

PARENTAL COMPLAINTS POLICY

Committee Name:	Whole Governing Body
Date of Approval:	10 th July 2017
Validity Date:	July 2017-19
Person responsible:	Head Teacher

Introduction

This policy covers all matters relating to the actions of staff and application of school procedures where they affect the individual pupils concerned. Under Section 29 of the Education Act 2002 the law requires this procedure be publicised.

Exclusions: Issues with the following are covered in separate procedures /policies:

- Matters relating to the curriculum
- Issues with exclusions
- Complaints relating to admissions

General Principles

It is our intention that our 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

The following will not be investigated unless there are exceptional circumstances:

- An anonymous complaint
- An issue which occurred more than three months ago

Timeframe

Investigation of any complaint or review request will begin within five school days of receipt, unless there are exceptional circumstances. The investigation will be completed as soon as reasonably practicable.

Complaining about the actions of a member of staff other than the Head Teacher

Informal Stage

The complainant is normally expected to arrange to communicate directly with the member of staff concerned. This may be by letter, by telephone, by Email or in person by appointment. Simple clarification or the provision of information can resolve many concerns and it is anticipated that most complaints will be resolved by this informal stage. In the case of serious concerns it may be appropriate to address them directly to the Head Teacher. An unreasonable refusal to attempt an informal resolution may result in the procedure being terminated forthwith. Any dispute in relation to the “reasonableness” may be determined through the review process.

Formal Stage

If the complaint is not resolved at the informal stage the complainant must put the complaint in writing and pass it to the Head Teacher, who will be responsible for its investigation.

The complaint should include details that might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. In addition, the Head Teacher may meet with the complainant to clarify the complaint.

The Head Teacher will collect such other evidence as he/she deems necessary. Where this involves an interview with a member of staff, who is the subject of the complaint, a friend or a representative, may accompany that member of staff if they wish.

The investigation will begin as soon as possible and when it has been concluded, the complainant, and the member of staff concerned will be informed in writing of the outcome. This may be the effect that:

- there is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- the concern is not substantiated by the evidence
- the concern was substantiated in part or in full – some details may then be given of action
- the school may be taking to review procedures but details of the investigation or of any disciplinary procedures will not be released
- the matter has been fully investigated and those appropriate procedures are being followed, which are confidential e.g. where staff disciplinary procedures are being followed

The complainant will be told that consideration of their complaint by the Head Teacher is now concluded.

If the complainant is not satisfied with the manner in which the process has been followed, they now request that the Governing Body review the process followed by the Head Teacher. Any such request must be made in writing within two weeks of receiving notice of the outcome from the Head Teacher, and include a statement specifying any perceived failures to follow the procedure. The procedure in “Review Process” will be followed.

If the complainant considers that the decision of the Head Teacher is perverse, or that the Head Teacher has acted unreasonably in considering the complaint, the complainant can bring a complaint against the Head Teacher (“Complaining about the actions of the Head Teacher” Refers). This will provide an opportunity for the evidence supporting such a complaint to be investigated.

Complaining about the actions of the Head Teacher

General

Complaints about the Head Teacher should be made or sent to the Chair of the Governing Body, who will investigate the matter personally or name the Vice Chair of the Governing Body, as both mediator and investigator for both the Informal (if required) and Formal stages of the investigation.

Informal Stage

The complainant is expected to speak directly with the Head Teacher. Simple clarification or the provision of information can resolve many concerns. If the matter is not resolved and both parties agree, then a third party may be invited to act as a mediator at a further meeting. An unreasonable refusal to attempt an informal resolution may result in the procedure being terminated forthwith.

It is recognised that in the case of a serious concern, it may be appropriate to go directly to the Chair of the Governing Body.

Formal Stage

If the complaint is not resolved at the informal stage, the complainant must put the complaint in writing and pass it to the Chair of the Governing Body who will determine which of the agreed procedures to invoke. If it is determined that the complaint is “general” the Chair of the Governing Body will arrange for its investigation.

The complainant should include details that might assist the investigation, such as the names of potential witnesses, dates and times of events and copies of relevant documents. In addition the complainant will be invited to meet the Chair of the Governing Body or the nominated investigator to present oral evidence or to clarify the complaint. Chair of the Governing Body or the nominated investigator will collect such evidence as is deemed necessary. This may include the interviewing of witnesses and others who may provide relevant information.

The Head Teacher will be provided with a copy of the complaint and any additional evidence presented by the complainant or collected by the Chair of the Governing Body or the nominated investigator. Once there has been an opportunity for the Head Teacher to consider this, he/she will be invited to meet separately with the Chair of the Governing Body or the nominated investigator, in order to present written and oral evidence response. A friend or representative may accompany the Head Teacher at this meeting.

When the investigation has been concluded, the complainant and the Head Teacher will be informed in writing of the outcome. The complainant will not be informed of any disciplinary/capability action. The complainant

will be told that consideration of their complaint by Chair of the Governing Body or the nominated investigator is now concluded.

If the complainant is not satisfied with manner in which the process has been followed, or considers that the decision of Chair of the Governing Body or the nominated investigator is perverse, or that the Chair of the Governing Body or the nominated investigator has acted unreasonably in considering the complaint, then the complainant may request that the Governing Body review the handling of the complaint by Chair of the Governing Body or the nominated investigator, and include a statement specifying any perceived failures.

Complaints referred to the Review Process (relevant to all type of complaint)

Any review of the process followed by the Head Teacher or the Chair of the Governing Body or the nominated investigator shall be conducted by a panel of three members of the Governing Body.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically. The panel will first receive written evidence from the complainant.

