in part
  - b) uphold the complaint in whole or in part
  - c) decide on any further action to be taken
  - d) if appropriate, recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.
- 4.13 The Committee will notify all parties of its decision, to include the findings on the complaint, appropriate action taken/ planned by the school, any recommended changes to the school's systems or procedures in writing, within 15 school days of the date of the meeting. The decision taken at this stage is final.

#### 5.1 Further Action

Where a complainant is not satisfied that their complaint has been handled properly by the Governing Body s/he may make a complaint to the Secretary of State for Education on the grounds that a Governing Body is acting or proposing to act unreasonably, or that the Governing Body or Local Authority has failed to discharge its duties under legislation. Complaints of this nature rarely succeed, providing that all procedures have been followed correctly. The Secretary of State will not consider a complaint unless all internal school procedures have been exhausted. Where complaints are made, the Secretary of State may contact the Governing Body or the Local Authority for more information.

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