

MEADFURLONG SCHOOL

COMPLAINTS PROCEDURE

January 2010

1 Introduction

- 1.1 We want all pupils and their families to be happy with the education we offer and the policies and procedures we follow. Most queries or concerns can usually be resolved satisfactorily in the normal exchanges between home and school.
- 1.2 With a procedure that is based on problem-solving, it is hoped that the headteacher will be able to deal satisfactorily with most complaints. A small number may be referred to the governing body and resolved by them.
- 1.3 The purpose of this policy and procedure is to enable complainants to have their concerns taken seriously and to enable staff and governors to deal with complaints in a fair and consistent way.
- 1.4 All complaints will be investigated by an appropriate person. Depending upon the nature of the complaint, this may be a teacher, a senior member of staff or the headteacher. If the complaint is against the headteacher, the chair of governors may investigate.
- 1.5 As part of any investigation, all relevant parties will be given an opportunity to comment.

2 Principles

- 2.1 The procedure should ensure that comments, concerns or complaints are dealt with:
 - fairly, thoroughly and speedily
 - safely – nobody will be victimised as a result of complaining
 - efficiently and helpfully
- 2.2 The remedies which may be applied will include:
 - An apology
 - An explanation
 - An assurance that the same thing will not happen again
 - Action will be taken to put matters right

3 What is a complaint

- 3.1 A complaint is an expression of dissatisfaction about the standards of teaching or about the conduct, actions or lack of actions of members of the staff employed at the school.
- 3.2 A complaint may be made verbally or in writing. In most cases, problems will be resolved at the informal stage, where a teacher or the headteacher responds to a concern through discussion. If this is not possible, the next step is to refer the matter to the chair of governors, with the right of appeal to a hearing with a governing body committee

4 Who can complain

4.1 The complaints procedure is to be used when a complaint is raised by:

- A parent
- Guardian
- Local resident, or
- Any person within the community who has a genuine interest in the school.

4.2 The procedure is not intended for use by employees or pupils of the school. Any complaints by an employee about their employment should be dealt with through the grievance procedure. A complaint by a pupil will normally be dealt with through their parent or guardian or through other channels, such as the School Council.

4.3 If a complaint is made about statutory provision in relation to special educational needs, the national curriculum or collective worship, the complainant may appeal to the local Education Authority or the Diocesan Board of Education if s/he is not satisfied with the school's response.

4.4 Where the complaint relates to the competence or conduct of a member of staff, following an initial investigation, the matter may be dealt with, if appropriate, under the capability of disciplinary procedure for staff.

The procedure

5 Stage 1 - the informal, problem – solving stage

5.1 Many areas of concern can be dealt with quickly and harmoniously through discussion. This procedure encourages early problem-solving wherever possible. Parents may be asked to complete a Comment Form, which is attached as Annex 1. The school should keep a record of these forms for monitoring purposes.

5.2 Any concerns or complaints should be referred initially to the appropriate member of staff. This will depend upon the nature of the concern but would normally be the member of staff involved or responsible for the areas highlighted. For example, class teacher, year or team leader, head of department, deputy headteacher or the headteacher.

5.3 The person dealing with the matter will make every effort to resolve it and bring about a speedy resolution that is satisfactory to the complainant.

5.4 If the complainant is not satisfied with the response from the member of staff, they should take the matter to a more senior teacher or the headteacher, who will normally be able to resolve the matter and take any necessary actions to put matters right. If the complainant remains dissatisfied they can move to stage 2 and make a formal complaint. They can do this by filling in a formal complaint form, attached as Annex 2, which should be returned to the chair of governors.

6 Stage 2 – chair of governors

6.1 The chair will investigate the matter and the complainant shall, at this stage be entitled to meet – within 7 days – the chair of governors to discuss the complaint. Both parties may be accompanied by a friend or representative. Following the meeting, the chair of governors will reach a decision as to what action, if any, should be taken in response to it.

- 6.2 The chair of governors will send a letter, giving the decision, to the complainant within 14 days of the meeting. Where for reasons beyond their control (including the nature of the complaint) it is not possible to comply with any set timescale, they will inform the complainant within 7 days of the date by which they intend to issue the decision letter.
- 6.3 The decision letter shall inform the complainant of their right to the appeal to the governing body and shall state the time within which any appeal must be notified, normally within 7 days of the receipt of the letter.

7 Complaints Committee

- 7.1 On receipt of the notice to appeal, the chair of governors shall delegate the resolution of the complaint to the complaints committee – a panel of governors to deal with the resolution of complaints.
- 7.2 At the beginning of each academic year, the governing body will set up a complaints committee. Although it's not expected that the panel would meet more than occasionally, it would be helpful to nominate governors to sit on the committee.
- 7.3 Normally, the governing body will nominate a pool of five governors from which three will serve to consider a complaint. At least one member should be a parent of a pupil at the school. People who are exempt from the complaints committee include:
- The headteacher
 - The chair of governors
 - Any governor who has a family, business, neighbourly or friendship connection with the complainant.
- 7.4 The committee shall appoint a chair and arrange for a clerk to the committee to be nominated to keep a record of the meeting.
- 7.5 The school will arrange a mutually convenient date and time for the meeting and set a timetable for the meeting and arrange for the clerk to the committee to notify the complainant. The clerk will also inform the complainant and the member of staff or headteacher that they may be accompanied by a friend or representative at the meeting.
- 7.6 Both the complainant and the relevant member of staff and the headteacher or chair of governors or a combination of these will provide the clerk with any documentation to be used at the meeting at least 10 days before it meets. This will be sent to all parties at least 7 days before the hearing.
- 7.7 The formal procedure for conducting a complaints committee meeting is as follows:
- the chair will make any necessary introductions and explain the procedure to be followed
 - the complainant will outline the details of the complaint and may refer to documents relevant to the hearing
 - the member of staff or headteacher will have the opportunity to ask relevant questions of the complainant
 - the members of the complaints committee will have the opportunity to ask relevant questions of the complainant
 - the member of staff or headteacher will respond to the complaint and may refer to documents relevant to the hearing
 - the complainant will have the opportunity to ask relevant questions of the member of staff or headteacher
 - the members of the complaints committee will have the opportunity to ask relevant questions of the member of staff or headteacher

- both parties may sum up if they wish
- the chair will sum up the differences
- both parties will then withdraw
- the complaints committee will then consider the information put before them at the hearing and will make a decision as to:
 - whether the complaint should be upheld
 - the reasons for their decision
 - any action to be taken
 - any recommendation they wish to make to the headteacher or the governing body.

7.8 The chair of the committee will send a letter to the complainant and the member of staff or headteacher within 7 days, notifying them of the outcome of the hearing. The letter should state:

- details of the complaint
- the reasons for the decision and/or the recommendation of the committee
- any action to be taken by the headteacher or the governing body or both.

7.9 The committee itself does not have any power to take remedial action. If it reaches a conclusion that an employee may have behaved unprofessionally and that disciplinary action may be appropriate, it can only recommend such action to the headteacher or, if the matter relates to the headteacher, the chair of governors, who will consult with officers of the Council.

7.10 If the committee wishes to make a recommendation regarding a change to the school's policy or procedures, this should be referred to the governing body for consideration.

7.11 This effectively ends the complaints procedure. There is no appeal beyond the governing body, although the complainant may pursue it with the Secretary of State for Education and Employment.

Signed..... Date.....