

Highwoods Community Primary School

Tynedale Square, Highwoods, Colchester, Essex, CO4 9SN
www.highwoodsprimary.com

Concerns and Complaints Policy (Incorporating Procedures for Concerns and Complaints)



Reviewed January 2015

“Learning for Life”

1. This policy statement sets out the school's approach to dealing with parental concerns and complaints. Further details of how we handle them are contained in our procedures document, *Procedures for Concerns and Complaints*, which can be found in this policy.
2. We value good home/school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.
3. We welcome feedback on what parents feel we do well, or not so well, as a school. We will consider carefully all feedback, whether positive or negative, and will review our policies and practices accordingly.
4. We will treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils.
5. All school staff, teaching and non-teaching; and members of the Governing Body, will receive a copy of this policy statement and will be familiar with the school's procedures for dealing with parental concerns and complaints, to which they will have access as required.
6. The school's procedures will be reviewed regularly and updated as necessary.
7. Staff and governors will receive training in handling parental concerns and complaints as appropriate. This may be on an individual basis; or as a group activity for all staff; or for specific groups, such as the office staff or members of the Governing Body.
8. Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, use our option to close a complaint before all the stages of the school's procedures have been exhausted, if this appears to be appropriate.
9. The Government advocates the resolution of parental concerns and complaints at school level wherever possible, in the interests of maintaining good home/school relations.

Procedures for Concerns and Complaints

Our procedures for dealing with general concerns

The majority of concerns from parents, carers and others are handled under the following general procedures.

The procedure is divided into three stages:

Stage 1 aims to resolve the concern through informal contact at the appropriate level in school.

Stage 2 is the first formal stage at which written complaints are considered by the headteacher (or a designated governor, in appropriate cases, who has special responsibility for dealing with complaints).

Stage 3 is the next stage once Stage 2 has been worked through. It involves a complaints review panel.

How each of these stages operates is explained below:

Stage 1 - Your initial contact with the school

1. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's form teacher/tutor.
2. We will see you, or contact you by telephone or in writing, as soon as possible after your concern is made known to us. All members of staff know how to refer, if necessary, to the appropriate person with responsibility for particular issues raised by you. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.
3. We will ensure that you are clear what action or monitoring of the situation, if any, has been agreed.
4. We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into your concern.
5. We will discuss with you (normally within ten working days) the progress of our enquiries. You will have the opportunity of asking for the matter to be considered further, once we have responded to your concern.
6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

Stage 2 - Formal consideration of your complaint

This stage in our procedures deals with written complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined under Stage 1 above. There are two parts to Stage 2 - Stage 2A, then Stage 2B.

Stage 2A

1. Normally, your written complaint should first be addressed to the headteacher, who may delegate a designated deputy to consider it. If, however, your complaint concerns the headteacher personally, it should be sent to the school marked "For the attention of the Chair of Governors".
2. We will acknowledge your complaint in writing as soon as possible after receiving it. This will be within three working days.
3. We will enclose a copy of these procedures with the acknowledgement.
4. Normally we would expect to respond in full within ten working days but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
5. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
6. The headteacher, designated deputy or (where the complaint concerns the headteacher personally) chair of governors may also be accompanied by a suitable person if they wish.
7. Following the meeting, the headteacher, designated deputy or (where the complaint concerns the headteacher personally) chair of governors will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
8. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
9. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
10. The headteacher, designated deputy or (where the complaint concerns the headteacher personally) chair of governors will keep written/ typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
11. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give a full explanation of the headteacher's, designated deputy's or (where the complaint concerns the headteacher personally) chair of governors' decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.
12. Please note that any complaint received during or close to the end of a term or half term may take longer to resolve owing to school holidays.

13. If you are still dissatisfied after Stage 2A, you may wish to proceed to Stage 2B, as described below.

Stage 2B

14. If you have been unable to resolve your complaint within the school under Stage 2A, you should send your written complaint to the school marked "For the attention of the Chair of Governors" within five working days of receiving the decision under Stage 2A. The chair of governors will deal with the matter or designate a governor to consider your complaint.
15. We will acknowledge your complaint in writing as soon as possible after receiving it. This will usually be within five working days.
16. We will enclose a copy of these procedures with the acknowledgement.
17. Normally we would expect to respond in full within fifteen working days but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
18. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
19. The chair of governors or designated governor may also be accompanied by a suitable person if they wish.
20. Following the meeting, the chair of governors or designated governor will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
21. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
22. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
23. The chair of governors or designated governor will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
24. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give a full explanation of the chair of governors' or designated governor's decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.
25. The person investigating your complaint may decide that we have done all we can to resolve the complaint, in which case we may use our discretion to close the complaint at this point. Please see the 'Closure of Complaints' section in this policy for further information about this process.
26. Please note that any complaint received during or close to the end of a term or half term may take longer to resolve owing to school holidays.
27. If you are still dissatisfied after Stage 2B, you may wish to proceed to Stage 3, as described below.

