

# St. Augustine's Junior C of E (VA) Junior School Complaints Policy and Procedure



## COMPLAINTS POLICY ST AUGUSTINE'S C of E (VA) JUNIOR SCHOOL

**Ratified 08/12/2016**

|                            |                |  |
|----------------------------|----------------|--|
| Head teacher               | Sign and date: |  |
| Chair of Governing<br>Body | Sign and date: |  |

Date for review: Autumn Term 2018  
(This policy will be reviewed every 2 years)

# St. Augustine's Junior C of E (VA) Junior School

## Complaints Policy and Procedure



The following policy explains the complaints procedures for St Augustine's School. We aim to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved. It is intended that if at all possible, any complaints will be resolved without the need for any formal procedures.

### **How to Share a Concern - Informally**

If a parent/carer is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher. Most matters of concern can be dealt with in this way. All teachers are committed to ensuring that each child is happy at school, and is making good progress; they always want to know if there is a problem, so that they can take action before the problem seriously affects the child's progress. A record of these informal conversations are noted in the blue class pastoral file.

### **Unresolved Issues**

Where a parent/carer feels that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should then make an appointment to discuss it with the relevant Phase leader (Lower sch Y3&4 or Upper sch Y5&6). If the Phase Leader is unable to resolve the matter to the parent/carer's satisfaction, an appointment should be made to discuss the matter with the Head or Deputy.

### **Dealing with complaints- Formal Procedures**

Formal procedures will need to be 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. All formal complaints should be made in writing to avoid any ambiguity or misunderstanding through a verbal dialogue.

### **Investigating Complaints**

The person investigating the complaint must ensure 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 want to keep in mind 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:

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- 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 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.

It is intended that the complainants are encouraged to state what actions they feel might resolve the problem at any stage. It is important to note that an admission that the school could have handled the situation better is not the same as an admission of negligence.

## **Time-Limits**

Complaints need to be considered, and resolved, as quickly and efficiently as possible. It is important that all parties will have realistic expectations of the time limits for each action within each stage. However, where further investigations are necessary, new time limits may need to be set.

## **Recording Complaints**

Informal complaints may be made in person, by telephone, or in writing. All formal complaints must be in writing. The progress of the complaint and the final outcome will be recorded and kept. At the end of a meeting or telephone call, notes should be taken and points of agreement/disagreement recorded. All parties should be clear of the next step, if needed and receive copies of the notes.

## **The Stages of Complaints**

The school has adopted a three stage complaint approach:

- Stage one: complaint heard by staff member, (Class teacher, Deputy, TA, Office staff).
- Stage two: complaint heard by Headteacher.
- Stage three: complaint heard by Chair of Governors and GB's complaints appeal panel;

Stage one: It is in everyone's interest that complaints are resolved at the earliest possible stage. We feel that in most cases this is possible through informal discussions with all parties at this stage. If the member of staff feels a more senior member of staff is better placed to resolve the complaint then it maybe passed on, (ensuring all details etc are recorded and both parties understand any time scale involved).

Stage two: If the complainant is dissatisfied after stage one they should contact the Headteacher and make an appointment to discuss the matter further. The complainant must set out in writing the complaint making it clear that it is formal, (this also avoids any misunderstanding or misinterpreting of any oral conversation). The Headteacher may then require additional time to make further investigations/collect evidence. They will then respond by meeting with or writing to the complainant advising of their decision, any resulting action.

Stage Three: If the complainant is still dissatisfied and wishes to take it further they should write to the chair of Governors. He/She will analyse the complaint and any



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evidence presented. If needed the Chair will form a Governors Complaints/appeals Panel. The agreed format for the Complaints/appeals Panel is to form the panel with three Governors selected in alphabetical order from those eligible and available to stand. Any Governors previously involved with the complaint will not be eligible to stand as this may affect their impartiality. The Panel may choose their own Chair.

## **The Remit of The Complaints Appeal Panel**

The 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 that problems of a similar nature do not recur.

There are several points which any governor sitting on a complaints panel needs to remember:

a. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

b. The aim of the hearing, which needs to be held in private, will always be 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.

c. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.

d. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.

e. The governors sitting on the panel need to be aware of the complaints procedure.

## **Roles and Responsibilities**

### **The Role of the Clerk**

It is recommended that any panel or group of governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required to:



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- set 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;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

## **The Role of the Chair of the Governing Body or the Nominated Governor**

The nominated governor role:

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

## **The Role of the Chair of the Panel**

The Chair of the Panel has a key role, ensuring 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.

## **Checklist for a Panel Hearing**

The panel needs to take the following points into account:

- 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

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explains that both parties will hear from the panel within a set time scale.

## **Notification of the Panel's Decision**

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline which is stated during the panel hearing (Usually 5 days). The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

Regardless of the number of stages, an unsatisfied complainant can always take a complaint to the next stage. It is important to note that the third stage is the last school based stage. If dissatisfied after the third stage the complainant will be advised of the correct department/contact at the LA or Diocese to pursue the matter further. As previously stated it is intended that if at all possible, any complaints will be resolved without the need for any formal procedures.