



Complaints Policy

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**Member of staff responsible
for this policy in consultation
with staff and governors:**

Jo Redman

**Governing Body Committee
responsible for review:**

Children & Learning

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1. Introduction

This policy states the process and procedure of how Westfields Junior School will deal with complaints. Westfields Junior School want parents to feel able to express their views and/or concerns with the full knowledge and confidence that they will be dealt with fairly.

2. Scope

This policy will apply to all parents, community facility users, neighbours, students and visitors to the school.

As well as general concerns/complaints, the procedure outlined below can also be used to raise specific concerns about:

- National curriculum and matters relating to it
- Provision of collective worship and religious education
- School personnel
- School policy

The procedure is not however intended to cover those areas of school life where there are specific complaints procedures i.e. admissions, exclusions and employment. Further details about these procedures are available in other policy documents.

3. Aims

The aims of the school complaint procedures are to:

- Answer concerns raised through informal discussions as soon as possible
- Deal with any complaints raised using the correct procedure, within the recommended timescales by an appropriate person.
- Ensure that staff, Governors and parents are aware of the process and procedures to be followed when dealing with a complaint
- Maintain confidentiality
- Ensure the resolution of the complaint is the key focus rather than apportioning blame

4. The Process

Preliminary Stage – Dealing with a concern or complaint informally

In most circumstances concerns raised by parents can be resolved using an informal approach.

- i. Parents should be encouraged, at all times to speak informally in the first instance with the class teacher, at the end of the school day or by formal appointment.
- ii. If a general concern raised is felt by the parent not to be dealt with satisfactorily, this concern should be re-referred to the Assistant Head, Deputy Head or Headteacher.
- iii. If the concern is regarding a member of staff, it should be referred to the Headteacher.
- iv. This can be done in person, by telephone or in writing.

If the complaint is made in person or by telephone, a complaints record must be completed by the member of staff dealing with the complaint, giving a summary of complaint. (appendix 1a & b)

The Headteacher must be advised of any concerns raised.

- i. If the concern raised is about the Headteacher, a preliminary discussion between the complainant and the Headteacher should take place, however if this is not appropriate then the complainant should approach the Chair of Governors (stage 2 in the process)
- ii. The concerns should be investigated and the outcome communicated to the complainant
- iii. At this stage, if the concerns are resolved to everyone's satisfaction there is no further action to take.

- iv. If the complainant is not satisfied with the outcome of the preliminary stage, then they need to take their complaint to the first stage in the formal complaints procedure within 14 days.

Stage 1 – The Headteacher (Dealing with a complaint formally)

- i. The complainant should put their complaint in writing to the Headteacher after having first spoken to the class teacher. They must give full details of their complaint and if appropriate provide any supporting documentation.
- ii. The complaint should be acknowledged within 5 days.
- iii. If the complaint requires an in-depth investigation, the complainant should receive an acknowledgement within 5 days of receipt of the complaint together with an anticipated time-scale. However this should be within 20 days.
- iv. If necessary, a full investigation should be completed, which may involve interviewing witnesses or taking statements from those involved.
- v. Documentation in respect of any written notes taken during meetings, witness statements and records of telephone conversations must be kept.
- vi. It may be necessary to meet with the complainant to clarify details about the complaint and to communicate any outcomes.
- vii. The outcome of the complaint should be summarised to the complainant. This should include a full explanation of the decision taken and any action the school is taking as part of the resolution. The Headteacher will ensure that the actions taken are recorded. This ensures that there is a clear record of the progress of the complaint or any agreements reached.
- viii. If the complainant is satisfied with the outcome, there is no further action to be taken.
- ix. If the complainant is dissatisfied with the outcome of stage 1, then they must be advised that they can refer the complaint to stage 2 in the complaints procedure which is to notify the chair of the Governing Body within 28 days.

