

## **COMPLAINTS POLICY** **Chalton Lower School**

### **Raising Concerns and Resolving Complaints**

#### **Introduction**

From time to time parents may naturally have concerns about an aspect of their child's education. Often those concerns will resolve themselves, but on occasions parents may feel that the issue will need the School's help to be resolved.

As partners in your children's education Chalton Lower School wishes to work with you in the resolution of problems and this policy is designed to show what steps may be taken. The resolution of a concern can take the three steps which are described in detail below.

#### General Principles:

1. This procedure has been designed to ensure that, wherever possible, an informal resolution is attempted and to facilitate resolution of concerns with the minimum of conflict,
2. All stages of the complaints procedure should be investigatory rather than adversarial. Thereby reducing the opportunity for confrontation.
3. The responsibility for dealing with general school complaints lies solely with the school.
4. There is no mechanism for dealing with a 'group complaint' or 'class action'. This procedure applies solely to complaints from individual parent/carers.
5. An anonymous complaint will not be investigated under this procedure unless there are 'exceptional circumstance'. These would include serious concerns such as Child Protection / Safeguarding issues where an internal review could be triggered to test whether there is any corroborative evidence to warrant a formal investigation. **All complaints will be kept confidential.**
6. Where a complaint is deemed by the governing body to be vexatious, the complainant will be informed that their complaint will not be accepted and will not be investigated. Unfortunately, from time to time, problems do arise where complainants appear to act unreasonably and are not seeking to have a situation remedied but instead are determined to extract retribution for some real or imagined wrong. This can lead to a school being drawn into an interminable saga with letters and emails each demanding more and more answers to more and more questions. This is to be avoided.
7. There will be a limit of 3 months placed on the time after which a complaint will normally not be considered except in exceptional circumstances.
8. All complaints will follow the following timescale [save in exceptional circumstances]
  - a. Investigations or review process will begin within 5 school day of receipt
  - b. Investigations will be completed as soon as reasonably practicable but within 10 school days.
9. All complaints should be treated by the school and the complainant with a high degree of confidentiality. It is usually unhelpful when a complaint is broadcast to the school community. As such complainants should desist from contacting members of the governing body directly and should follow the procedure set down.
10. Complaints regarding the following are not included in this document:
  - Admissions
  - National Curriculum
  - Child Protection
  - School Exclusion
  - Special Educational Needs

### **Stage 1: An Informal Concern**

On most occasions these can be resolved immediately by speaking to your child's class teacher. It may be necessary for you to make an appointment at a time which is convenient to both of you.

Please let the teacher know the nature of your concern when making an appointment so that they may investigate further on your behalf if necessary.

The purpose of the meeting should be to establish a solution or to agree a plan of action to resolve the concern. If the meeting fails to do so then you should make an appointment to see the Head Teacher.

### **Stage 2: A Formal Concern**

The Head Teacher will normally make further investigations on your behalf and meet with you to suggest a workable solution. If you feel that the matter is not satisfactorily resolved, you may request a further meeting with the Head Teacher or consider making the matter the subject of a formal complaint.

It is important that due procedure is followed with a view to seeking resolution to a concern or complaint. A failure to follow the procedure may result in the procedure being terminated by the Governing Body.

### **Stage 3: A Formal Complaint**

If the concern remains unresolved you can consider making a formal complaint. In order to do this you must put this in writing and send it to the Chair of the Governing Body c/o the school's address with the envelope marked 'Private and Confidential'. This correspondence should not be opened by any member of the school staff and will be passed to the Chair as soon as possible, the Chair of the Governing Body will write to you to confirm receipt of your letter and investigate the matter fully within ten school days. If this cannot be achieved you will be informed. In some circumstances, the chair may ask other governor/s to carry out the investigation on their behalf.

The complaint should include details which might assist the investigation such as names of potential witnesses, dates and times of events and copies of relevant documents. The Chair of the Governing Body, or their representative, may decide to meet with you, the complainant, as part of the investigation. On the conclusion of the investigation, the Chair of the Governing Body, or their representative, will write to you, the complainant, with the outcome of the investigation. If the outcome of the investigation results in the implementation of internal staff disciplinary procedures, such procedures will remain strictly confidential to satisfy Data Protection requirements.

This will bring the Chair's investigation to a close. If you, the complainant, is not satisfied with the manner in which the complaint has been investigated, a request may be made for the governing body to hold a formal review of the process which will take the form of a panel hearing by 3 governors. Any such request must be made in writing to the Chair within ten school days of receiving notice of the outcome of the Chair's investigation and must state the reasons for the implementation of the next stage. Please note, the complainant is not entitled to access any details of the investigation except for any statements that may have been provided by their child or where witnesses give their written permission for this to happen.

#### **If the complaint is about the Headteacher**

Once there has been an opportunity for the headteacher to consider this he/she may wish to meet separately with the Chair to present a response. A friend or representative may accompany the headteacher to this meeting. The Chair will collect such other evidence as is deemed necessary and may interview other witnesses. The headteacher will be provided with a copy of the complaint and any additional evidence presented by the complainant or collected by the Chair.

On the conclusion of this meeting the complainant and Head Teacher will be informed in writing of the outcome. The complainant will not be informed of any disciplinary or capability action which might ensue.

#### **Stage 4: A Formal Review**

A Formal review is to look at the processes followed and NOT the outcome of the investigation.

On receiving a formal request for the complaint to be taken to the next stage the Chair of Governors will write to the complainant within five working days to inform you of the date and time of the hearing and of the composition of the panel who will hear the complaint.

#### **The hearing may take one of two forms at the discretion of the governing body.**

1. The governing body may decide that The Formal Review will be undertaken by reviewing paper work only. Under such circumstances they will require a written report from you, the complainant, and the Chair of the governing body.
2. The complainant may be invited to attend the meeting, given the opportunity to inform the Governing Body of the details of your concern. The governors may question you to seek further clarification of the detail of your concern. You may bring a friend with you to the hearing. The governors will then ask you to leave and will then meet with the Head Teacher and Chair of Governors to seek their view of the issue. The Head Teacher may be accompanied by a friend or representative. Once the governors have clarified any issues, the Head Teacher and Chair of Governors will be asked to leave while they consider their response to the complaint.
3. Alternatively, the meeting may follow the same course described above with both parties in attendance for the duration of the hearing. In this case after both parties have stated their case and responded to questions, the complainant and the Head Teacher and/or Chair of Governors will be requested to sum up their positions before being asked to leave. No further questioning will be allowed at this point. The governors will then consider their response.

The Governing Body will write to the complainant and the Head Teacher or Chair, as appropriate, within forty-eight hours of the hearing with their findings. The complainant will not be informed of any disciplinary or capability action which might follow. However, if the investigation does result in a change to the School's policies being implemented, the complainant will be informed of the detail of this.

#### **This will bring the involvement of the Governing Body to a close and further correspondence cannot be entered into.**

If a complainant believes that the Governing Body has acted illegally or arbitrarily in handling the complaint, then the complainant may make representation to the Secretary of State for Education and Skills.

For further guidance on these matters parents may seek advice from the Local Authority Area Education Officer Tel: 0300 300 8000

Adopted July 2014

Chair of Governors.....

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