

Through all of its policies, Wellstead Primary School aims to provide:

A caring, family ethos in which all children can flourish.

Excellent standards of teaching which enable all children to achieve their full potential.

A curriculum which builds enthusiasm for learning and equips children for the next stage of their education.



WELLSTEAD PRIMARY SCHOOL

COMPLAINTS POLICY

Introduction

This document mainly refers to general complaints and will be used to cover all complaints from parents where there is no specific statutory regulations or appeals mechanisms e.g. school admissions, employment, exclusions and LEA decisions on special educational needs assessment and school placements. Throughout the document, the complainant is referred to as the 'parent': this includes parents and carers. This would also apply to a range of people such as neighbours, students, visitors and community facility users.

Aims

At Wellstead Primary School we aim to provide a happy, caring, family environment in order to develop well behaved, confident, independent children. We are committed to encouraging the involvement of parents in the community of the school and in their children's education.

We accept that, from time to time, things may occur which cause parents concern and we aim to ensure that parents and the school community know what steps to take to make sure that any problem is resolved satisfactorily.

Through this policy we aim to

- provide an accessible and easily understood procedure for complaints
- resolve concerns through informal discussions at the earliest stage
- aid communications between parents and school
- provide a fair and transparent investigative process for the whole school community.

Objectives

This document is intended to encourage and assist all those who may have a concern or complaint to address it effectively and as early as possible. The process below outlines the steps that can be taken.

A summary of the process is included in the Prospectus (see Appendix 1). The Department of Education and Skills Regulations and Guidance from Hampshire County Council Education Department are available in the School Office.

Procedures

Preliminary Stage – An Informal Approach

The vast majority of concerns and complaints can be resolved informally and a satisfactory resolution achieved for all parties at the earliest opportunity.

Under normal circumstances, parents should speak informally with the class teacher, or other member of staff involved, as soon as possible if they have a concern. If they, or the class teacher, feel that any discussion may take more time than is immediately available, or require a confidential setting, it would be appropriate for them to make an appointment to meet at a mutually convenient time, when the matter can be discussed in an appropriate environment.

If the concern is about the headteacher, parents should have preliminary discussions with him. However, in exceptional circumstances, they may wish to approach the chair of governors. If the concern is about a governor, parents should have preliminary discussions with that governor. However, in exceptional circumstances, they may again wish to approach the chair of governors.

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Parents should be aware that if they do not talk to the person directly concerned with the matter, they may be advised to do so and that person will be informed of any concern or any complaint against them.

Any concern will be taken seriously and will be dealt with sensitively and as confidentially as possible. If the class teacher cannot deal with the matter immediately, she/he will make a note of the date and nature of the discussion and will make it clear to the parent what action will be taken and when they should expect to hear further. Most concerns are dealt with informally to everyone's satisfaction. If no satisfactory solution has been found in 10 days, parents will then be advised by the teacher of the next step in the process.

Stage 1 – The Headteacher

When an informal stage has not been concluded satisfactorily, parents are advised to write to the headteacher, giving details of the complaint and enclosing any appropriate paperwork, stating whether the matter has been discussed with the class teacher and what the response was. If parents prefer, a complaints form is available in the school office. (Appendix 2)

The headteacher will respond in writing within five days acknowledging the complaint or offering a full response. The headteacher will keep a written record of meetings and after any meeting at which a concern or complaint about any member of staff is discussed, a follow-up letter will be sent to the parents to summarise the main points discussed. This is to prevent any misunderstanding and to record progress or agreement. It is hoped to respond to the complaint in full within 10 days. If, however, the complaint requires an in-depth investigation the headteacher will acknowledge this and let the parents know that a full response will take longer than usual but should be available within 20 days.

If parents remain dissatisfied following the headteacher's final response, they will then be advised by the headteacher of the next step in the process.

Stage 2 – Chair Of Governors

The chair of governors is in the position to be independent and impartial. Parents should send a letter to her/him only, outlining their complaint, explaining the reason for pursuing it beyond the headteacher's response and enclosing any relevant paperwork. They should not discuss the issue with any other governor as this may make it difficult to set up a panel of governors who have no prior involvement should the matter need to be taken a further stage.

