

Aldbrough Primary School Complaints Procedure

Rationale

From 1st September 2003 Governing Bodies of all maintained schools in England are required, under section 29 of the Education Act 2002, to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised. Our Complaints Policy runs in conjunction with the following guidance from the East Riding of Yorkshire Council:

- The Local Authority School Complaints Procedure 2007

Introduction

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. Aldbrough Primary School is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint the school's formal complaints procedure may need to be followed.

The prime aim of Aldbrough Primary School's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by the school.

Scope

All matters relating to the actions of staff and application of school procedures where they affect the individual pupils concerned, except matters which are subject to separate procedures, e.g. admissions, exclusion etc.

General Principles

To allow for a proper investigation, complaints should be brought to the attention of the school as soon as possible. Any matter raised more than 3 months after the event being complained of will not be considered, save in exceptional circumstances.

Investigation of any complaint or review request will begin within 5 school days of receipt of the same, save in exceptional circumstances. The investigation will be completed as soon as reasonably practicable.

Confidentiality will be maintained throughout the process as far as is reasonably practicable.

Part A

Raising a concern.

1) Informal Stage

The complainant is normally expected to arrange to communicate directly with the appropriate member of staff. This may be by letter, by telephone or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage. In the case of serious concerns, or where the class teacher has not been able to resolve the issue, the complainant should speak directly to the Head Teacher

2) Formal Stage

If the complaint is not resolved at the informal stage the complainant must put the complaint in writing and pass it to the Head Teacher, who will be responsible for its investigation. ¹
(A complaint form is included within this policy).

The complainant should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. In addition the Head Teacher may meet with the complainant to clarify the complaint. ²

The Head Teacher will collect such other evidence as he/she deems necessary. Where this involves an interview with a member of staff, who is the subject of the complaint, a friend or

representative may accompany that member of staff if they wish. A copy of the notes made will be provided to the interviewee. The investigation will begin as soon as possible. When it has been

concluded, the complainant, and the member of staff concerned, will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- The concern is not substantiated by the evidence
- The concern was substantiated in part or in full and appropriate procedures may be being followed, which are strictly confidential
- The matter has been fully investigated and that appropriate procedures are being followed, which are strictly confidential

The complainant will be told that consideration of their complaint by the Head Teacher is now concluded.

1 Alternatively the complainant may be referred back to the informal stage of the procedure. If the complainant is judged to be vexatious, then the complainant will be informed that their complaint will not be accepted and will not be

investigated. NB it is important to distinguish between people who make a number of complaints because they really

think things have gone wrong, and people who are being difficult. Complainants can be frustrated and aggrieved and it

is therefore important to consider the merits of the case rather than their attitude. Even though someone has made

vexatious complaints in the past, it cannot be assumed that the next complaint is also vexatious. Each complaint must

be considered as to whether it is vexatious or genuine.

2 It may be appropriate to offer the complainant the opportunity to be accompanied by a friend at any such meeting.

If the complainant is not satisfied with the manner in which the process has been followed, the complainant may request that the Governing Body review the process followed by the Head Teacher in handling the complaint. Any such request must be made in writing within 2 weeks of receiving notice of the outcome from the Head Teacher and include a statement specifying any perceived failures to follow the procedure. The procedure described in Part C will be followed. If the complainant considers that the decision of the Head Teacher is perverse, or that the Head Teacher has acted unreasonably in considering the complaint, then the complainant may bring a complaint against the Head Teacher under part B of this procedure. This will provide an opportunity for the evidence to support such a complaint to be investigated.

Part B

Complaining about the actions of the Head Teacher

1) Informal stage

The complainant is usually expected to arrange to speak directly with the Head Teacher. [In the case of serious concerns it is appropriate to raise them directly with the Chair of the Governing Body]. Many concerns can be resolved by simple clarification or the provision of information. If the matter is not resolved and if both parties agree, then a third party may be invited to act as a mediator at a further meeting.

2) Formal Stage

If the complaint is not resolved at the informal stage the complainant must put the complaint in writing and pass it to the Chair of the Governing Body who will determine which of the agreed procedures to invoke. If it is determined that the complaint is "General", the Chair will arrange for its investigation.

The complainant should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, copies of relevant documents etc... In addition the complainant will be invited to meet with the Chair to present oral evidence or to clarify the complaint. The Chair will collect such other evidence as is deemed necessary. This may include the interviewing of witnesses and others who may provide relevant information.

The Head Teacher will be provided with a copy of the complaint and any additional evidence presented by the complainant or collected by the Chair. Once there has been an opportunity for the Head Teacher to consider this, he/she will be invited to meet separately with the Chair, in

order to present written and oral evidence in response. A friend or representative may accompany the Head Teacher at this meeting.

When the investigation has been concluded, the complainant and the Head Teacher will be informed in writing of the outcome. The complainant will not be informed of any disciplinary/capability action.

The complainant will be told that consideration of their complaint by the Chair is now concluded. If the complainant is not satisfied with the manner in which the process has been followed, or considers that the decision of the Chair is perverse, or that the Chair has acted unreasonably in considering the complaint, then the complainant may request that the Governing Body review the handling of the complaint by the Chair. Any such request must be made in writing within 2 weeks of receiving notice of the outcome from the Chair and include a statement specifying any perceived failures.

Part C

Review Process

Any review of the process followed by the Head Teacher or the Chair shall be conducted by a panel of 3 members of the Governing Body.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

The panel will first receive written evidence from the complainant. The panel will then invite the Head Teacher or the Chair, as appropriate, to make a response to the complaint. The panel may also have access to the records kept of the process followed.

The complainant, and the Head Teacher or the Chair, as appropriate, will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- The concern is not substantiated by the evidence
- The concern was substantiated in part or in full but that the procedural failure did not affect the outcome significantly so the matter is now closed.
- The concern was substantiated in part or in full and the Governing Body will take steps to prevent a recurrence or to rectify the situation [where this is practicable]

Notes

The complainant is not entitled to access to any details of the investigation except for any statements that may have been provided by their child. Any information relating to the application of disciplinary procedures is strictly confidential. If a complainant believes that

the Governing Body has acted illegally or arbitrarily in handling the complaint, then the complainant may make representations to the Local Authority, who may seek to try and resolve a disagreement between the complainant and the school prior to matters being referred to the Secretary of State for Education and Skills which is the last recourse.

Person Responsible for Implementation and Monitoring: **Head teacher**

Sept. 2015

Aldbrough Primary School Complaint Form

Please complete this form and return it to head teacher / Clerk to Governing Body, who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name

Relationship with school [e.g. parent of a pupil].....

Pupil's name [if relevant to your complaint].....

Your Address:

Daytime telephone number:

Evening telephone number:.....

Please give concise details of your complaint, [including dates, names of witnesses etc...], to allow the matter to be fully investigated:

You may continue on separate paper, or attach additional paperwork, if you wish. Number of additional pages attached

What action, if any, have you already taken to try to resolve your complaint? [i.e. who have you spoken with or written to and what was the outcome?

What actions do you feel might resolve the problem at this stage?

Signature:

School Use:

Received by:

Acknowledgement sent by:

Date:

Date:

Date form received:

Date acknowledgement sent:

Complaint referred to: