



## COMPLAINTS AND CONCILIATION POLICY AND PROCEDURE

### 1.0 INTRODUCTION

Statutory complaints and appeals procedures exist for a number of areas, including admissions, exclusions, assessment for special needs, complaints about the curriculum and child protection issues. Details of these procedures are available from the Local Authority and do not form part of this procedure.

This Complaints and Conciliation Procedure is designed for all complaints for which a statutory procedure does not apply.

Any person may express their concern about events which take place in school, e.g., about the curriculum content or their child's individual progress. Such concerns will always be taken seriously and investigated thoroughly. In the vast majority of cases the Head Teacher and/or class teacher will informally resolve this type of complaint with parents and carers and this will always be encouraged. However, in the event that this cannot be achieved the procedure to be followed is outlined in this document.

- 1.1 The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints. This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline
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Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with special educational needs (SEN) about the school's support are within the scope of this policy. Such complaints should first be made to the class teacher, special educational needs co-ordinator (SENCO) or Head Teacher; they will then be referred to this complaints policy. Our SEN policy includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

## **2.0 PHILOSOPHY**

Expressions of concern should be received willingly and openly. By responding positively to them through our Complaints and Conciliation procedures, we are in a better position to:

- provide a better service
- know how parents and carers perceive the education service
- know what parents' expectations are
- respond positively to meet the needs of children
- explain to the public the changes that are taking place in education and how we are responding to these.

Some complaints will turn out to be unfounded or the result of misunderstanding or poor communication. However, in receiving them and investigating them openly we will improve parents' perception of school and of the Education Service in general.

As part of our commitment to a quality service, be assured that all complaints will be investigated fully, fairly and carefully, and complainants will be kept informed of progress during, as well as at the end of each stage.

## **3.0 COMPLAINTS & CONCILIATION PROCEDURE**

### **3.1 Informal Complaints to the School**

In the vast majority of cases the class teacher or member of staff responsible for the issue concerned will informally resolve complaints with parents/carers and this will always be encouraged.

The Head Teacher would initially receive complaints made directly to the school.

However, where the LA receives a complaint regarding the school, it will forward details of the complaint to the Head Teacher. The Head Teacher may wish to involve the Chair of Governors at this stage.

It is hoped that the Head Teacher/Chair of Governors, as appropriate, will be able to deal with complaints informally at this stage. We commit to making a response to any such complaint within five working days.

### **3.2 Complaints to Governors**

Any Governor who receives a complaint, either verbally or in writing, should also immediately refer the complaint to the Head Teacher. The Head Teacher will involve the Chair of Governors at this stage.

Once again is hoped that the Head Teacher/Chair of Governors, as appropriate, will be able to deal with complaint informally at this stage. We commit to making a response to any such complaint within five working days.

Either of the above procedures at 3.1 and 3.2 may involve the Head Teacher/Chair of Governors meeting with the complainant.

If a complaint to a Governor has been made as a result of a previously unresolved complaint to the school, the Head Teacher and Chair of Governors will meet with the complainant in order to attempt to resolve the complaint.

### **3.3 Formal Complaints**

If the informal procedures described above fail to resolve the situation, then the complainant may chose to initiate a formal complaint. This will be referred to the Complaints and Conciliation Committee and the Formal Complaints procedure outlined below will be actioned.

School may also decide to make any complaint the subject of these formal procedures.

The Complaints & Conciliation Committee will invite the complainant to attend the meeting which considers their complaint and they may make an oral statement if they wish. The complainant should be allowed to be accompanied, if desired, by a friend, representative or interpreter.

The Complaints & Conciliation Committee shall be convened from the full list of governing body members depending on availability and on the nature of the complaint.

The Complaints & Conciliation Committee will acknowledge receipt of a complaint in writing, by a standard holding letter, within 2 working days. A follow up letter, within 10 working days, will advise of the date of the Complaints & Conciliation Committee meeting.

