Prince of Wales Primary School
And Early Learners
Complaints Procedure

Autumn 2015

Adopted by the Governing Body
Date 3rd
December
2015
Signed Chair:
Head Teacher:

1. Purpose of the Complaints Procedure

This procedure aims to reassure parents and others with an interest in the school that:

- Any complaint against the school will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution; and

- The school recognises that a willingness to listen to questions and criticism and to respond positively can lead to improvements in school practices and provision for students.

2. Scope of the Procedure

2.1 A complaint is defined as a clear statement of dissatisfaction about any specified aspect of the school's work.

2.2 This procedure deals with specified day-to-day complaints against the management and/or operation of the school which fall outside the scope of the following procedures:

- Complaints which have an alternative statutory avenue of appeal or complaint, e.g. school admissions, fixed term or permanent exclusions from school, SEN assessments, complaints covered by the Education (School Records) Regulations 1989, claims against the school such as Disability Discrimination claims.

- Complaints that must be dealt with by specific employment procedures e.g. allegations of professional misconduct, criminal offences or those that are potentially staff disciplinary issues. Such complaints will be dealt with under internal school procedures and the outcome will be confidential to the employee and employer.

- Staff grievances

- Allegations relating to abuse of children or vulnerable adults.

2.3 Complainants may be anyone with an interest in the work of the school e.g. parents, carers, grandparents or neighbours of the school. However, it is expected that it will be mainly parents or carers who will make use of this procedure. The term 'parent' is therefore used throughout the procedure as a generic term but the procedure also applies in relation to any other type of complainant.

3. General

3.1 Records of all conversations and meetings with parents to resolve complaints will be kept. Copies of correspondence and notes will be kept on file in the school's records, separately from individual student records.

3.2 If at any stage in the procedure it becomes apparent that for any reason the complaint falls outside of this general complaints procedure, parents will be informed.

3.3 There may be rare occasions when, despite all the stages of the procedure having been followed, a parent remains dissatisfied. If the parent seeks to re-open the same issue, the school reserves the right to inform him/her in writing that the procedure has been exhausted and the matter is closed.

3.4 Complaints need to be considered, and resolved, as quickly and efficiently as possible. The time limits set within this procedure will be adhered to wherever possible, however where further investigations are necessary, new time limits can be set and the complainant sent details of the extended deadline, with an explanation of the reasons for extending.

3.5 Where complaints are made about events that took place more than 6 months earlier, or where a student concerned has left the school, the school reserves the right to not consider those complaints through this procedure, for example where proper investigation would not be possible given the passage of time or where it is clearly impossible for the Governing Body to put things right for that student. However, the Governing Body has a duty of care to the students who remain on roll and where appropriate such complaints may be considered by means of a management review. In these circumstances the parent will be informed of any changes to practice and procedures which have been agreed by the Governing Body as a result of the issues raised but there is no right of escalation through this procedure.

4. Complaint Procedure - Informal Stage

4.1 On occasion, a parent may raise a concern directly with school staff informally. At this stage, it may be unclear whether the parent is making a complaint or seeking information or clarification. In any event, the school aims to resolve the concern at this point in a speedy and effective way, without recourse to the formal stages of this procedure.

4.2 At this stage issues can be raised verbally or in writing.

4.3 If the concern is not resolved the opportunity will be given to discuss the matter with a member of the Senior Leadership Team (SLT member) nominated by the school. In the case of an issue raised about a decision or action by the Head Teacher, the matter will always be considered by the Head Teacher.

4.4 The SLT member will discuss the issue with the parent and those involved in school, with the aim of resolving the matter as soon as possible. A written response will be provided, **within 10 school days of the parent discussing their concerns with the SLT member.** The response will include the outcome and what action, if any, the school proposes to take.

4.5 The parent will be advised of their right to request that the matter is considered formally as a complaint at Stage 1 of this procedure if they are dissatisfied with the response and resolution offered at the informal stage.

