

Long Furlong Primary School Concerns/Complaints Procedure

Governors of Long Furlong Primary School have adopted the following procedure to respond to concerns and formal complaints from members of the school community or general public.

The difference between a concern and a complaint

A 'concern' may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

A 'complaint' may be generally defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

Who can raise a concern/complaint?

Any person, including members of the general public, may raise a concern or make a complaint about any provision of facilities or services that the school provides, unless separate statutory procedures apply; these include:

- School admissions
- Exclusion of a pupil from school
- Statutory assessment of Special Educational Needs
- School reorganisation proposals
- Matters likely to require a Child Protection investigation
- Whistle blowing
- Complaints about services supplied by other providers who use school premises/facilities
- Staff grievances or staff disciplinary procedure.

The school may not limit complaints or concerns to parents or carers of children that are registered at the school.

Principles informing the concerns/complaints procedure

This procedure is designed to:

- be well publicised and easily accessible
- 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
- allow a mediation process if agreed by the complainant
- allow for a hearing of a panel of Governors, where appropriate
- respect people's desire for confidentiality, wherever possible
- address all points of issue, provide an effective response and appropriate redress where necessary
- provide information to the school's Leadership Team – including Governors - so that services can be improved.

Procedure for dealing with concerns/complaints

*Department for Education guidance (January 2016) draws a distinction between informal and formal stages of raising concerns/complaints; this part of the procedure is the **informal** stage.*

If parents, pupils or members of the public have concerns they should:

1. Discuss their concerns with the member of staff most directly involved; if not satisfied, then:
2. Discuss their concerns with a senior member of staff; if not satisfied, then:
3. Discuss their concerns with the Headteacher – *this part of the procedure is the first **formal** stage*

At each stage in the procedure, the school will bear in mind ways in which a concern or complaint can be resolved. It might be sufficient to acknowledge that the concern or 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 more effectively
- 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.

Complainants should be encouraged 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. Equally, an effective procedure will identify areas of agreement between the parties. It is also of importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Only where all these avenues have been tried and found unsatisfactory should the complainant take a complaint to the Chair of Governors or Clerk to the Governing Body.

If the headteacher considers s/he can do no more to resolve a concern/complaint it should be stated explicitly that the complainant can write to the Chair of Governors if not satisfied. Complainants should be encouraged to take this step because an unresolved complaint can be damaging

Making a Complaint to the Governing Body

*Department for Education guidance draws a distinction between informal and formal stages of raising concerns/complaints; this part of the procedure is the **second formal stage***

Where informal attempts have been unsuccessful in resolving a complaint, the complainant should write to the Chair of Governors via the Clerk to the Governing Body at the school address/email account. The communication should be marked 'FOR IMMEDIATE ACTION' and staff in the school office must ensure that the letter is forwarded without delay.

The complainant will be asked to complete a complaint form (Annex 1) if they have not already done so. The Chair of Governors or Clerk will offer to help an individual to complete the form if appropriate.

On receipt of the complaint form the Chair of Governors (or other governor) will:

- 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.

At this point the Chair of Governors will decide whether the complaint should go straight to the governors' complaints panel or whether a mediation stage should be offered. Mediation can only proceed if the complainant and the headteacher are willing for it to be tried. If mediation is not successful, the complaint will be considered by the governors' complaints panel.

Mediation

Mediation can be a good way to resolve a complaint because:

- It gives both complainant and Headteacher another opportunity to hear each other's points of view (with a third party facilitating)
- It gives the third party an opportunity to help the Headteacher and complainant identify and build on areas of agreement
- It gives the Headteacher and complainant a structure within which they can resolve remaining differences.
- If both complainant and Headteacher emerge from the mediation satisfied, that is the best foundation for a continuing positive relationship between them.
- Even if the complaint continues to a governors' panel, the issues to be considered are likely to be much clearer following the mediation.

Mediation may elicit one or more of the responses listed below from either party:

- an acknowledgment that the complaint is valid in whole or in part.
- an apology;
- an explanation;

- an admission that the situation could have been handled differently or more effectively;
- 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.

Governors' Complaints Panel

Where the complainant is still not satisfied that their complaint has been dealt with fully and properly, they may choose to take it to a panel of Governors.

The complainant may bring a friend or adviser to that panel. The headteacher may consult their union or local authority for advice.

Remit of the panel: the complaints panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint
- recommend changes to the school's systems or procedures to ensure problems of a similar nature do not recur.