The chair of governors will speak with the headteacher and may meet with all parties to try to resolve the complaint.

Where possible, the chair will acknowledge within five days. Record keeping and timescale for responding to parents will be as for the headteacher. She/he will agree to hold discussions with the headteacher. These discussions are key to resolving the complaint and agreeing a way forward.

She/he will decide whether the issue relates to responsibilities that are delegated to the headteacher by the governing body, fall within the governing body's remit only or are within the headteacher's terms and conditions of employment. This decision will determine what powers are available to the governors and therefore what action they can take (see Stage 3 below). Advice will be sought from the LEA.

In the rare circumstance that parents are unhappy with the outcome, the chair of governors will offer a right of appeal to the governing body's complaints panel.

Stage 3 – Governing Body's Complaints Panel

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It is very rare for a complaint to reach this stage. If it does, the next step in the process will involve an independent and impartial review by a panel of three governors.

Parents who wish to appeal to the governors should request this in writing to the clerk to the governing body. Parents should describe the issue in detail and say why they are dissatisfied with the outcome of the previous stages. A form for complaints to the governing body's complaints panel can be provided by the clerk. (Appendix 3).

There are two forms of appeal

- **Reconsideration (considering afresh):** When the issue relates to delegated responsibilities, the panel can reconsider the matter, that is, look at the matter afresh, with any new information that the headteacher may not have been aware of at the time of the original response or action. In light of additional information, the panel may decide to write and ask the headteacher to give the matter further consideration. Complaints about a governor should also be subject to a reconsideration of issues.
- **Review:** If the matter falls within the headteacher's decision-making remit by virtue of his or her terms and conditions of employment, then the panel will only have the power to review the decision, not to consider the matter afresh. Any new evidence will be referred back to the headteacher, who may consider amending the decision in light of that new information.

The clerk will arrange and facilitate the meeting (Appendix 4).

The panel will consist of three governors with no prior involvement in the matter and the chair will be designated by the panel. The meeting will be held in an informal atmosphere with all parties present but will follow a formal agenda (Appendix 5).

The clerk will inform the parent in writing of the panel's decision at the earliest opportunity following the meeting. The letter (Appendix 6) will include

- a summary of the issues
- an outline of the main points of discussion
- the reasons for the decision
- proposed actions or outcomes.
-

It may also suggest that parents meet the headteacher again to agree a way forward and that for issues relating to the national curriculum or the provision of religious education, parents may appeal further to the LEA.

For general complaints this is the final stage of the school's complaints procedure. If a parent believes that the headteacher's and governors' actions have been unreasonable or the correct process has not been adhered to, the only recourse is to the Secretary of State.

