



CHRIST CHURCH PRIMARY SCHOOL

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Policy for School Complaints

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AIMS

In accordance with DfE Guidelines 2016 ([Appendix 5](#)), the Governors and staff of Christ Church School believe that the following framework of principles will:

1. Encourage resolution of problems by *informal means* wherever possible. In most cases the class teacher or other school individual will receive the first approach and wherever possible staff are encouraged to resolve issues on the spot, including apologising where necessary.
2. Provide an easily *accessible* and *published procedure* for making complaint;
3. Be *simple* to understand and use whilst providing a means of complaint that is both *impartial and non-adversarial*;
4. Establish *clear time-limits* for action and keeping people informed of the progress that allows *swift* handling of the complaint
5. Ensure a *full* and *fair* investigation by an independent person where necessary;
6. Respect people's desire for *confidentiality*.
7. Address all the points at issue and provide an *effective response* and *appropriate redress*, where necessary;
8. Provide information to the School's Leadership Team so that services can be improved.

Informal Procedures for dealing with Complaints

Most parents' concerns can be resolved by the class teacher or other designated member of staff by: responding to the parent courteously, handling the complaint seriously by filling in a Parent Contact Form which identifies action to be taken.

When a parent makes an initial complaint there is usually no need to ask for the complaint to be put in writing. However recording on a Parent Contact Form will ensure that there is a record of a complaint and any action agreed.

If the parent is not happy with the response to their complaint or the staff member would like the protection of a formal procedure then the parent should be advised that the complaint should be put in writing. If a parent is reluctant to put their concerns in writing they may need assistance, especially if English is not their first language.

FORMAL PROCEDURES FOR DEALING WITH COMPLAINTS

Statement of Intent: Formal procedures will need to be invoked only when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school is crucial in determining whether the complaint will escalate and therefore if staff are made aware of the procedures, they know what to do when they receive a complaint. *The School acknowledges that the ability to consider the complaint objectively and impartially is crucial. Where the first approach is made to a governor, the complainant should be advised of the Complaints procedure and refer the complainant to the appropriate person*

The procedure for complaints is summarised in [Appendix 1](#)

Stage One: Staff Member hears complaint

Where appropriate, the complainant will be requested to complete a Complaint Form (see Appendix 2) prior to a member of staff hearing the complaint or the member of staff hearing the complaint should obtain permission to record matters discussed. This will provide a written record of the complaint and will enable staff to follow-up and report back resulting action taken (if any is required)

The school undertakes to respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In such cases, the headteacher can refer the complainant to another staff member.

Where the complaint concerns the headteacher, the complaint should be referred to the Chair of Governors. Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the headteacher may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be.

Stage Two: Complaint Heard by Headteacher

The head teacher's influence will already have shaped the way complaints are handled in the school. However, where the complainant is dissatisfied with the way the complaint has been handled at Stage One, the Head teacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken. It would be useful if governors did not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure. If the chair receives a written complaint from a parent s/he should consult with the headteacher before taking any action. It is important to ensure that all informal stages of the procedures have been exhausted. If this is not the case the Chair would normally advise the complainant to follow the procedures described for the informal stage.

Stage Three: Complaint Heard by Governing Body's Complaints Appeal Panel

Individual complaints should never be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint

The complainant needs to write to the Chair of Governors giving details of the complaint. . The initial response to a complaint should be within 3-5 days to acknowledge receipt of letter and the action to be taken. After 10 days the Chair writes a letter with a written summary of his/her findings and includes some of the following points:

1. All appropriate steps have been taken and no further action is necessary;
2. As a result of the investigation the following arrangements have been madewhich it is hoped the complainant will find satisfactory;

School Complaints Policy and Procedure

Page 3

3.If the complainant is not happy with this response s/he may write to the Clerk to the governing body at the school address requesting that the complaint be considered by the Complaints Committee of the governing body.

4.The Chair, or a nominated governor, will convene a Governor's Complaints Appeal Panel.

5.The Governors' Appeal Hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions. (see [Appendix 3](#) & [4](#)).

