

# Astwood Bank Primary Complaints Procedure & Policy



**Approved by:** Headteacher & Chair of Trustees

**Last reviewed on:** October 2023

**Next review due by:** September 2024

## **Rationale**

Astwood Bank Primary School consistently strive to maintain good relationships with their community, however there will be times when concerns or complaints will be raised. In these instances, we aim to deal with these promptly and effectively, and should there be a failure in the service this will be recognised as appropriate.

As a school we welcome suggestions for improving our work, as ourselves and our community work together to make Astwood Bank Primary School the very best it can be. All concerns will be treated with respect and will not affect the relationship with the complainant or, if the complainant is a parent or carer, the relationship we have with them or their child, nor any support offered. It is important to report any concerns at the earliest possible time because it is difficult to investigate an incident or problem properly if it happened some time ago.

This policy explains how someone can raise an informal concern with us. It also explains how, if initial attempts at dealing with an issue leave someone dissatisfied, how the concerned person can move their concern to a complaint and the formal procedures for doing so in line with the Education (Independent Schools Standards) Regulations 2011.

## **Policy Summary**

Astwood Bank Primary School Complaints Policy has five stages:

Stage 1: Informal - raising a concern with a member of staff

Stage 2: Formal - complaint heard by the Head Teacher

Stage 3: Formal - complaint heard by the Chair of Governors

Stage 4: Formal - complaint heard by the Governing Body's complaints appeal panel

Stage 5: Formal - complaint to the Schools Complaints Unit

In all instances, staff will always see a person who has a concern as soon as is possible to be able to quietly, privately and calmly discuss the situation, however it is important to recognise that schools are busy places and it may not be possible to make an appointment straight away as staff may have prior commitments they need to honour. Complaints can be raised at any stage, but it is preferable if they are raised informally prior to raising formally as often matters can be resolved quickly at the informal stage.

School has designated the school secretary to be the complaints co-ordinator. She will co-ordinate our complaints procedure and refer complaints to the appropriate person within the school, if the complainant is unsure of whom to refer to, or should complainant feel they could have difficulty discussing their issue with a named member of staff. Likewise, she will not refer a complaint to a member of staff that feels their personal involvement with an issue makes them feel too compromised to deal impartially with an issue.

The complaints co-ordinator will also make appointments at a mutually convenient time, referring matters to the Chair of Governors as appropriate. She is responsible for holding any records of complaints centrally. Any complaint raised under this policy will be dealt with in accordance with the timescales included in the policy, however, where further investigations are necessary, new time limits will be set and communicated with the complainant in a timely fashion, with an explanation of the delay.

A complaint will only usually be considered within 3 months (4 months if the timescales include the month of August) of the matter being known to the complainant. If a complainant considers there are exceptional circumstances that has prevented the complaint being raised within this timescale, governors will consider their views.

At any stage, should the complaint be regarding the Head Teacher, the concern should be directed straight to the Chair of Governors, or in the case of the complaint being about the Chair of Governors it should be addressed to the Clerk of Governors who will refer the complaint to another of the trustees.

### **Stage One: Informal - raising a concern**

Any person who has a concern needs to raise it with a member of staff. The initial concern could be raised in person, by telephone or in writing.

In the case of parents or carers the appropriate member of staff will often be the child's class teacher or key stage leader as these people will know a child well and are the best people to speak to about issues regarding their welfare or work. Working parents can make an appointment for a telephone conversation with the class teacher, at a mutually convenient time though it is better to resolve issues face to face whenever possible. Other people making concerns may wish to make the concern with a member of staff they feel is appropriate.

### **Stage Two: Formal - complaint heard by the Head Teacher**

Should concerns not have been adequately resolved in stage 1 complainants may still have the initial concern and may also have concerns about how their concerns were dealt with under stage 1. This stage raises these concerns to a complaint and the head will hear the complaint, again, this complaint can be raised in writing, by telephone or in person, but it is preferable to be in person. The complaint will be heard as soon as a mutually convenient appointment (telephone or in person) can be made, usually within five school days of initial contact by the complainant. At this meeting the Head and the complainants will discuss the concerns and ask what resolution the complainant is seeking. The Head may delegate the task of collating information relating to the complaint to another staff member, but not the decision of the action to be taken. Any decision on the complaint will be communicated in writing within 10 school days of the complaint being formally discussed with the complainant.

### **Stage Three: Formal – complaint heard by the Chair of Governors**

If the complainant is not satisfied with the response of the Head Teacher or the complaint is about the Head Teacher, the complainant should write to the Chair of Governors giving details of the complaint using the template at the end of this policy stating what the initial concern was, why it is considered unresolved and what would resolve the complaint.

A formal written complaint to the Chair of Governors must be received within 10 school days of the date of the Head Teacher's decision letter. At this point, the Chair will either investigate the complaint or nominate someone else to investigate it, though they will make any decisions. It may be that the Chair considers the complaint is best dealt with through an appeals panel, and will move the complaint straight to Stage 4.

### **Stage Four: Formal - complaint heard by The Complaints Appeals Panel**

The chair, or a nominated governor, will convene a Governing Board complaints panel.

