

# Kempsford Church of England School (Voluntary Controlled)



*“Together, we will Rise”*

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## **Complaints Procedure Policy**

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This is the Complaints policy of the school. It is controlled by the Headteacher and reviewed by the FGB.

## Document History

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## Contents

1	Introduction.....	3
2	Raising a concern.....	3
3	Formal Complaints Procedure.....	3
4	General Principles.....	3
5	Stage One: Complaint Heard by a Staff Member.....	4
6	Stage Two: Complaint Heard by Head teacher.....	4
7	Stage: Three: Complaint Heard by the Governing Body Complaints Appeal Panel.....	4
8	The Remit of the Panel.....	5
9	The Panel’s Approach.....	5
10	The Role of the Chair of the Panel.....	6
11	The Role of the complainant.....	6
12	The Role of the Clerk.....	6
13	Withdrawal of the complaint.....	6
14	Notification of the Panel’s Decision.....	7
15	Complaint Form.....	8
16	Flow Diagram.....	10

**Introduction**

Kempsford Church of England Primary School is committed to listening to the views of those who use the School. Parents and carers of pupils have access to the class teachers for brief conversations at dropping off and picking up times daily, or by telephone by arrangement through the office. Parent evenings provide an opportunity for further discussions.

In addition to this, it is important that parents and carers are able to discuss a concern that they may have with the Class teacher or Head teacher and then have access to a formal complaints procedure if still not satisfied. This policy document relates to raising a concern with the Head teacher and the separate formal complaints procedure.

**Raising a concern**

The staff and governing body believe that the starting point for addressing a concern is to have an informal discussion, which is aimed at resolving the issue to the satisfaction of all concerned. Misunderstandings can be clarified and explanations provided. If this is sufficient to answer the concern, everyone has benefited from a quick resolution of the matter. If a parent or carer wishes to raise a concern, they should contact Mr. Mendum, the Head of School, who will schedule a meeting with the appropriate people (01285 810367 or email [head@kempsford.gloucs.sch.uk](mailto:head@kempsford.gloucs.sch.uk)). It is to be hoped that a discussion will answer the concern. But if it does not, the next step is to make a formal complaint under the school's complaints procedure.

**Formal Complaints Procedure**

A copy of the school's formal complaints procedure is attached. A key principle is that everyone involved has the opportunity to explain their understanding of the issues, so that all the relevant circumstances are investigated and considered. This is important for children, parents and carers and equally for staff.

**General Principles**

Complaints co-ordinator: The Head teacher acts as the complaints co-ordinator.

Confidentiality: Staff and any governors involved in the handling of a complaint will treat the matter as confidential, subject to any duties of disclosure that may apply. The complainant will be asked to similarly respect the confidentiality of the issues under consideration. If the complainant raises the complaint outside School, School may need to supply information or documents to outside bodies in order to explain the circumstances.

Governing Body Review: The governing body may monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and recommend revisions where appropriate. Complaints information shared with the whole governing body will not name individuals.

Time-limits: It is in everyone's interest that complaints are resolved at the earliest possible stage. The policy does not stipulate fixed periods for every step as circumstances will vary. Please note that stage 3 does have time-limits to promote fairness to all concerned.

### **Stage One: Complaint Heard by a Staff Member**

To promote the aim of resolving a complaint at the earliest possible stage, complainants are asked to use the Complaints Form attached at the end of this policy. The Complaints Form can be printed or is available on request from the office. The form should be sent to the office for the attention of the complaints co-ordinator. The complaint will be handled by a senior staff member.

School will respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the coordinator can refer the complainant to another staff member. Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the co-ordinator may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

If a complainant makes their first approach to a governor (for example because the complainant is not aware of this policy), the governor will advise the complainant of this policy and refer them to the complaints co-ordinator. In general, governors will not be involved at the early stages in case they are needed to sit on a panel at stage three of the procedure. However, if the complaint concerns the complaints co-ordinator, the complainant may refer the complaint to the Chair of Governors (c/o the office).

### **Stage Two: Complaint Heard by Head teacher**

If the complaint is not resolved satisfactorily at stage one, the complainant may refer the complaint to the Head teacher. The head may delegate the task of collating the information to another staff member in preparation for handling the complaint, but may not delegate the decision on the action to be taken.

### **Stage Three: Complaint Heard by the Governing Body Complaints Appeal Panel**

If the complaint is not resolved satisfactorily at stage two, the complainant may refer the complaint to the Chair of Governors (c/o the office), who will set up a Governing Body Complaints Appeal Panel to hear the complaint. The hearing by the panel is the last school based stage of the procedure.

The complainant has 4 weeks from the conclusion of stage 2 to refer the complaint to the Chair of Governors. The complainant should enclose the complaint form and provide details

of why they remain dissatisfied following stages one and two above.

If no referral is made within 4 weeks of stage 2, the complaint will be treated as concluded at stage 2. In exceptional circumstances, the Chair of Governors may exercise his/her discretion to extend the 4 week period for making a referral.

Individual complaints would 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 panel is drawn from the Governing Body and may include the Chair of Governors. It will consist of three people. The panel may choose their own chair. The panel will liaise with the Clerk to establish possible dates for the hearing, so that dates may be offered to the complainant as soon as is reasonably practical.

### **The Remit of the 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.

### **The Panel's Approach**

Any governor on the panel will adopt the following approach:

- 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 that 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.
- c) 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.
- 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 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.

