



# Parent Complaints Policy and Procedure

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## Statement of intent

**Moat Farm Infant School Primary prides itself on the quality of teaching provided for its pupils. However, if parents have concerns they can expect any issues to be treated seriously by the school in accordance with this policy document.**

**The Complaints Policy and Procedure has been created to deal with any complaint against a member of staff or the school as a whole, relating to any aspects of the school or the provision of facilities or services.**

**A complaint can be brought by a parent/carer/guardian of a registered child at the school or any person who has been provided with a service/facility at the school. This person is referred to as the complainant.**

**A concern becomes a complaint only when the complainant asserts that the school has acted wrongly in some significant decision, action, or failure to take action.**

**Even when a complaint has been made, it can be resolved or withdrawn at any stage.**

## 1. Aims

### **In line with the Education Act 2002, Moat Farm Infant School will:**

- Encourage the resolution of problems by informal means wherever possible.
- Allow swift handling with established time-limits for action and keep people informed of any progress.
- Ensure a full and fair investigation by an independent person where necessary.
- Respect people's desire for confidentiality.
- Address all the points at issue and provide an effective response and appropriate redress where necessary.
- Provide information to the school's senior management team so that services can be improved.

### **Dealing with concerns informally**

- The school recognises that a vast majority of complaints and concerns can be resolved informally.
- The complainant must feel able to raise concerns and complaints with members of staff, either in person, by telephone, or in writing. A preliminary discussion may be undertaken to help clarify if he or she is making a complaint or expressing an opinion, and whether they wish to take it further.
- The complainant should be able to bring a friend to any discussion if they wish.
- The member of staff dealing with the concern should make sure that the complainant understands what action (if any) or monitoring of the situation has been agreed.
- The process should be completed quickly and concluded in writing with appropriate detail. Where no satisfactory solution has been found, the complainant should be informed that he or she will need to consider whether to make a formal complaint in writing to the head Teacher.
- To assist in this process, the written complaint should include an account of your concerns and the actions you feel should be taken in order to resolve the situation.

### **Monitoring and recording complaints**

- At all stages of the complaints procedure, the following information should be recorded:
- Name of the complainant.
- Date and time at which the complaint was made.
- Details of the nature of the complaint.
- Desired outcome of the complainant.
- How the complaint is being investigated (including written records of any interviews held). Results and conclusions of investigations.
- Any action taken.
- Further responses from the complainant.
- Any subsequent action if required.

## **Special circumstances**

- If the complaint suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual harassment or neglect, it may be referred without further notice to the children's social care and/or to the social services authority for the area in which the child lives.
- If a social services authority decides to investigate a situation, this may postpone or supersede investigation by the Head Teacher or governing body.
- Where a matter can be resolved through a legal appeal, it will not be considered as a formal complaint. The key areas are: admissions decisions; certain decisions relating to formal assessment of special educational needs; and decisions to permanently exclude a child.

## **2. Complaints procedure**

### **Stage 1 - Complaint heard by staff member**

- Parent/carer/guardian discusses their concern with the child's class teacher or, if they prefer, another member of the school's teaching staff.
- Where the complaint concerns the headteacher, the Deputy or another member of staff can refer the complainant to the chair of the governing body.
- If the first approach is made to a governor, the next step would be to refer the complainant to the Head or Deputy and advise them on the complaints procedure.
- Governors should not act alone on an individual complaint outside the formal procedure or be involved at the early stages, in case they are needed to sit on a panel at a later stage of the procedure.
- If a resolution cannot be sought at this level, or the complainant is dissatisfied with the outcome of these initial discussions, then the parent/carer/guardian may wish to escalate the complaint to the next level of the procedure.

### **Stage 2 - Complaint heard by Head Teacher**

- The parent/carer/guardian should request an appointment to see the Head Teacher. This should be as soon as reasonably practical to avoid any possible worsening of the issue.
- The Head teacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken.
- If the complaint is against a member of staff, the Head Teacher should talk to the staff member against whom the complaint has been made. If necessary, the Head Teacher should interview witnesses and take statements from those involved.
- The Head Teacher should keep reasonable written records of meetings, telephone conversations and other documentation.
- The Head Teacher will investigate fully and communicate findings and/or resolutions to the complainant verbally or in writing depending on the nature of the issue.

- Once all the relevant facts have been established, the head teacher should produce a written response to the complainant. The written response should include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action the school will take to resolve the complaint.
- Stage 2 should be completed within **15 school days**. However, it is recognised that where the case is complex, it may prove difficult to meet this time constraint. In such cases, the Head Teacher should write to the complainant giving a revised target date.
- If the parent/carer/guardian is not satisfied with the outcome at this stage, the complaint can progress to the next level for an independent review by the governing body panel.
- If the concern or complaint is against the Head Teacher, in the first instance the complainant will need to write in confidence to the chair of the governing body at the school. The chair will seek to resolve the issue informally before, if necessary, moving to Stage 3.

### **Stage 3 – Complaint heard by the Chair of Governors**

- Complaints at this stage should be made in writing and addressed to the chair of school governors no later than **10 school days** following receipt of a Stage 2 outcome. The chair of governors, or a nominated governor, will convene a governing body meeting.
- Written acknowledgement of the complaint will be made, informing the complainant that their complaint will be heard within **20 school days**.
- The chair of governors will then meet with the complainant. **Five days’ notice** will be given to all attending. The Chair of Governors will then investigate, speaking to all involved parties including the Head Teacher.
- A written response to the complainant will be made **within 25 school days** of the initial complaint to the chair was received. The letter will explain if there are any further rights of appeal and, if so, to whom they need to be addressed.
- If the parent/carer/guardian is not satisfied with the outcome at this stage, the complaint can progress to the next level.

### **Stage 4 – Complaint heard by a panel of governors**

- A disciplinary panel will meet to review the investigation by the Chair of governors.
- The panel will then either agree with the outcome of the investigation or carryout further investigations.
- A written response to the complainant will be made within **20 school days** of the request to move to stage 4 of the complaints procedure. The letter will explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

### **Stage 5 – Complaint to the local education authority**

- A local authority officer will investigate the process that the school has followed and prepare a report, a response will be received within **15 school days**.

### 3. Roles and responsibilities

#### **The Chair of Governors 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.

In making the decision the Chair must bear the following points in mind:

- It is important that any appeal hearing is independent and impartial and that it is seen to be so. The Chair cannot hear if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- An effective hearing 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 of the hearing and care is needed to ensure the setting is informal and not adversarial.
- Extra care must 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 Chair needs to be aware of the complaints procedure.

#### **The role of the chair of the governing body or the nominated governor**

The nominated governor should:

- Check that the correct procedure has been followed.
- Notify the clerk to arrange the panel if a hearing is appropriate.

### 4. Persistent complaints

Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the chair of governors (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, and
- The complainant has been given a clear statement of the school's position and their options (if any), and
- The complainant is contacting the school repeatedly but making substantially the same points each time
- However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school staff

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