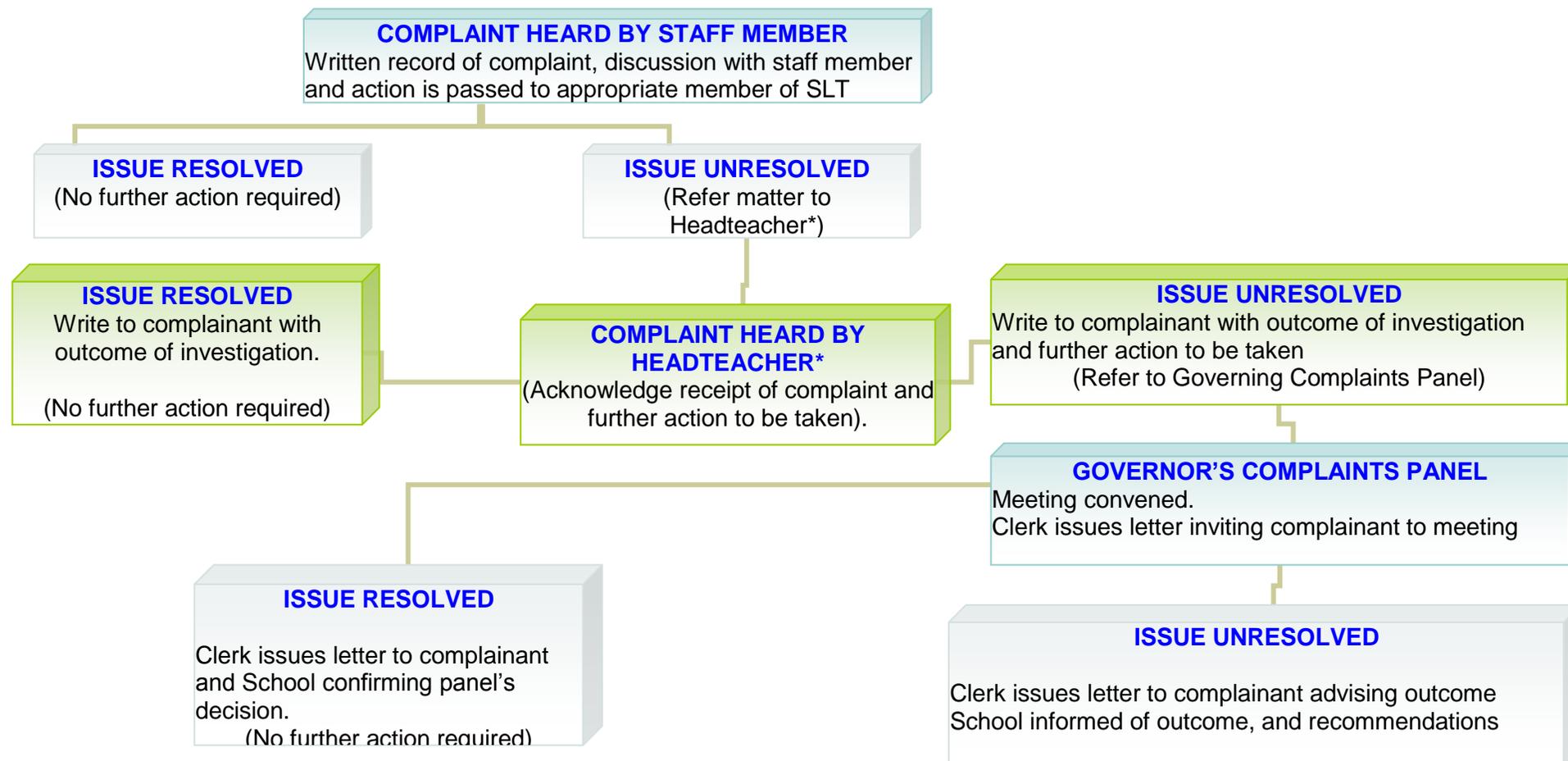
Stage Four: Notification of the Panel's Decision

Following a Complaints Appeal Panel hearing, the Chair of the must ensure that the complainant is notified of the panel's decision, in writing, with the panel's response



APPENDIX 1

COMPLAINTS PROCEDURE
Flowchart



APPENDIX 2

COMPLAINTS FORM

Please complete and return to: School Business Manager who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time 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

GOVERNING BODY COMPLAINTS APPEALS PANEL DfE Guidelines

The governing body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

The procedure adopted by the panel for hearing appeals would normally be part of the school's complaints procedure. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.

Remit of The Complaints Appeal 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.

There are several points which any governor sitting on a complaints panel needs to remember:

1. It is important that the appeal hearing is independent and impartial and that it is seen to be so. 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 need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
2. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
3. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
4. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
5. The governors sitting on the panel need to be aware of the complaints procedure

APPENDIX 3

Roles and Responsibilities

Clerk: The Department strongly recommends that any panel or group of governors considering complaints be clerked. The clerk should be the contact point for the complainant and be required to:

- set the date, time and venue of 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;
- notify all parties of the panel's decision.

