

WEST PARK PRIMARY SCHOOL



Complaints Procedure

STAGE ONE: Complaint Heard By Member of Staff

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 can be crucial in determining whether the complaint will escalate. Brief notes of the complaint/actions should be reported to the Headteacher or other member of the Senior Leadership Team.

It assists the procedure if the views of the complainant are respected, therefore if they prefer to speak to a particular member of staff this will be accommodated where possible. Where the complaint concerns the Headteacher then the complainant should be referred to the Chair of Governors.

Where the first approach is made to a Governor, the next step is to refer the complainant to the appropriate person and advise them about the procedure. Governors must 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.

STAGE TWO: Complaint Heard by Headteacher

At this point the complainant may be dissatisfied with the way a complaint was handled at stage one as well as pursuing their initial complaint. The head may delegate the task of collating the information to another member of staff but not the decision on the action to be taken. The school should log all formal complaints and action taken. Complaints will be acknowledged within five school working days and respond to complainants within twenty school working days. If the complainant is not satisfied, they may appeal to the Governing Body.

Anonymous complaints will not normally be considered however the head teacher will determine whether the gravity of an anonymous complaints warrants an investigation.

Complaints made out of term time will be determined to have been received on the first day after the holiday period.

STAGE THREE: Complaint Heard by Governing Bodies Complaints Appeal Panel

The complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a Governing Body complaints panel.

The Governors' appeal hearing is the last school-based stage of the complaints process, and is not convened merely to rubber-stamp previous decisions.

Individual complaints will not 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 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 will be drawn from the nominated members and may consist of three or five people. The panel will choose their own chair.

The 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 similar nature do not recur

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

- a) 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.
- b) 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 their complaint has been taken seriously.
- c) An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents may often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcome as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- d) 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 the 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.
- e) The governors sitting on the panel need to be aware of the complaints procedure.

Roles and Responsibilities

The Role of the Clerk

Any panel or group of governors hearing a complaint will be clerked. The clerk will be the contact point for the complainant and be required to:

- Set the date 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 panels decision

The Role of the 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

The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring 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 outcomes 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

Notification of the Panel's Decision

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response within 5 working days. The letter will explain if there are any further rights of appeal and, if so to whom they need to be addressed.

If parent or carer is still unhappy

Information is available on the LA website:

<http://www.wolverhampton.gov.uk/article/2605/Complaints-about-schools>

Complaints procedures for parents of children with SEND

There is a comprehensive overview via this link:

<http://win.wolverhampton.gov.uk/kb5/wolverhampton/directory/localoffer.page?localofferchannel=1>

This is also a useful website to support parents/carers Wolverhampton Information, Advice and Support Service 'for special educational needs and disability':

<http://wolvesiass.org/>

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