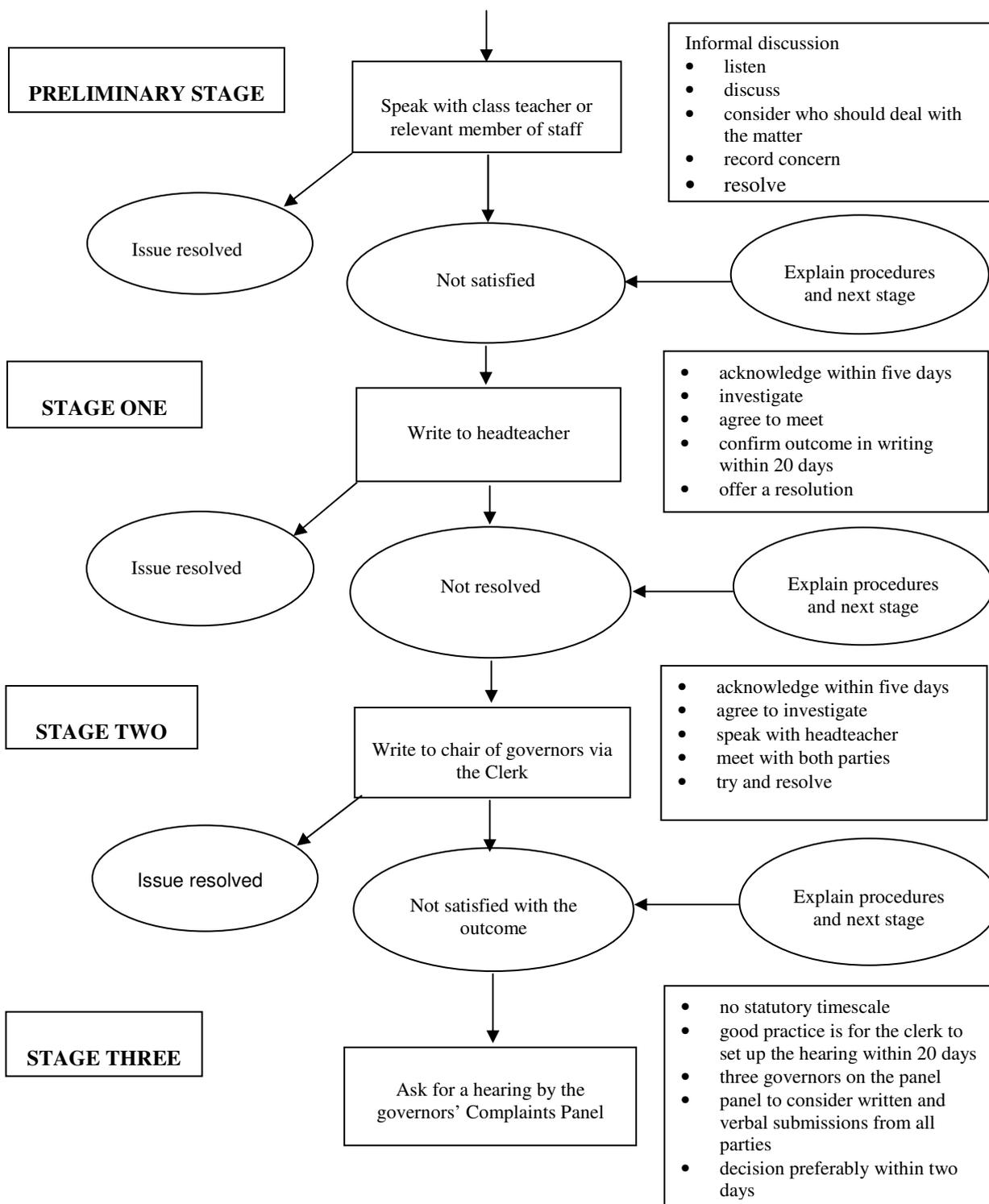
Hampshire County Council has a Customer Relations and Complaints Adviser who can be contacted on Tel 01962 846572. Independent advice for parents is also available from a number of sources including the Citizens Advice Bureau.

Appendix I

WELLSTEAD PRIMARY SCHOOL STAGED APPROACH TO HANDLING COMPLAINTS
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Complainant's actions

School's actions



Appendix 2

Complaints Form 'Stage 1'

Please complete and return to the headteacher. He will aim to acknowledge its receipt within five days and explain what action will be taken.

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Your name:

Pupil's name:

Your relationship to the pupil

Address:

Postcode:

Daytime telephone number:

Evening telephone number:

Please give details of your complaint.

**What action, if any, have you already taken to try and resolve your complaint?
(Who did you speak to and what was the response?)**

Appendix 2 cont.

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

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Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use:

Initial response and acknowledgement:

By whom:

Date:

Action taken:

Date:

Data Protection Act 1998 – *Your personal data will only be processed to respond to your complaint. In general this data will be used for administrative and statistical purposes.*

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Appendix 3

Complaints Form 'Stage 2'

Please complete and return to the chair of governors. She/he will aim to acknowledge its receipt within five days and explain what action will be taken.

Your name:

Pupil's name:

Address:

Postcode:

Daytime telephone number:

Evening telephone number:

Please give details of your complaint.

**What action, if any, have you already taken to try and resolve your complaint?
(Who did you speak to and what was the response?)**

Appendix 3 cont.

