

Smithy Street Primary School

Complaints Procedure



Approved by staff and governors

Mar 2017

POLICY AND PROCEDURES FOR DEALING WITH COMPLAINTS

1. INTRODUCTION

This policy has been approved by the governors of Smithy Street school. It sets out the way in which we will deal with complaints.

It is in the interest of everyone that all parties involved in any complaint conduct themselves in a professional, courteous and respectful manner at all times. Complaints should be dealt with promptly, at all stages.

2. DEFINITION OF A COMPLAINT

A complaint is an expression of significant dissatisfaction, written or oral, by a person or persons with a legitimate interest in the school about any aspect of their child's education. This includes the practices or policies of the school, the conduct, action or omissions of members of staff employed at the school, and the quality of teaching.

Complaints may be written or oral. It is not always appropriate to ask for complaints to be put in writing as this might unnecessarily formalise the situation, resulting in either party taking a more defensive or entrenched position and making the conflict more difficult to resolve.

For a complaint to merit serious consideration it should meet at least one of the following criteria:

- It is made by the person(s) directly affected by the matter of the complaint
- it relates to recent events
- the events in question can be dated
- there is independent corroboration of the allegations

It is important to bear in mind that not all expressions of concerns constitute a complaint. Discretion needs to be applied in determining whether action over and above the normal day to day discussions on parental concerns is needed. All senior management team members are expected to exercise such discretion before referring matters to the Headteacher.

Problems and expressions of concern should be dealt with as far as is possible, at the point of first contact. This is usually the class teacher. If it cannot be resolved at this level then the teacher should refer the matter to the Headteacher.

3. RESPONSIBILITIES

The Governing Body is responsible for the conduct of the school.

The Headteacher is responsible for the internal organisation and management of the school.

This means that:

- The Headteacher responsible for investigating complaints not resolved by the class/form teacher and, if appropriate, referring complaints to other members of staff to deal with.
- The Governing Body may be called upon to consider, resolve and or adjudicate if complaints are referred to them by the Headteacher or by a complainant who is not satisfied with the result of the informal process.
- If the complaint is not resolved at school level the interested parties have recourse to the DFE (Department for Education) or to the legal process.

In the event of a complaint being made to a member of the Governing Body, the complainant should be advised to speak to the Headteacher, so that an attempt can be made to resolve the matter informally. Governors must not prejudice themselves by giving any view or opinion on the complaint as this would prevent their participating in a panel at a later stage and may make it more difficult for the Headteacher to resolve the complaint. If at any point it appears that there are issues regarding school staff which may need to be dealt with under the disciplinary or other staffing procedures, personnel advice should be sought.

4. AIMS

We aim to:

- underpin our school's aims and objectives by giving due consideration to the complaints of parents.
- ensure that all complaints are considered fully, fairly and confidentially, promptly, thoroughly and, in the first instance, on an informal basis.
- ensure that there is an effective partnership between school, staff, governors and parents.
- provide guidance in the absence of a resolution to the satisfaction of the complainant, which will enable the complainant, the Headteacher or the Governing Body to consider how, if at all, the matter should be taken further.
- ensure that all members of the school community can have their points of view heard.

The Governing Body may be called upon to consider, resolve and or adjudicate if complaints are referred to them by the Headteacher or by a complainant who is not satisfied with the result of the informal process.

If the complaint is not resolved at school level the interested parties have recourse to the DFE.

5. REFERRAL STRUCTURE

In most cases referral will be as follows:

- Class teacher/support staff
- Deputy Headteacher
- Headteacher

On occasions, for example if a complaint is particularly serious or for example involves the Headteacher, it will be appropriate to by-pass levels in the referral structure.

When a complaint is made to the Headteacher (s)he may decide to deal with it or to refer it to an appropriate level in the structure. When the Head has asked a colleague to deal with a complaint, feedback should be given to the Headteacher.

Where a teacher other than the Headteacher receives a complaint (as opposed to an expression of concern) and deals with it, the Headteacher should be notified of the complaint and how it was resolved.

If a matter remains unresolved despite the involvement of the Headteacher, the Headteacher will ask the Chair of Governors or an appointed governor to act as a facilitator. The governor may choose to seek the advice of appropriate officers of the LEA before initiating formal procedures.