Chair of the Governing Body or the Nominated Governor: The nominated governor role:

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

Chair of the Panel: The Chair of the Panel must ensure 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 fact 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 it would be useful to give all parties the opportunity to consider and comment on it.

APPENDIX 4

CHECKLIST FOR COMPLAINTS PANEL HEARING

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The headteacher may question both the complainant and the witnesses after each has spoken.
- The headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

APPENDIX 4

DfE GUIDELINES

1. From 1 September 2003 Governing Bodies (GBs) of all maintained schools and maintained nursery schools in England are required, under Section 29 of the Education Act 2002, summarised in Annex A, to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised.

2. The majority of schools already have a complaints procedure in place, generally based on Local Education Authority (LEA) or Diocesan Board models. This document is intended to help schools draw up a complaints procedure if they have not already done so, or to review their existing procedure if they wish. A framework of principles can be found at paragraph 8. LEAs are already required to set up a procedure for dealing with certain types of complaints, for example, complaints about the curriculum or collective worship in a school. The GB's complaints procedure does not replace the arrangements made for those types of complaint. In addition, there are certain complaints which fall outside the remit of the GB's complaints procedure, for example, staff grievances or disciplinary procedures. It is recommended that the governing body ensures that any third party providers offering community facilities or services through the school premises, or using school facilities [even if it's hiring it out for a wedding reception!], have their own complaints procedure in place.

3. When schools draw up their procedure it is recommended that local teacher associations and LEAs be involved. An example of a procedure, which schools might find helpful, is at Annex B.

This note does not represent Statutory Guidance issued by the Secretary of State.

Further information can be obtained from :

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Darlington
DL3 9BG
Tel: 01325 391102
E-mail: gov.recruit@DfE.gsi.gov.uk

Web link to Act – <http://www.legislation.gov.uk/ukpga/2002/32/section/29>

*The Department wishes to acknowledge the contribution of The Advisory Centre for Education and also Hampshire, Surrey and West Sussex Local Education Authorities in the production of this document. Some of the material is reproduced, by kind permission, from their Complaints Procedures.

APPENDIX 5

Part 1: General Principles of complaints

Dealing with Complaints – Initial concerns

1. Schools need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.
2. These key messages deal with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures.
3. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally.
4. In most cases the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

Dealing with Complaints – Formal procedures

5. The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.
6. Schools might wish to nominate a member of staff to have responsibility for the operation and management of the school complaints procedure. They could be termed the school's 'complaints co-ordinator'. In smaller schools this may often be the headteacher.

Framework of Principles

7. An effective Complaints Procedure 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.

Investigating Complaints

8. It is suggested that at each stage, the person investigating the complaint (the complaints co-ordinator), makes sure that they:
 - establish what has happened so far, and who has been involved;
 - clarify the nature of the complaint and what remains unresolved;
 - meet with the complainant or contact them (if unsure or further information is necessary);
 - clarify what the complainant feels would put things right;
 - interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
 - conduct the interview with an open mind and be prepared to persist in the questioning;
 - keep notes of the interview.

APPENDIX 5

Resolving Complaints

9. At each stage in the procedure schools will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:
 - an apology;
 - an explanation;
 - an admission that the situation could have been handled differently or better;
 - an assurance that the event complained of will not recur;
 - an explanation of the steps that have been taken to ensure that it will not happen again;
 - an undertaking to review school policies in light of the complaint.
10. It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.
11. An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Vexatious Complaints

12. If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the GB is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Time-Limits

13. Complaints need to be considered, and resolved, as quickly and efficiently as possible. An effective complaints procedure will have realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.
 - Part 2: The Formal Complaints Procedure
 - The Stages of Complaints
14. An efficient school complaints procedures will have well-defined stages. At each stage it would be helpful to clarify exactly who will be involved, what will happen, and how long it will take. There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the headteacher after a meeting with the complainant. Both of these examples could be included.
15. Three school-based stages are likely to be sufficient for most schools:
 - Stage one: complaint heard by staff member (though not the subject of the complaint);
 - Stage two: complaint heard by headteacher;
 - Stage three: complaint heard by GB's complaints appeal panel;
 - In very small schools it may be necessary to go straight to stage 2.
16. Regardless of how many stages the school chooses, an unsatisfied complainant can always take a complaint to the next stage. Some procedures may allow for an additional stage if the LEA, Diocese Body (DB) or other external agency provides an independent appeal or review.
17. An effective procedure will specify how a complaint will be dealt with if it concerns the conduct of the headteacher or a governor or where a headteacher or governor has been involved in the issue previously.