Stage 2 - Chair of Governors

- i. Complainants should write to the Chair of the Governing Body giving full details of their complaint, together with any relevant supporting documentation.
- ii. Complainants should send their letter to Chair of Governors c/o Westfields Junior School, School Lane, Yateley, Hampshire.
- iii. A complaint form should be attached to the letter and completed giving summary of the complaint. (Appendix 2)
- iv. The complaint must be logged
- v. The complaint should be acknowledged within 5 days.
- vi. If the complaint requires an in-depth investigation, the complainant should receive an acknowledgement within 5 days of receipt of the complaint together with an explanation for the delay and anticipated time-scale. However this should be within 20 days.
- vii. The Headteacher and Chair of Governors may meet informally to discuss the key issues being raised and to understand what, if any, potential resolutions there are.
- viii. The Chair of Governors needs to decide who is responsible for dealing with the issues raised, which will determine what authority is available to governors. In particular, the Chair of Governors will need to understand whether the complaint made is related to responsibilities that:
 - are delegated to the Headteacher by the Governing Body
 - fall within the Governing Body responsibility only
 - are within the Headteachers terms and conditions and relate to the organisation, management and control of the school

- i. Appropriate investigations should take place which may include re-interviewing staff and/or pupils and taking statements.
- ii. If as part of the investigation it is necessary to interview pupils, they should be accompanied by a parent / carer.
- iii. If a pupil has said that they do not wish their parent/carer to be present, a member of staff with whom the pupil feels comfortable should be asked to attend
- iv. Documentation in respect of any written notes taken during meetings, witness statements and records of telephone conversations must be kept.
- v. Where the responsibilities are delegated or fall within the remit of the whole Governing Body, the Chair of Governors can reconsider the matter. This can include taking into consideration new information that the Headteacher had not been aware of at the time of the original response, and requesting the Headteacher to reconsider the original response in light of the new information.
- vi. If the matter falls within the Headteacher's responsibility to make the decision, the Chair of Governors will only be able to review the decision. Consideration must be given as to whether the decision or action taken, taking into consideration the information available, was reasonable within the range of reasonable responses.
- vii. If new evidence has come to light during the review, the Chair of Governors can refer it back to the Headteacher for reconsideration of the original decision made.
- viii. If the Headteachers conduct is being investigated, the Chair of Governors needs to decide whether this is dealt with through the complaints procedure or via the staff disciplinary procedure.
- ix. If at this stage the complainant is satisfied with the response, there is no need for further action
- x. If the complainant is dissatisfied, then they have the right to appeal to the Governing Body's complaints panel within 28 days.
- xi. The Chair of Governors must advise the complainant of the authority that the Governors' have at the appeal stage, explaining when they are able to reconsider the whole matter and when it is a review only.

Stage 3 - Governing Body's complaints panel – reconsideration or review

- i. The Governing Body must ensure they appoint a complaint panel when setting up their committees for the year. There can be a pool of Governors, but the actual complaint panel will consist of 3 Governors with no prior involvement in the complaint.
- ii. Complainants must put their complaint in writing to Clerk of the Governing Body c/o Westfields Junior School, School Lane, Yateley, Hampshire.
- iii. A complaint form should be attached to the letter and completed giving summary of the complaint.
- iv. The complaint must be logged
- v. The complaint should be acknowledged within 5 days.
- vi. The clerk should arrange a meeting to discuss the complaint between the complainant, any representatives (a friend may accompany the complainant) the Headteacher, any relevant members of staff and the panel.
- vii. At this stage in the complaint procedure, the complainant should be clear about the authority of the Governing Body complaints panel from stage 2. The appeal will consist of either a reconsideration or review of the decision.
- viii. Where the responsibilities are delegated or fall within the remit of the whole Governing Body, the panel can reconsider the matter. This can include taking into consideration new information that the Headteacher had not been aware of at the time of the original response, and requesting that the Headteacher reconsiders the original response in light of the new information.
- ix. If the matter falls within the Headteacher's responsibility to make the decision, the panel will only be able to review the decision. Consideration must be given as to whether the decision or action taken, taking into consideration the information available, was reasonable within the range of reasonable responses.

- x. If new evidence comes to light during the review, the panel can refer it back to the Headteacher for reconsideration of the decision made, in light of the new information.
- xi. If the Headteachers conduct is being investigated, the panel needs to decide whether this is dealt with through the complaints procedure or via the staff disciplinary procedure.

