



# Complaints Procedure and Policy

**October 2022**

*Together we strive for excellence*



## POLICY CONTROL

<b>Policy review frequency</b>	Annual
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<b>Ratified by</b>	Full Governors Committee
<b>Date</b>	3rd October 2022
<b>Next review date</b>	October 2024
<b>Headteacher signature</b>	
<b>Chair of Governors signature</b>	



## OUR VISION

Creating the change makers of the future

## ★ OUR VALUES

These are the values we teach and instil in our children:

We are **committed**

We are **curious**

We **challenge** ourselves

We **communicate**

We **collaborate**

We **care**

*Together we strive for excellence*



## **Introduction**

The Governing Body of Cubitt Town Primary School has produced this policy after consultation with staff and parents. It sets out the way the school 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.

It is in the interests of everyone that complaints and responses are dealt with promptly at all stages.

## **Definition of a Complaint**

A complaint is an expression of significant dissatisfaction, however made, by a person or persons with a legitimate interest in the school about the practices or policies of the school, the conduct, action or omissions of members of staff employed at the school or about the standards of teaching.

Complaints may be written or oral. It is not always appropriate for complaints to be put in writing as this might unnecessarily formalize the situation, resulting in the complaint taking on 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 first hand
- 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 every expression of concern is not 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 managers are expected to exercise such discretion before referring matters to the Head Teacher.

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 upwards.

## **Responsibilities**

The conduct of the school is under the direction of the Governing Body. The Head Teacher is responsible for the internal organisation and management of the school.

- This makes the Head Teacher responsible for investigating complaints in the first instance and, if appropriate, referring complaints to other members of staff to deal with.



- The Governing Body may be called upon to consider, resolve or adjudicate if complaints are referred to them by the Head Teacher 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 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 Head Teacher, so that an attempt can be made to resolve the matter informally. Governors must not prejudice themselves by discussing the complaint, as this would prevent their participating in a panel at a later stage. If at any point it appears that there are issues regarding school staff that may need to be dealt with under the disciplinary or other staff procedures, personnel advice should be sought.

#### Aims

- To underpin the school's aims and objectives by giving due consideration to the complaint of parents.
- To ensure that all complaints are considered fully, fairly and confidentially, promptly, thoroughly and, in the first instance, on an informal basis.
- To ensure that there is an effective partnership between the school, staff and parents.
- In the absence of a resolution to the satisfaction of the complainant to issue a clear decision that will enable the complainant, the Head Teacher or the Governing Body to consider how, if at all, the matter should be taken further.
- To 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 Head Teacher or by the 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 or to the legal process.

#### Referral Structure

In most cases referral will be as follows:

- Class Teacher
- Member of the SLT
- Deputy Head Teacher
- Head Teacher

On occasions it will be appropriate to by-pass levels in the referral structure.

- When a complaint is made to the Head Teacher, she may decide to deal with it or to refer it to an appropriate level in the structure. When the Head Teacher has asked a colleague to deal with a complaint, feedback should be given to the Head Teacher.



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

#### Possible Outcomes at the Informal Stage

- The matter is resolved.
- When informal procedures have been exhausted, complaints should be informed clearly by the Head Teacher that the matter about which they complained has been dealt with appropriately by staff within the context of the school policies and procedures.
- The complaint has been found by the Head Teacher to be valid and that the Head Teacher, within his/her responsibility for the overall internal management of the school, will take appropriate action.
- The Head Teacher or the complainant will refer the matter to the Governing Body for their consideration.

#### 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 Head Teacher for investigation. The Head Teacher, if he /she has not already done so, 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 Governors is satisfied that the informal procedures have been exhausted and the complaint is still not resolved, he/she may, after further discussions with the Head Teacher, decide to initiate the formal procedure.
- In the event of the complaint being about the Head Teacher, the Chair of Governors will inform the Head Teacher of the complaint and then attempt, through an informal approach, to resolve the matter.
- The complainant will be advised of the Chair's conclusions.

#### The Formal Procedures

- If informal attempts to settle the complaint have failed to satisfy the complainant, he/she should set out the complaint fully in writing and submit this to the Chair of Governors. 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.



- A copy of the Chair of Governors details can be requested from the office
- Receipt of the complaint will be acknowledged in writing by the Chair of Governors, the Vice-Chair if the Chair is not available or the Clerk. A copy of this Complaints Policy will be enclosed with the acknowledgement.
- 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, where possible, reflect a cross section of Governors, who have no direct interest or involvement in the case.
- 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, representative or interpreter and may call witnesses.
- The Head Teacher (or Chair of Governors if the complaint is against the Head Teacher) 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 Head Teacher will have an opportunity to question the complainant and witnesses.
- The Head Teacher will have the opportunity to respond to the complainant and call witnesses if appropriate.
- The panel and complainant will have the opportunity to question the Head Teacher and witnesses.
- The Head Teacher, 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 Head Teacher 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.



### Taking it Further

If the complainant is not satisfied by the outcome of the Governing Body Panel investigation they can write to the DfE with copies of relevant correspondence. The DfE will look into the matter and give a written reply.

