

COMPLAINTS

PROCEDURE

Approved by: Board of Directors on 16 July 2014

Effective From: July 2014

Review Date: *Under Review*

INFORMATION FOR PARENTS/CARER(S)

The federation is a values-based organisation that aims to provide outstanding care and education for all pupils. We want our pupils to do well and feel happy at school. However, we recognise that, on rare occasions, concerns or difficulties do arise. In this event, parents/carers are encouraged to contact the school to have any difficulties or concerns resolved at the earliest possible stage.

The Senior Leadership Team and other staff members are highly visible at the beginning and ends of the school day in order to facilitate easy and rapid communication. By taking all concerns seriously, the school aims to develop a strong partnership with parents/carers.

Parents/carers are reminded that the school will do its utmost to guarantee the confidentiality of any complainant and the substance of their complaints. The school will respect the views of a person who indicates that he/she would have difficulty discussing a matter with a particular member of staff. The school will endeavour to provide translation if required. If a member of staff directly involved feels compromised then the matter may be referred to another member of staff to deal with. Angry, rude or abusive exchanges with staff members will never be tolerated. We conduct our school through calm and reasonable dialogue at all times.

Concerns should be raised with the school as soon as possible to allow for a proper investigation. Generally, if concerns are more than 6 months old, the school or the Board of Directors, may consider this too late to take any action.

If any concerns or complaints are raised with the school, the following procedure applies:

Stage 1

Any member of the teaching staff may be contacted by a parent/carer and asked to deal with a particular concern, incident or complaint. In most cases, the class teacher will receive the first approach. If the complaint is about an action of the class teacher, this will be dealt with by the appropriate member of the leadership team, usually a phase leader.

If the complaint is about an action of the Executive Headteacher, then the Board of Directors should deal with it at stage 3.

The member of staff contacted must liaise with parent(s)/carer(s) and must seek to resolve the matter in accordance with school policies and protocols. This may involve the member of staff asking a colleague to deal or assist with the matter. All staff are encouraged to resolve problems quickly and by informal means wherever possible.

Parents/carers will be informed of any delay in dealing with their concern or complaint. Once this stage has been concluded the parent/carer should be notified of the outcome at a meeting or in writing. If the problem has not been resolved then the staff member dealing with the matter will explain the next stage of the process; Stage 2. **It is aimed to conclude Stage 1 within ten working days. If it is clear that the process is going to take longer than this, the reasons for this will be explained to the complainant.**

If the problem is resolved no further action is taken and the matter is closed.

Stage 2

If a parent/carer believes that the matter remains unresolved, it must be referred to one of the Senior Leadership Team. As soon as a Stage 2 complaint is received, the school will keep a record of all actions and decisions taken in response to the complaint. This will be recorded and be used to review practice and consider any emerging patterns or trends that need attention.

A Headteacher will decide who should investigate the complaint and manage the investigation. That Headteacher will then send out a letter acknowledging receipt of the complaint stating who is to be the investigating officer and estimating how long it will be before a response can be given. A copy of the complaints procedure will be enclosed with the letter.

Once the investigation is complete, the Headteacher dealing with the matter will send a letter to the complainant together with

- (i) details of any investigation conducted;
- (ii) details of any action taken;
- (iii) details of any recommendations made as a result of the investigation; and
- (iv) details of the Head teacher's decision upon the complaint

The letter must also specify that if the complainants are unhappy with the Headteacher's decision they can further complain in a formal capacity to the Board of Directors.

If the complaint is resolved no further action is taken and the matter is closed.

Stage 3

Informal meeting with The Chair of Board of Directors or Nominee to discuss the matter

If a parent/carer indicates that they want to go down this route, the school will organise for The Chair or a Nominee (not a staff director) to meet with them as soon as is practicable. The purpose of the meeting or meetings is for the parent/carer to air their grievances with the school and for the Chair or their nominee to determine if the complaint has been handled in line with policies and protocol.

The role of the Chairman or Nominee is to review the Headteacher's decision, carrying out any additional investigation if necessary, and make recommendations on the handling of the complaint.

The Chair or Nominee will not make any decision as to whether or not the complaint is justified or whether any redress should be given to the complainant. That is the remit of the Board of Directors Complaint Panel. If a parent/carer meets informally with a director, they are still entitled to be heard by a Board of Directors Complaint Panel.