If all informal channels have been exhausted and there is still dissatisfaction, the complainant should be made aware of how formal procedures can be initiated.

6. POSSIBLE OUTCOMES AT THE INFORMAL STAGE

- The matter is resolved.
- The complaint has been found to be valid by the Headteacher, and he or she, within his/her responsibility for the overall internal management of the school, will take appropriate action.
- The Headteacher or the complainant will refer the matter to the Governing Body for their consideration.

7. COMPLAINTS MADE TO THE GOVERNING BODY

In the event of a complaint being received directly by the Governing Body from a parent or other stakeholders in the school, governors should have regard to the following;

- Any complaint to the Governing Body or one of its members should be passed to the Headteacher for investigation. The Head should follow the informal procedure outlined above to attempt to resolve the matter and report the outcome to the complainant and details of action taken to the Chair of Governors.

- If the Chair of the Governing Body is satisfied that the informal procedures have been exhausted and the complaint is still not resolved, (s)he may, after further discussions with the Headteacher, decide to initiate the formal procedure.
- In the event of the complaint being about the Headteacher, the Chair of the Governing Body will inform the Headteacher of the complaint and then attempt , through an informal approach at first, to resolve the matter.
- The complainant will be advised of the Chair's conclusions.

8. THE FORMAL PROCEDURE

- If informal attempts to settle the complaint have failed to satisfy the complainant, (s)he should set out the complaint fully in writing and submit this to the Chair of the Governing Body. Where this is not possible because of literacy or second language considerations, the complaint should be made orally and where necessary arrangements for interpretations should be made.
- Receipt of the complaint will be acknowledged in writing by the Chair of the Governing Body, the Vice Chair if the Chair is not available, or the Clerk. A copy of this complaints procedure will be enclosed with the acknowledgment.
- The Governing Body will arrange for the complaint to be heard by a panel of three Governors who have not had involvement with the matter at an earlier stage. This panel should be set up at a properly convened meeting of the full Governing Body
- The panel will be provided with copies of the complaint and all other relevant documentation.
- At least five working days notice of the hearing by the panel will be given to all concerned.
- All parties involved in the dispute may be accompanied, if desired, by a friend, a representative or an interpreter, and may call witnesses.
- The Headteacher (or the Chair of Governors if the complaint is against the Headteacher) will explain what has already been done to attempt to resolve the complaint and the outcome of any investigation. Then the complainant will present his or her case and call any witnesses. The panel and Headteacher will have an opportunity to question the complainant and witnesses. The Headteacher will have the opportunity to respond to the complainant and call witnesses if appropriate
- The panel and the complainant will have the opportunity to question the Headteacher and the witnesses.
- The Headteacher, followed by the complainant, will summarise their positions.

- All, but the members of the panel, will withdraw while a panel decision is reached.
- When the evidence has been fully considered and a decision made, the panel will notify in writing the complainant and the Headteacher of the outcome, giving an explanation of the conclusion, the reason for it, and any action taken, including details of any request made of those complained against to take particular actions in respect of the complaint. This will be done as quickly as possible but within a maximum of five working days.
- The Governing Body should be informed at their next meeting that a complaint has been received and dealt with. Details should not be divulged to the full Governing Body, nor to any other party not directly involved, as to do so would violate confidentiality.

9. TAKING IT FURTHER- DFE guidance:

Complaints about education and schools should be made directly to the headteacher of your child's school. After you've made your complaint known to the head, and the issues remains unresolved, the chair of governors can be approached.

If you aren't satisfied with the school's response, you can follow it up with a complaint direct to the Department for Education.

Email: <http://www.education.gov.uk/help/contactus/dfc>

Post: Department for Education, Castle View House,
East Lane, Runcorn, Cheshire WA7 2GJ

Telephone: 0370 000 2288

Typetalk: 18001 0370 000 2288

Fax: 01928 738248

Phone lines are open 9:00am to 5:00pm, Monday to Friday

Education complaints not about a specific school

If you wish to take further a complaint that is education related but not about a specific school, please contact Tower Hamlets Education Complaints.

How to contact us

Tower Hamlets Education Complaints

Town Hall

Mulberry Place

5 Clove Crescent

London E14 2BG