The panel can:

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

### **Timeline for consideration of complaint to Appeals Panel**

Receipt of complainant's letter	Acknowledgement within 5 school days
Receipt of complainant's letter	Governors complaints panel usually meets within 15 school days
Written documentation sent to Governors Panel Members, Complainant and Head Teacher	8 school days before meeting
Governors Panel members decision communicated to all concerned	As soon as is practicable, but within 10 school days of the meeting

### **Stage 5: Formal - complaint to the Schools Complaints Panel**

The decision of the Governors Panel is final. Should parents feel that the Governing Body acted 'unreasonably' or failed to carry out its statutory duties under 'The Education (Independent Schools Standards) Regulations' parents and carers may write to the School Complaints Unit to outline their complaint using the following methods:

- Online at: [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)
- or [www.education.gov.uk/form/school-complaints-form](http://www.education.gov.uk/form/school-complaints-form)
- or by writing to:

Department for Education  
2nd Floor, Piccadilly Gate  
Manchester  
M1 2WD

This unit will not investigate the original complaint, they will examine policies to see if they adhere to education legislation and see if all policies were followed.

### **Governors Complaint Procedures**

1.1 The appeal hearing is made up of Governors who have had no prior involvement in the complaint or in the circumstances surrounding it, and includes an independent member from another governing body.

1.2 The hearing is to be held in private with the aim to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

1.3 The panel chair will ensure that the proceedings are as welcoming as possible as many complainants feel nervous and inhibited in a formal setting. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial, as should the case involve parents they will often feel emotional when discussing an issue that affects their child.

1.4 Governors sitting on the panel will be aware of the complaints procedure.

1.5 The complaints meetings will be clerked by the clerk to the Governors who will be the contact point for the complainant. Their duties will include:

- setting the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- to collate any written material and send it to the parties in advance of the hearing ( in most cases this will be at least five days in advance, but where timelines by prior agreement are shorter this will also be shorter) ;



- to meet and welcome the parties as they arrive at the hearing;
- to record the proceedings;
- to notify all parties of the panel's decision;
- Provide minutes of the meeting, shared with all parties involved in the panel hearing and provide 8 school days for the minutes to be agreed.

1.6 The Chair of the Governing Body or the nominated governor role is to:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the clerk to arrange the panel

1.7 The Chair of the Panel's role is to ensure that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

1.8 The Chair of the Panel is responsible for ensuring that the panel's decision is submitted, in writing, to the Complainant and the Head of School /Executive Head as soon as possible but always within 10 school days of the meeting. The letter will also state the rights of appeal under the law and to whom these may be made.

### 1.9 Checklist for the Panel Hearing

The panel needs to take into account the following points:

- 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 Head Teacher may question both the complainant and the witnesses after each has spoken.
- The Head Teacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question the Head Teacher and the witnesses after each has spoken.
- The panel may ask questions at any point to clarify understanding.
- The complainant is then invited to sum up their complaint.
- The Head Teacher 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

1.10 The Governors Complainants Panel is final. The complaint cannot be reopened unless correct procedures have not been followed. Any attempt to re-open the complaint will be informed that the matter is now closed.

### Exceptions to this Policy

Exceptions to this policy are complaints which fall outside the remit of the Governing Bodies complaints procedure. These are, for example, staff grievances or disciplinary procedures. Allegations of abuse against a member of the school staff must be reported immediately to the Head Teacher, and allegations of abuse against the Head Teacher must be reported to the Chair of Governors immediately.

Complaints concerning the conduct of school staff will be handled in line with the school's internal disciplinary procedures. The details of such an investigation will remain confidential though parents can be reassured that they will take place.

If the complaint is made against the Head Teacher and progresses to stage 4 (appeals panel), the Chair of the Panel will identify and engage an appropriate individual to take the role of the Head Teacher in the panel checklist. This may impact the timing of the panel. To contact the Chair of the Panel please either call Astwood Bank Primary School office on 01527 892681. Or email [office@astwoodbank.worcs.sch.uk](mailto:office@astwoodbank.worcs.sch.uk).

### Equality

Astwood Bank Primary School operates an equality policy which ensures that all peoples involved in school life are treated fairly and with respect. Everyone is equal and has the right to being dealt with without fear of harassment or intimidation.

### Summary for Dealing with Complaints

Stage 1- concern raised with a member of staff

- Ensure complaints co-ordinator is informed of the outcome of a concern

If not resolved, escalate to stage 2 - complaint heard by the **Head Teacher**

- Acknowledge receipt of complaint
- Write to complainant with outcome of investigation
- Ensure complaints coordinator informed of outcome
- Offer escalation to Stage 3 if dissatisfied

If not resolved, then escalate to Stage 3 - complaint heard by the **Chair of Governors**

- Acknowledge receipt of complaint
- Write to complainant with outcome of investigation
- Ensure complaints co-ordinator informed of outcome
- Offer escalation to Stage 4 if dissatisfied

If unresolved, then escalate to Stage 4 - **Governing Bodies complaints appeal panel** arranged

- Issue letter inviting complainant to meet
- Issue letter confirming panel decision
- Ensure complaints coordinator informed of outcome
- Advice of escalation routes to the Secretary of State for Education.

## Appendix 1

Please complete and return to the school secretary, the complaints co-ordinator, who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name:</b>
<b>Your relationship to the pupil:</b>
<b>Address:</b>
<b>Contact numbers:</b>
<b>Details of the complaint:</b>
<b>Actions (if any) already taken by yourself to try and resolve your complaint.</b>
<b>Staff members involved and actions taken by them.</b>
<b>Official use only:</b>  <b>Date acknowledgement sent:</b>  <b>By whom:</b>  <b>Complaint referred to:</b>  <b>Date:</b>