



## Skylark Federation Complaints Policy and Procedure

**Reviewed and approved by FGB: October 2017**

**Next review: Autumn 2019**

Signed ..... Chair of Governors      Date .....

Signed ..... Executive Headteacher      Date .....

### 1 Introduction

- i. The school defines a complaint as any expression of dissatisfaction either orally or in writing, in respect of the education a child is receiving or other matter that is the direct responsibility of the school.
- ii. We believe that our school provides a good education for all our children, and that the Executive Head Teacher, Heads of School and other staff work very hard to build positive relationships with all parents/carers. However, the school is obliged to have procedures in place in case there are complaints by parents/carers. The following policy sets out the procedure that the school follows in such cases.
- iii. There are certain complaints which fall outside the remit of the governing body's complaints procedure, for example, staff grievances or disciplinary procedures. Separate procedures are in place for dealing with these cases.
- iv. For the avoidance of doubt, a parent/carer not involved in making the complaint is entitled to be informed of the complaint if they usually receive an end of year school report for the child concerned.

### 2 Aims and objectives

- i. Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed and then resolved.
- ii. We believe that an effective complaints process will:
  - encourage resolution of problems by **informal** means wherever possible

- be easily **accessible** and **publicised**
- be **simple** to understand and use
- be **impartial**
- be **non-adversarial**
- allow **swift** handling with established **time-limits** for action and keeping people informed of the 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.

### 3. The complaints procedure

- **Informal stage – complaint heard by member of staff**

If a parent/carer is concerned about anything to do with the education that we are providing at our school, they should, in the first instance, discuss the matter with their child's class teacher. Most matters of concern can be dealt with in this way.

It is in everyone's interest that complaints are resolved at the earliest possible stage.

- **Stage one - complaint heard by Head of School/Executive Head Teacher**

Where a parent/carer feels that a situation has not been resolved through contact with the class teacher, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Head of School or Executive Head Teacher. The Head of School or Executive Head Teacher considers any such complaint very seriously and investigates each case thoroughly.

Most complaints are normally resolved at this stage.

All complaints referred to the Head of School or Executive Head Teacher will be written in the Complaints Log Book kept in the Head Teacher's office. The Head of School or Executive Head Teacher will provide the Personnel Committee with a summary of the type and nature of the complaints at its meetings. An annual report will be made to the full governing body at its meeting at the end of the academic year.

Should a parent/carer have a complaint about the Head of School or Executive Head Teacher, s/he should first make an informal approach to one of the members of the governing body, who is obliged to investigate it. The governor in question will do all s/he can to resolve the issue through a dialogue with the Head of School or Executive Head Teacher, but if a parent/carer is unhappy with the outcome, s/he can make a formal complaint, as outlined below.

- **Stage two - complaint heard by chair or vice chair of governors**

Only if a Stage one complaint fails to resolve the matter should a complaint be made to the governing body. This complaint must be made in writing, stating the nature of the complaint and how the school has handled it so far. The parent/carer should send this written complaint to the chair of governors.

Complaints made to the chair of governors should be acknowledged within 5 school days with a substantive response within 15 school days. The chair may need to hold interviews with the Head of School or Executive Head Teacher and possibly other members of staff and notes should be kept of those meetings.

The letter conveying the chair's findings should include details of the next stage of the procedure and what powers the governing body has. The chair should report the complaint to the next full governing body meeting.

- **Stage three – complaint heard by the governing body's complaints panel**

If the matter is not resolved to the parent/carer's satisfaction at the end of Stage two, the complainant may write to the chair of governors giving details of their formal complaint and requesting that a complaints panel be convened.

The chair or vice chair (whichever was not approached in Stage 2) will convene a complaints panel. The governors' complaints panel is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

The panel will be convened within 20 school days of the formal complaint and the complainant will be given at least 5 days' notice of the date and time of the meeting.

The panel can be drawn from any governing body members and will usually consist of three people. The panel may choose their own chair. We believe it is important that the panel is independent and impartial and that it is seen to be so. Therefore, no governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors will have due regard to the cross-section of the categories of governor and will be sensitive to the issues of race, gender and religious affiliation.

The format of the meeting will be determined by the chair of the panel in consultation with the complainant and the Head Teacher. The clerk to the governors may or may not be employed, at the discretion of the chair of the panel.

The panel 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.

The aim of the complaints panel, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant.

The chair of the panel will write to the complainant, usually within 10 school days of the panel, giving details of the panel's decision. This letter will be copied to the Head of School and Executive Head Teacher and the head of governor services at the County Council.

### **Further recourse**

If the complainant is not satisfied with the outcome of the panel's decision, there is further action they can take.

### **Secretary of State for Education**

Under section 496 or 497 of the Education Act 1996, complainants have a right of appeal to the Secretary of State if they believe that the Local Authority has acted unreasonably. If the Secretary of State agrees that a complaint is justified, he/she has the power to require the Local Authority to take certain actions including the issuing of instructions to school governing bodies in appropriate circumstances, although in practice this would be very rarely exercised. The Secretary of State would not take action until the school procedures have been completed.

### **Local Government Ombudsman**

If a complainant feels that there has been maladministration in the manner in which a complaint has been dealt with, they can take this to the Local Government Ombudsman. The Ombudsman can investigate complaints about how something has been done but he cannot question what has been done simply because someone does not agree with it. The Ombudsman cannot investigate the internal management of schools and colleges. The Ombudsman would not take action until the school procedures have been completed.

## **4. Publicising this policy and procedure**

This policy and procedure will be published on the school's website and given to parents/carers along with the home school agreement.

## **5. Governing body review of complaints**

The governing body will monitor the level and nature of complaints the school receives and review the outcomes on at least an annual basis to ensure the procedure is operating effectively and to make any amendments where necessary. This will be handled through the personnel committee with top level information shared with the whole governing body.

## COMPLAINT FORM

Please complete and return to the chair of governors who will acknowledge receipt and explain what action will be taken.
Your name
Pupil's name
Your relationship to the pupil
Your address
Daytime telephone number
Evening telephone number
Please provide a brief summary of your complaint
What action, if any, have you taken to try and resolve your complaint? (Who have you spoken to in the school and what was the response?)
What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Signature
Date