Closure of Complaints

- Very occasionally, a school will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.
- We will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".
- If a complainant persists in making representations to the school - to the headteacher, designated governor, chair of governors or anyone else - this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.
- For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint.
- This action may be taken where the complainant's action is causing distress to staff and/or students. This does not, of course, prevent you from referring your complaint to the Department for Education.

Stage 3 - Consideration by a complaints review panel

- If your concern has already been through Stages 1 and 2 and you are not happy with the outcome, you may ask for the complaint to be referred to a complaints review panel ("the Panel") for consideration. This is a formal process, and your ultimate recourse at school level. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.
- The purpose of this arrangement is to give your complaint a hearing in front of a panel who have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice.
- We will appoint the Panel, which shall consist of at least three people who were not directly involved in the matters detailed in the complaint. The Panel shall be comprised of school governors and a person who is independent of the governance and management of the school.
- The aim of the Panel is to resolve the complaint and to achieve reconciliation between the school and the complainant. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously.
- The Panel operates according to the following formal procedures:
 1. The clerk to the governing body will aim to arrange for the Panel meeting to take place within 20 working days.
 2. The clerk will ask you whether you wish to provide any further written documentation in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.

3. The headteacher will be asked to prepare a written report for the Panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
4. The clerk will inform you, the headteacher, any relevant witnesses and members of the Panel by letter or email, at least five working days in advance, of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place in the school; but we will do what we can to make alternative arrangements if you prefer.
5. With the letter or email, the clerk will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit further written evidence to the panel.
6. The letter/email will explain what will happen at the panel meeting and the clerk will also inform you that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. It is not necessary for that person to be legally qualified but if you wish to be accompanied by a legally qualified person, acting in their professional capacity, please notify the clerk at least five working days before the meeting. Any person accompanying you is there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
7. With the agreement of the chair of the Panel, the headteacher may invite members of staff directly involved in matters raised by you to attend the meeting,
8. The chair of the Panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
9. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
10. The chair of the Panel will ensure that the meeting is properly minuted. Please understand that any decision to share the minutes with you, the complainant, is a matter for the Panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.
11. Normally, the written outcome of the Panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance. If the Panel is happy for the minutes to be copied to you, the clerk can then be asked maintain confidentiality in the minutes.
12. During the meeting, you can expect there to be opportunities for:
 - you to explain your complaint;
 - you to hear the school's response from the headteacher;
 - you to question the headteacher about the complaint;
 - you to be questioned by the headteacher about the complaint;
 - the Panel members to be able to question you and the headteacher;

- any party to have the right to call witnesses (subject to the chair's approval) and all parties to have the right to question all witnesses;
 - you and the headteacher to make a final statement.
13. In closing the meeting, the chair will explain that the Panel will now consider its decision and that written notice of the decision will be sent to the headteacher, yourself and, where relevant, the person complained about, within two weeks. All participants other than the Panel and the clerk will then leave.
 14. The Panel will then consider the complaint and all the evidence presented in order to:
 - reach a unanimous, or at least a majority, decision on the complaint;
 - decide on the appropriate action to be taken to resolve the complaint;
 - recommend, where appropriate, to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.
 15. If after establishing the facts the Panel consider that the complaint is justified, they will uphold the complaint. If the Panel consider that the complaint is not made out, they will dismiss the complaint. They will make these decisions on the balance of probabilities.
 16. It is not within the powers of the Panel to make any financial award, not to impose sanctions on staff, students or parents. The Panel may make recommendations on these or any other issues to the headteacher or to the full body of governors as appropriate.
 17. The clerk will send you, the headteacher and, where relevant, the person complained about, a written statement outlining the decision, findings and any recommendations of the Panel within two weeks. The letter will explain what further recourse is available to you.
 18. The decision, findings and any recommendations will be kept available for inspection on the school premises by the governing body and the headteacher.
 19. Please note that any complaint received during or close to the end of a term or half term may take longer to resolve owing to school holidays.
 20. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

If you are dissatisfied with the decision of the Panel, you may contact the Department for Education's Education Funding Agency (EFA) (www.education.gov.uk).

A written record will be kept of all complaints, and of whether they are resolved at a preliminary stage or proceed to a panel hearing.

Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by paragraph 25(k) of schedule 1 to the Education (Independent School Standards) (England) Regulations (SI 2010/1997), that is where access is requested by the Secretary of State or a body conducting an inspection under section 162A of the Education Act 2002 or under any other legal authority.

Other sources of information and advice

If your concern is about an aspect of special needs provision, which might include information about relevant voluntary organisations and support groups in Essex, you might like to talk to our Parent Partnership team on their helpline: 01245 436036.

Reviewed: January 2015