The panel will then invite the Head Teacher or the Chair of the Governing Body or the nominated investigator, to make a response to the complaint. The panel may also have access to the records kept of the process followed. The complainant and the Head Teacher or the Chair of the Governing Body or the nominated investigator, as appropriate, will be informed in writing of the outcome. This may be to the effect that:

- there is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- the concern is not substantiated by the evidence
- the concern was substantiated in part or in full but that the procedural failure did not affect the outcome significantly so the matter is now closed
- the concern was substantiated in part or in full and the Governing Body will now take steps to prevent a recurrence or to rectify the situation (where this is practicable)

The complainant is not entitled access to any details of the investigation except for any statements that may have been provided by their child. Any information relating to the application of disciplinary procedures is strictly confidential.

Complaints still unresolved after review

If a complainant believes that the Governing Body has acted illegally or arbitrarily in handling the complaint, then the complainant may make representations to the Secretary of State for Education.

Monitoring Formal Complaints

Keeping Records. The person investigating will ensure that:

- Careful records are kept
- Confidentiality is maintained

Reviewing and Monitoring. The Head Teacher or Deputy Head Teacher will:

- Survey a sample of complainants to determine the levels of satisfaction achieved
- Report to the Chair of the Governing Body and the whole Governing Body if necessary

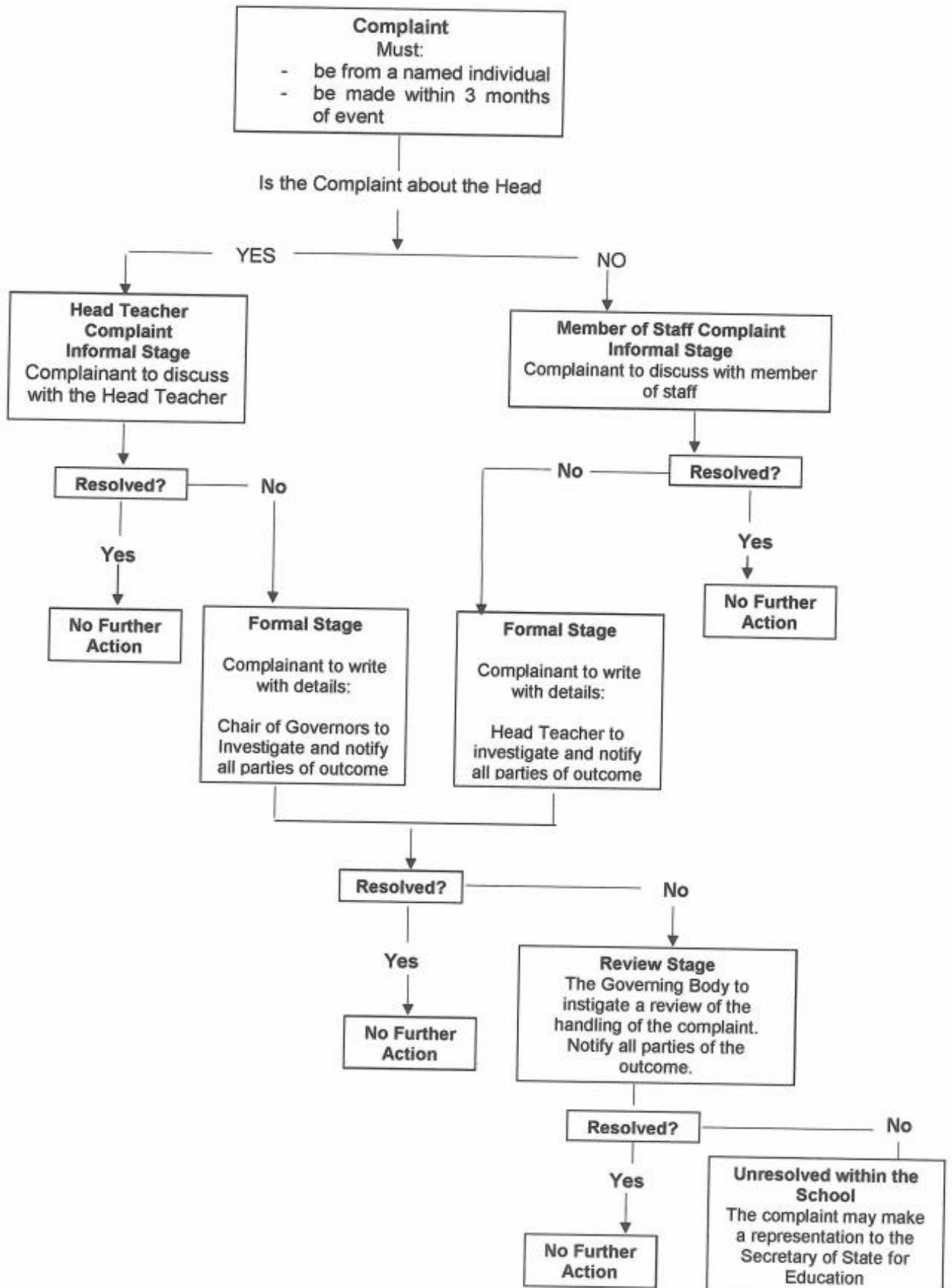
If the complaint is found to be mischievous, this will be recorded.

Parental Complaints Policy Review

This policy will be reviewed at least every two years by staff and governors.

St Saviour's Church of England Primary School
Parental Complaints Policy

Appendix 1 – Flow Chart



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