It may:

- Consider and, if appropriate, criticise the way in which an operational decision was communicated – **but cannot overturn the decision itself**
- Consider the thoroughness with which the headteacher investigated a complaint about a member of staff – **but cannot expect the headteacher to provide details about confidential discussions with that staff member.**
- Consider the manner in which a complaint about any decision was addressed – **but cannot expect the headteacher to have changed the decision**
- Consider and, if appropriate, identify limitations in a policy or procedures – **but cannot make or improve policy.** (It can, however, recommend that the policy be reviewed by the governing body to ensure that problems of a similar nature do not recur, and individual panel members can subsequently play their part in improving the policy)
- Consider whether it should recommend that the governing body offer appropriate redress

Format of a Panel Hearing

1. Complainant and headteacher will enter the room where the hearing is taking place together.
2. The chair will introduce the panel members and the clerk and outline the process.
3. The complainant is invited to explain the complaint,
4. The headteacher may question the complainant
5. The panel will question the complainant
6. The headteacher is then invited to explain the school's actions

7. The complainant may question the headteacher
8. The panel will question the headteacher
9. The complainant is then invited to sum up their complaint.
10. The headteacher is then invited to sum up the school's actions and response to the complaint.
11. The chair explains that both parties will hear from the panel within five working days.
12. The chair checks that both parties have said all they wanted to say and that they feel they have had a fair hearing. If either party says 'no' the chair should attempt to rectify that before the hearing ends.
13. Both parties leave together while the panel decides on the issues.
14. The clerk will remain with the panel to clarify

Communicating the outcome of the panel meeting to the Complainant

The clerk should ensure that the letter reaches the complainant and the Headteacher by the agreed deadline– usually five working days.

Monitoring Complaints

As well as addressing an individual's complaint, the process of listening to and resolving complaints would contribute to school improvements. When individual complaints are heard, schools may identify issues that need to be addressed. The monitoring and review of complaints by the school and Governing Body can be useful to evaluating the school's performance. Any discussion of complaints by the Governing Body or others in the school community should not name or be able to identify individuals.

The flowchart in Annex 1 summarises the complaints process.

Unreasonable, Serial and Consistent Complainers

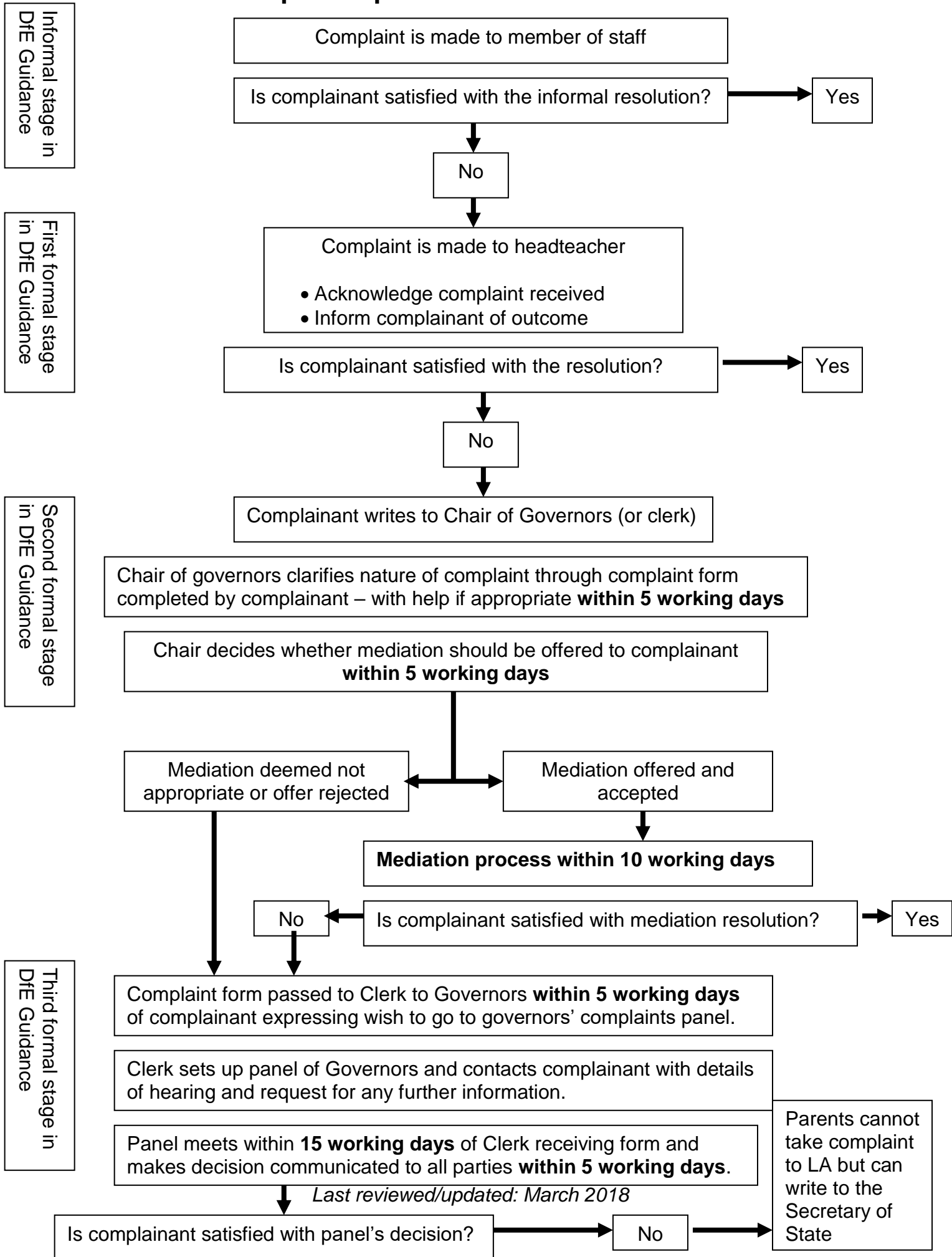
(See Separate Policy)

The school will do its best to be helpful to people who raise a concern or complaint. However, in cases where the school is contacted repeatedly by an individual making the same points, or asking to reconsider the position, it may be appropriate for the Chair of Governors to respond advising that the procedure has been completed and the matter is now closed, or the school may choose not to respond. The application of a 'serial or persistent' ruling should be against the subject or complaint, not the complainant.