The appeal panel meeting should follow the following process:

- i. The Chair person provides an explanation of how the meeting will be conducted, check that everyone has relevant documentation and ensure by explanation that all are aware of the authority of the panel.
- ii. The clerk should make notes of the meeting
- iii. The complainant may make verbal submissions
- iv. The Headteacher may ask questions
- v. The Headteacher may make verbal submissions
- vi. The complainant may ask questions
- vii. Panel members may seek clarification at any stage in the process
- viii. A brief summary of the complaint is made by the complainant
- ix. A brief summary is made by the Headteacher
- x. Hearing closes, making sure everyone has had full opportunity to put across their case.
- xi. The complainant must be told when they will receive their response (this is dependant on whether the Headteacher has to consider any recommendations)
- xii. Response should be issued within two days of the meeting. This should contain a summary of the issues, the key points discussed, reasons for the decision and the proposed actions or the outcome.
- xiii. For general complaints, this exhausts the School complaints procedures. If complainants want to pursue their complaint further they will need to raise it to the Secretary of State and should seek advice in the first instance from the LA complaints advisor.
- xiv. For complaints regarding the National Curriculum or the provision of religious education, complainants can appeal further to the LA.

Stage 4 – Appeal to LA

There are various other types of complaints that may fall into the following categories:-

5. Vexatious Complaints

In some circumstances even though the complainant has exhausted the complaints procedure, they persist with the complaint.

Complaints are deemed as vexatious when they:

- i. Become repeatedly and obsessively pursued
- ii. Are unreasonable or seeking unrealistic outcomes
- iii. Are reasonable but pursued in an unreasonable manner

A decision needs to be made by the governors as to whether these complaints are directed to and dealt with by one person or restricted (e.g only able to raise matter via a letter).

If a conclusion has already been reached following the original complaint, but the complainant continues to pursue, the school may write to the complainant explaining:

- i. the matter is concluded and there will be no more correspondence.
- ii. if correspondence continues, it will be filed but will receive no acknowledgement
- iii. Respond briefly making reference to previous documentation that has already dealt with the complaint.

6. Abusive Complaints

Abusive complaints that are both intimidating and aggressive can be either in writing or verbal.

We believe that everyone (the complainant and the person receiving the complaint) has the right to be treated courteously and with respect. Anyone who feels threatened should report their concerns to the Headteacher.

The Headteacher will take the following action:

- i. Complete a violent incident form
- ii. Write to the complainant requesting their behaviour stops immediately
- iii. Refuse contact with all staff
- iv. Report the incident to the police, particularly if the abuse is persistent and this is a form of harassment

If the abusive complaint is via the telephone, the person receiving the call should explain to the caller that they will end the call if their behaviour does not improve. If there is a need to end the call, this again should be reported to the Headteacher and a file note of the incident should be recorded.

Further advice is available from the Legal Service in the Chief Executives Department.

7. Anonymous Complaints

The Headteacher and the Chair of Governors need to consider whether in the light of any anonymous complaints action needs to be taken.

8. Helpful Contacts

- Children's Services Complaints Team tel no: 01962 846424
- www.hants.gov.uk
- <https://contact.ofsted.gov.uk/online-complaints>
- www.gov.uk/complain-about-school



RECORD OF INTERVIEW WITH CHILD

Name:

Class:

Date of meeting:

Seen by:

Nature of incident Behaviour

Other

Teacher informed Yes

No

OUTLINE OF INTERVIEW:

ACTION:



RECORD OF INTERVIEW WITH PARENT

Name:

Class:

Date of meeting:

Seen by:

Nature of incident Behaviour

Other

Teacher informed Yes

No

OUTLINE OF INTERVIEW:

ACTION:

Complaints Form

When we receive a complaint, we aim to acknowledge its receipt within 3 school days and send a full or interim response within 10 school days.

Name of parent	
Pupil's Name	
Address	
Telephone (daytime)	
Telephone (evening)	
What is your concern and how has it affected you?	
Are you attaching any paperwork? If so, please list this below.	
Have you discussed this matter with a member of staff before filling in this form? If so, who did you speak to and what was the response?	
What would you like to happen as a result of making this complaint?	
Signature	Date
Official use only Initial response and Acknowledgement By whom Date	Complaints reference number Action taken Date
Data Protection Act 1998 – We will only process your personal data to respond to your complaint. In general, this data will be used for administrative and statistical purposes.	