4.6 If they wish to proceed with a complaint, the parent will be invited to put the complaint in writing to the Head Teacher. The complaint should be sent to the Head Teacher **within ten school days of receipt of the response provided at the informal stage**.

4.7 If a parent has difficulty in writing their Stage 1 complaint, for example where English is not their first language or they have a disability which prevents them from submitting a complaint in writing, assistance will be provided.

5. Complaint Procedure - Stage 1: Formal Investigation and response

5.1 Where the complaint has been addressed by the Head Teacher at the informal stage, Stage 1 will be conducted by the Chair of Governors. Where another staff member has addressed the complaint at the informal stage, Stage 1 will be conducted by the Head Teacher.

5.2 The Chair of Governors or Head Teacher will acknowledge the written complaint **within five school days of receipt** and provide an opportunity for the parent to meet with them to discuss the complaint.

5.3 The Chair of Governors or Head Teacher will investigate the complaint and a written response will normally be made **within ten school days of receipt of the complaint**. If this is not possible, a letter will be sent explaining the reason for the delay and providing a revised target date.

5.4 The written response will include full reasons for the conclusions reached by the Head Teacher or Chair of Governors and what action, if any, the school proposes to take to resolve the matter.

5.5 The response will also advise that if the parent remains dissatisfied, and wishes to pursue the complaint further, they must write to the Clerk to the Governing Body **within ten school days of receipt of the Stage 1 response**, requesting that the complaint escalate to Stage 2. The parent should set out in their letter what issues are outstanding and what outcome they hope for.

5.6 If a parent has difficulty in writing their Stage 2 complaint, for example where English is not their first language or they have a disability which prevents them from submitting a complaint in writing, assistance will be provided.

6. Complaint procedure - Stage 2: Review by the Governors' Complaints Panel

6.1 At this stage, a Governors' Complaints Panel (GCP), will consider the complaint.

6.2 The GCP should consist of three members of the Governing Body, one of whom should act as Chair of the GCP.

6.3 The GCP will appoint a Clerk to make the arrangements for the meeting, take minutes and advise the panel on the process.

6.4 Any member of the Governing Body can sit on a GCP, subject to usual conflict of interest considerations. No member of the GCP should have had prior involvement with the complaint.

6.5 A written acknowledgement of the complaint and the request for it to be heard at Stage 2 of the Procedure will be sent to the parent by the Clerk to the GCP **within 3 school days of receipt**.

The letter will inform the parent that the complaint will be heard as soon as possible by the GCP, at the latest **within twenty school days of receiving the complaint**. It will

also inform the parent of the right to submit any written information they wish, and that this must be made available to the Clerk to the GCP **at the latest 7 school days before the date of the GCP meeting.** The right to call witnesses to the meeting, subject to the approval of the Chair of the GCP, and the right of the parent to be accompanied by a companion of her/his choice, will also be explained in the letter.

6.4 The Clerk to the GCP will send a copy of the Stage 2 letter of complaint to the Head Teacher and/or Chair of Governors and request a written response **at the latest 7 school days before the date of the GCP meeting.** The right to call witnesses, subject to the approval of the Chair, will also be explained.

6.5 The Clerk to the GCP will convene a GCP meeting at an appropriate venue, having consulted with all parties on convenient times. The date, time and venue for the meeting will be confirmed to all parties at least **10 school days in advance of the meeting**.

6.6 The names of all parties and witnesses (if any) to attend the meeting and all relevant documents to be referred to at the meeting will also be provided by the Chair of the GCP to:

- The parent;
- The Chair of Governors and/or Head Teacher;
- Each panel member.

This will be provided as soon as possible and, in any event, **at least five school days prior to the meeting.**

6.7 The meeting will be held following the procedures for hearing a complaint detailed in Appendix 1.

6.8 A written decision will be sent to the parent, the Chair of Governors and the Head Teacher by the Chair of the GCP **within ten school days of the hearing**.