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Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Initial response and acknowledgement:

Date:

Action taken:

Date:

Data Protection Act 1998 – *Your personal data will only be processed to respond to your complaint. In general this data will be used for administrative and statistical purposes.*

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Appendix 4

Roles and Responsibilities

Appointing a Panel and Clerk

To establish a complaints panel, the governing body should follow the procedure outlined in the 'Terms of Reference for Complaints Appeal Panel'.

Role of the Clerk

The clerk is the contact point for the complainant and is required to

- set the date, time and venue (preferably on neutral ground) for 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 and be able to read back relevant sections
- draft and distribute the letter from the chair of the panel to all parties
- make confidential minutes recording the panel's conclusions and reasons
- notify all parties of the panel's decision.

Role of Chair of Governing Body

The Chair of the Governing Body will

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

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 facts 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, all parties are given the opportunity to consider and comment on it.

Notification of the Panel's Decision

The chair of the panel will ensure that the complainant is notified of the panel's decision, in writing, with the panel's response, at the earliest opportunity.

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Appendix 5

Agenda and Guidance on Conduct of Meeting

Introduction: Following the introduction, the chair should explain how the meeting will be conducted and check that everyone has the same paperwork. It is always useful to summarise the purpose of the hearing and explain the powers of the panel with respect to the specific complaint.

1. **The complainant's verbal submission.** The complainant may be supported by a friend and should describe the reasons for making the complaint. It may be helpful, if the complainant appears nervous, for the chair to summarise the issues and ask for confirmation and further clarification
2. **Questions by the headteacher.** In keeping with the informal atmosphere, these may be put directly to the parent. However, the chair will need to use discretion if this appears to provoke antagonism.

Panel members may seek clarification at any stage in the meeting

3. **The headteacher's verbal submission.** The headteacher may be accompanied by another member of staff who has more detailed knowledge relevant to the case.
4. **Questions by complainant.** As in No. 2, to maintain the informal atmosphere these may be made direct to the headteacher. However, the chair should use discretion if this becomes acrimonious.
5. **A brief summary by the complainant.** Without introducing any new information.
6. **A brief summary by the headteacher.** Without introducing any new information.
7. **Closure of the hearing.** The chair should ask all parties before the end of the meeting whether they are satisfied that they have said everything they wish to say. They should be told when they should receive a response. The timescale will depend on whether the headteacher will have to first consider any recommendations. In most cases, the response will be straightforward and delivered within two days of the meeting. All parties, except the panel, should leave the meeting at the same time.

The panel then remains to discuss the issues and tell the clerk what to put in their letter.

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Appendix 6

A sample decision letter following a complaints panel hearing

Parent's name and address:

Date:

Dear Mr and Mrs

Your complaint:

Thank you for attending the complaints panel's hearing of your complaint on200....

We summarise your complaint as follows:

-

We listened to all submissions and summarise the main points in this way:

-
-

After much discussion, the panel decided that

For a Reconsideration

- to/not to uphold your complaint.

For a Review

- that the headteacher's decision, in light of the information available at the time, was reasonable [or]
- that the headteacher did not consider the information available, that is:....., so the decision or action appears to have been unreasonable.

We also note that you introduced information that was not available at the time of the headteacher's decision or action and we have referred this to the headteacher for further consideration.

In summary, the reason/s for the panel's decision is/are as follows:

-
-

We feel it would be helpful if you made an appointment to meet with the headteacher and chair of governors to agree a way forward.

This is the final stage in the school's internal complaints procedure. If you feel we have still not resolved the matter satisfactorily, and you wish to take your complaint further, you may contact Ofsted

<http://www.ofsted.gov.uk/schools/for-parents-and-carers/how-complain>

or the Secretary of State

<http://www.education.gov.uk/schools/leadership/schoolperformance/b00212240/making-complaint-school/how-to-complain>

Chair of the Complaints Panel

Cc Headteacher
Chair of Governors
Customer Relations and Complaints Advisor, LEA

Approved by the Full Governing Body	Summer 2015
Date for review	