The Chair or Nominee should ensure (if possible) that the complaint remains confidential and should avoid discussing the complaint with other directors. This will avoid any conflicts of interest should be parent/carer decide to proceed to Stage 4.

If the complaint is resolved no further action is taken and matter is closed.

Stage 4

The Board of Directors Complaint Panel and Procedure

The Board of Directors Complaint Panel Hearing is the last school based stage of the complaints process and is not convened just to rubber stamp decisions previously made.

The remit of the Complaints Panel. The panel can:

- dismiss the complaint in whole or in part
- uphold the complaint in whole or in part
- make recommendations or decide where it has appropriate remit to 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.

Procedure before the hearing:

On receipt of a complaint the Clerk to the Board of Directors must send a letter to the complainant requesting them to send in any documentation they wish to be considered by the Complaint Panel.

The Clerk must set a date for the hearing within 15 school days from the date of receipt of the complaint and additional documentation. The date and time of the hearing must be convenient to all parties. The Clerk must notify the complainant, by letter, of the date of the hearing; inviting the complainant to attend the hearing; state that the complainant can bring along a friend or representative to assist them at the hearing; and state who will represent the school.

Any documentation upon which either party intends to rely should be circulated to all parties at least 5 school days before the hearing.

The complaint must be heard by a Panel and convened in the following way:

- (i) A Panel consisting of 2 directors **and 1 independent representative** will be convened. The Panel then elects its Chair.
- (ii) The Chair, Vice Chair and all directors who are members of the school staff will be excluded from the Panel.
- (iii) No director may sit on the Panel if they have had a prior involvement in the complaint (at Stage 3) or the circumstances surrounding it. The directors should try to ensure that the panel represents a cross section of categories of directors and is sensitive to issues of race, gender and religious affiliation.
- (iv) The Panel convened to hear the complaint will comprise the same members throughout in the unlikely event of more than one session being required.

The procedure of the hearing will be as follows:

- The Chair of the Panel will introduce the Panel, explain the procedure and the remit of the Panel.
- The hearing will be clerked by the Clerk to the Board of Directors

- Those making the complaint will speak first then the Panel may ask questions of them.
- The Headteacher and any employees of the school brought to the hearing by the Headteacher will speak next and the Panel will then ask questions.
- The Panel will ask all relevant questions to elicit detailed information from both parties and any other relevant persons.
- Those making the complaint and the Headteacher may also ask questions (through the Chair).
- Following the Panel's questions, those making the complaint and then the Headteacher will each be given the opportunity to make a short concluding statement.
- All parties will be asked to withdraw and the Panel will make a decision.
- In deciding the complaint, the Panel will apply the following test:
 - (i) Is there a genuine complaint?
 - (ii) In all the circumstances, should the complaint be upheld?
If yes:
 - (iii) What should the Panel do to effectively remedy the complaint and give the complainant redress?
- The decision will be made by a simple majority of the Panel.

Procedure after the Hearing

- The decision together with the reasons for it will be communicated in writing to both parties within 5 school days. This decision is binding upon the directors, the Headteacher and the parent(s)/carer(s).
- A brief report on the complaint and decision of the Complaint Panel will be made (as a Part II Confidential Item) to the next meeting of the Board of Directors.
- The Chair of the Board of Directors must deal with any recommendations from the Complaint Panel without delay (and in any event within 28 school days of receipt of such recommendations).

There are no further rights of appeal to the School. However further advice and/or assistance is available from the following sources:

Advisory Centre for Education (ACE)

(Advice line for parents on all matters concerning schools)

1c Aberdeen Studios

22 Highbury Grove

London, N5 2DQ

Tel: 0300 0115 142

www.ace-ed.org.uk

Citizens' Advice Bureau

Civic Centre

Station Road

Harrow, HA2 6AG

Tel: 020 8427 9477

Harrow Association of Disabled people (HAD)

3rd Floor, Premier House
Canning Road
Wealdstone, Harrow, HA3 7TS
Tel: 020 8861 9920

Harrow Association of Voluntary Services (HAVS)

64 Pinner Road
Harrow, HA1 4HZ
Tel: 020 8863 6707

Harrow Council for Racial Equality (HCRE)

The Lodge
64 Pinner Road
Harrow, HA1 4HZ
Tel: 020 8427 6504

Secretary of State for Education

Department for Education (DfE)
Sanctuary Buildings
Great Smith Street
Westminster,
London, SW1P 3BT
Tel: 0870 000 2288
www.education.gov.uk