6.9 The decision of the Governors' Complaints Panel represents the end of the school's complaint procedure and in the decision letter parents will be informed of what options remain open to them should they remain dissatisfied.

7 Further options following Stage 2

7.1 If following Stage 2 a parent feels that the Governing Body has acted unreasonably, they can consider complaining to the Secretary of State for Education and in some circumstances Ofsted may consider a complaint about a school.

7.2 For the vast majority of complaints there is no right of further complaint or appeal to the Local Authority beyond the school's Governing Body. Parents may contact the Local Authority for further advice but there is no right of a further stage of formal investigation by the Local Authority. The exception to this is where a parent has raised a complaint with the school about the way a school is providing for a child's Special Educational Needs.

7.3 In the case of complaints about Special Education Needs provision in school for their child, parents can complain further to Enfield Council. On receipt of a complaint about Special Educational Needs provision at school the Schools and Children's Services department Customer Relations Manager (CRM) will notify the Chair of Governors, the Headteacher and the SEN Service. The CRM will arrange for the complaint to be investigated. The investigator will seek the comments of the Governing Body and any other information or advice as necessary.

7.4 When the complaint has been fully investigated and considered the CRM will notify the parents of the outcome in writing, giving the reasons for it, any action or proposed action to be taken and further recourse available. A copy of this response will be sent to the Headteacher, the Chair of Governors and to anyone else concerned in the investigation. This brings the Special Educational Needs complaint to a conclusion.

7.5 Parents who remain dissatisfied following further investigation of their Special Educational Needs complaint by the Local Authority have the right to complain to the Secretary of State for Education who may decide to conduct an additional investigation.

7.6 The Local Government Ombudsman will under some circumstances consider complaints about Special Education Needs provision in schools. Information about the Local Government Ombudsman Service can be found at www.lgo.org.uk

7.7 Advice for parents about making a complaint to the Secretary of State for Education or Ofsted can be found in the *Your Child's Welfare at School* section on the Gov.uk website at https://www.gov.uk/complain-about-school

Appendix 1

Governors' Complaints Panel
Procedures for hearing the complaint

Introduction

The aim of the meeting is to resolve the complaint and achieve reconciliation between the school and the parent.

The Chair of the Governors' Complaints Panel (GCP) will ensure that the meeting is properly minuted.

Although the meeting will follow the structured order below, given potential sensitivities and anxieties, the Chair will endeavour to ensure that the proceedings are as informal as possible and that all parties are put at their ease.

The introduction of new information or witnesses, previously not notified to all parties, would be reason to adjourn the meeting so that everyone has time to consider and respond to the new information.

Order of the meeting

1. The Chair welcomes the parent and his/her companion and the Head Teacher and the Chair of Governors (where the complaint has been addressed by the Chair of Governors at stage 2) and introduces the GCP.

2. The Chair explains the purpose of the meeting, the procedure, and that all written evidence has been made available to all parties.

3. The parent/companion explains the complaint, calling in witnesses if appropriate.

4. The GCP may question the parent/companion and witnesses.

5. The Head Teacher/Chair of Governors present a response to the complaint, including action taken to address the complaint at stage 1 and 2 of the procedure and calling witnesses, if appropriate.

6. The GCP may question the Head Teacher/Chair of Governors.

7. The Head Teacher, together with the Chair of Governors, where applicable, is invited make a final statement.

8. The parent/companion is invited make a final statement.

9. The parent/companion, Head Teacher, Chair of Governors and any witnesses leave the meeting.

10. The GCP considers the complaint and reaches a unanimous or majority decision. The GCP also decides what action (if any) to take to resolve the complaint and any organisational learning for the school.

11. The outcomes are confirmed in writing to both parties in accordance with paragraphs 6.8 and 6.9 of the Complaints Procedure.

12. The records of the GCP meeting including a copy of the decision letter are retained in school along with all other records of the complaint.

L
E
A
R
N
E
S