Please read the Unreasonable, Serial and Consistent Complainers Policy for details.

Annex 1

Complaints process from start to finish



Annex 2 Model complaint form

Notes

The form overleaf can be used by any person making a complaint about the operation of the school which is not covered by an alternative specific procedure. Complaints will most often come from parents or carers but may also come from pupils/students or members of the public, e.g. school neighbours.

Anyone receiving this form should be advised verbally that help in completing it is available from the school. A member of school staff who is familiar with the process should be nominated to give help.

If it is appropriate for a member of staff to look into this complaint, it should be returned to the Headteacher.

If it is appropriate that it should be dealt with by the governing body, it should be returned to the Clerk to the Governors at the school.

Long Furlong Primary School

Complaint form

Please complete and return to Rose-Marie Smith (Clerk to Governors) who will acknowledge receipt and explain what action will be taken.

Your name:

Address:

.....

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Postcode:

Daytime telephone number:

Evening telephone number:

If applicable, name of child(ren) at school:

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?)

Your relationship to the school, e.g. parent, carer, neighbour, member of public:

Continued overleaf

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 of acknowledgement sent:

By Whom:

Complaint referred to:

Date:

Appendix 3

A guide for parents

Sharing your concerns about your child's education

Long Furlong Primary School recognises that at times, things can go wrong. This guidance will help you understand how to resolve concerns you may have about your child's education.

The school has procedures for dealing with concerns or complaints and we value any feedback about our services, including compliments and suggestions. If you are concerned about any aspect of your child's education, you should contact your child's teacher in the first instance.

The school's governing body has overall responsibility for the school and for ensuring the well-being of pupils, and that all pupils receive an appropriate and high standard of education.

The Headteacher is responsible for making decisions daily about the school's internal management and organisation. You should contact the school if you are concerned about an issue such as:

- your child's academic progress
- special education needs provision
- your child's welfare
- bullying
- something that has happened in school.

How do I complain to the school?

First, we hope you will speak to the relevant member of staff as soon as you have a concern. This will usually be the class teacher in the first instance. This informal approach is nearly always the quickest and most effective way of resolving your concerns.

If you feel that your concern has not been resolved, then it is important to speak to or write to the headteacher who will look into your concern.

If you are unhappy with the headteacher's response you should write with your complaint to the Chair of Governors/Clerk to the Governing Body at the school address. Mark your envelope 'FOR IMMEDIATE ATTENTION'.

This is how your complaint will be handled

Within 5 working days the chair of governors will clarify the nature of your complaint by asking you to complete a complaint form and will offer help in completing the form, if appropriate

Within 5 working days of receiving the form the Chair will decide whether mediation should be offered to help you and the headteacher explore possible resolution.

If mediation is agreed, the chair of governors will endeavour to set up the meeting **within 10 working days**. If that timescale is not possible you will be told the reason.

If mediation is not deemed appropriate or if it is not successful, the Chair of Governors or Clerk will set up a panel of governors to meet **within 15 working days** to consider your complaint. The clerk will provide details of the hearing and will request any further information you may wish to provide.

You will be able to bring a friend or adviser with you to that hearing.

The complaints panel will consist of three governors who (as far as possible) will have no prior knowledge of the events being complained of. The panel will be supported by a clerk who will take notes during the hearing and will stay with the panel while they make their decision in case governors need to be reminded about responses to a particular question. The panel will hear the complaint impartially and make their decision without fear or favour.

Five working days before the hearing the clerk will send to you, the complainant, the headteacher and the three panel members, copies of all papers submitted by both sides so that there is sufficient time to read the evidence before the hearing.

At the hearing:

1. You and the headteacher will be invited into the room where the panel is being held at the same time.
2. After introductions, you, the complainant will be invited to explain your complaint,
3. The headteacher may question you
4. The panel will question you
5. The headteacher will be invited to explain the school's actions
6. You, the complainant may question the headteacher
7. The panel will question the headteacher
8. The panel may ask questions at any point.
9. You, the complainant will then be invited to sum up your complaint.
10. The headteacher will then be invited to sum up the school's actions and response to the complaint.
11. The chair will explain that you and the headteacher will hear from the panel **within five working days**.
12. Both you and the headteacher will leave together while the panel decides on the issues.
13. The clerk will remain with the panel.

Can I take my complaint further?

You **cannot** take your complaint to the local authority. The local authority cannot investigate school matters on a parent's behalf nor can it review how the school has dealt with your complaint.

If you feel that the school has acted unreasonably or has not followed the correct procedures, you can contact the Secretary of State for Education <http://www.education.gov.uk/help/contactus/df>