### **The Role of the Chair of the Panel**

The Chair of the Panel will 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;
- areas of agreement between the parties are identified so that the focus of the hearing is the outstanding issues;
- key findings of fact are made;
- parents and others Role of the Chair of the Panel 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 and circulated in advance to allow time for proper review;
- if a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

### **The Role of the complainant**

- The complainant will be given the opportunity to attend the panel hearing;
- The complainant will be given the opportunity to ask questions;
- The complainant may be asked to answer questions by the panel or by members of staff present at the hearing.

### **The Role of the Clerk**

The panel will be clerked by the Clerk to the Governing Body. The clerk will be the contact point for the complainant and will:

- 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.

### **Withdrawal of the complaint**

If at any time the complainant decides that they wish to stop a stage three panel hearing and withdraw their complaint, they may do so by writing to the Chair of Governors.

If a complainant decides not to attend a stage three panel hearing and does not request a rescheduled hearing date, the complaint will be treated as withdrawn.

### **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. Notification will be sent within 2 weeks of the panel hearing, unless otherwise agreed at the hearing. The letter will explain that the panel hearing is the last school-based stage of the procedure and the complainant cannot reopen the same issue. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

Other documents to refer to:

- Safeguarding Policy.

**Complaint Form**

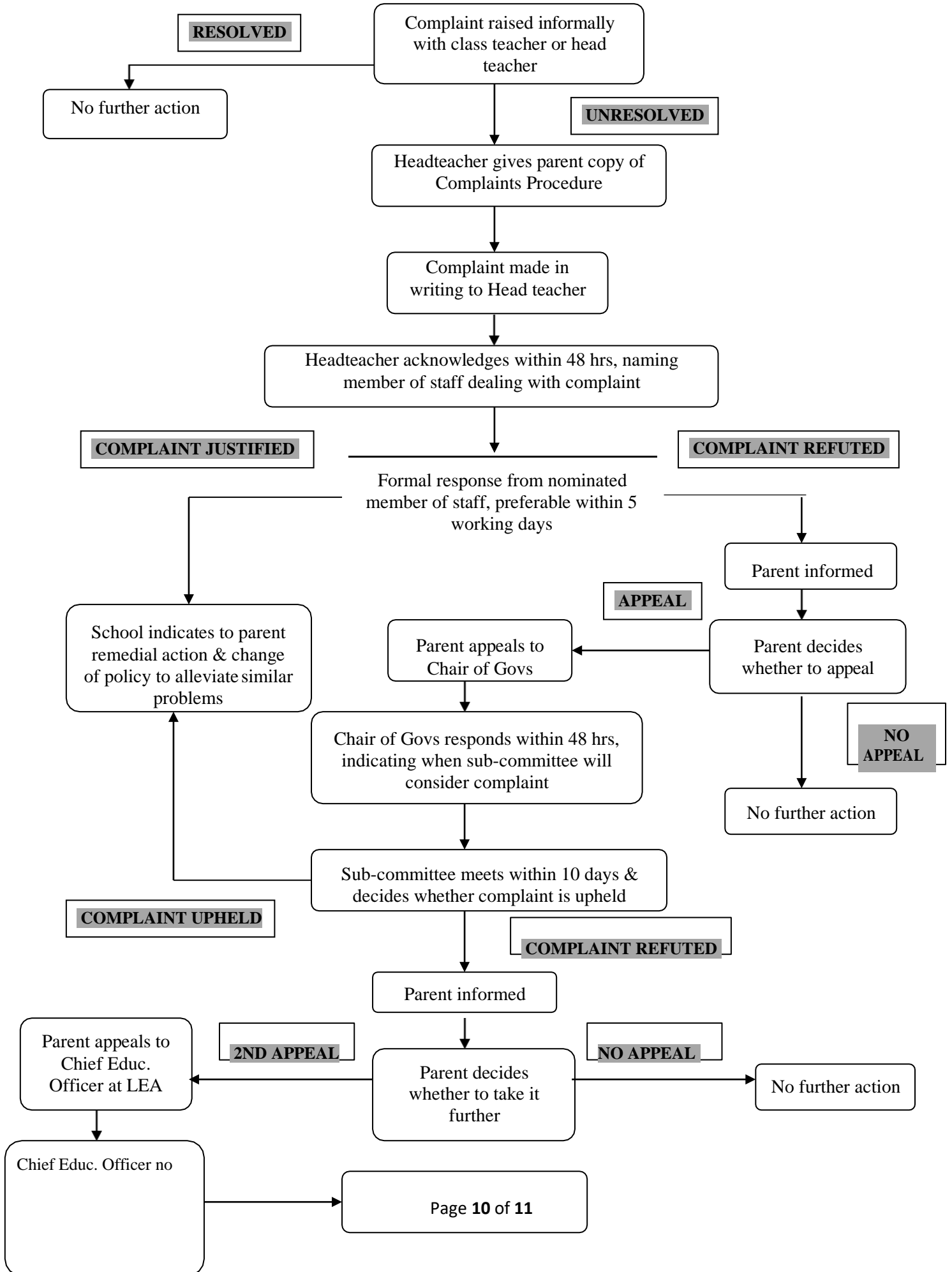
Please complete and return to the office for the attention of the complaints coordinator who will acknowledge receipt and explain what action will be taken.

Your name:	Address:
Pupil's name:	Postcode:
Your relationship to the pupil:	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 (for example, who did you speak to and what was the response)?	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signature:	Date:

Official use	
Date acknowledgement sent:	
By who:	
Complaint referred to:	Date:







notifies Head, Chair  
and parent of decision  
& proposed action if  
appropriate

Parent appeals to Secretary  
of State if still unsatisfied