This allows time for the meeting to be arranged and for the Head Teacher to conduct a thorough investigation and prepare for the meeting.

A representative of the local education authority will be invited to attend the complaints meeting to provide advice to all parties.

Having examined a complaint the committee should notify the complainant in writing of the outcome of their deliberations within 15 working days. The decision of the Complaints & Conciliation Committee will be final and it may uphold the complaint in full, uphold it in part or decide it is unfounded.

If the complaint is acknowledged to be valid or upheld in part the school should indicate what remedial action will be taken and the change of policy it intends to initiate to alleviate similar problems.

Where a complaint regarding a member of staff is upheld, the Governing Body could, if appropriate, invoke the statutory disciplinary procedures. In accordance with employment practice the outcome of any such disciplinary procedures should be regarded as confidential. Officers in the Governor Support Section will provide advice for Governors who need to reassure a complainant that appropriate action has been taken without breaching confidentiality.

### **3.4 Complaints concerning the Local Education Authority**

The LA will investigate any complaint relating to an area for which it, or another department of the Borough Council, has responsibility, or where the complainant has indicated dissatisfaction with a response received from a Governing Body.

### **3.5 Complaints to Other Bodies**

A complainant may write in the first instance to individuals or groups other than the head teacher, the Governors, or the Local Authority. These might include Councillors, MPs, the Secretary of State for Education or the Ombudsman. Where the complainant decides to follow such a route, the LA will undertake to liaise with the recipient of the complaint on behalf of the Head Teacher and Governors.

## **4 HANDLING DIFFICULT SITUATIONS**

There could be occasions when parents/carers express their dissatisfaction through verbal and physical abuse and intimidation of staff. In the event of persistent problems like this the Head Teacher, Governors or the LA may decide to write to the person or persons concerned warning them as to their future conduct and, if necessary, seek legal or police advice. The HT will liaise with the LA in these circumstances.

When considering complaints it is important that both parents and teachers should listen carefully to both sides of the discussion and that a climate of mutual respect for all concerned should be maintained at all times.

### **5.0 A DIFFERENCE IN PHILOSOPHY BETWEEN PARENT AND THE SCHOOL WHICH CANNOT BE RESOLVED**

Occasionally, parents visit the Local Authority because they wish to pursue a complaint about a school where there is no legitimate grounds to press a complaint. In this situation the complaint is usually about the difference in philosophy of the parent and the school.

One would always hope that these issues could be resolved at school level through negotiation and conciliation. However, in a very few circumstances and as a last resort, parents may wish to consider transferring their child to another school. The parents should be asked to contact the Local Authority regarding such an issue.

## **6.0 AVAILABILITY OF THE DOCUMENT**

This document will be made available for inspection within the school and on the school website.

Agreed by: Patricia Maxwell, Head Teacher

Date: 1<sup>st</sup> October 2020

Due for Review: 1<sup>st</sup> October 2021

## **APPENDIX A - FORMAL COMPLAINT TO A SCHOOL'S GOVERNING BODY MODEL AGENDA FOR COMPLAINTS AND CONCILIATION COMMITTEE**

1. Apologies for Absence
2. To consider members' declaration of interests, entitlement to vote and any requirements to withdraw from the meeting.
3. To confirm the order of the procedure.
4. Invitation to complainant and Head teacher to join the meeting and introduction to Governors.
5. Introduction and explanation of procedure.
6. Complainant's presentation.
7. Head Teacher's presentation.
8. Any further questions or points from any of the parties. To be raised through the chair.
9. Opportunity for summing by the Head Teacher.
10. Opportunity for summing by the complainant.
11. Summing up by the Chair.
12. To explain to all parties how the decision of the committee will be communicated.
13. Complainant and Head Teacher to leave the meeting.
14. To decide on the complaint. The committee can:
  - Uphold the complaint in full
  - Uphold the complaint in part
  - To refute the complaint
15. To consider whether and how to refer issues of principle or practice to another forum, such as the Head Teacher or the Governing Body.