



Cavendish Primary School Procedure for Handling Complaints

Introduction

Governors of Cavendish Primary School have adopted the following procedure to deal with formal complaints from members of the school community and/or general public about appropriate matters relevant to the running of the school. This procedure is to be used only when informal attempts to resolve problems have been unsuccessful.

Guiding Principles

This procedure is designed to:

- Be simple to use and understand
- Be impartial
- Ensure a fair investigation by an independent person, where necessary
- Allow for a hearing of a panel of governors, where appropriate
- Respect people's desire for confidentiality, wherever possible
- Address all points in regard to issues raised
- Provide an effective response and appropriate redress where necessary
- Provide relevant information to the School's Leadership Team with a view to evaluating and improving services where appropriate

NB:

- An anonymous complaint will not be investigated under this procedure, unless there are exceptional circumstances.
- To allow for a proper investigation, complaints should be brought to the attention of the school as soon as possible. Any matter raised more than 3 months after the event being complained of will not be considered, save in exceptional circumstances.



Stage 1

Informal Complaints

When concern or informal complaint is received either verbally or in writing it will be considered according to the following categories and processes:

1. Learning and Curriculum

Initial responsibility for dealing with complaint is with the relevant teacher. If the problem cannot be resolved, it will then be referred to the Phase Leader, and if necessary, the Assistant Head of School or Head of School.

2. Pupil Behaviour

Initial responsibility for dealing with complaint is with the relevant teacher. If the problem cannot be resolved, it will then be referred to the Phase Leader, and if necessary, the Assistant Head of School or Head of School.

3. Pupil Welfare

Initial responsibility for dealing with complaint is with relevant teacher. If the problem cannot be resolved or is identified as issue of child protection, it will be immediately referred to the school's Designated Safeguarding Lead. Under these circumstances child protection procedures will take precedence over any complaints procedure.

4. Staff Conduct

Initial responsibility for dealing with complaint is with Phase Leader who will inform the Head of School. If the problem cannot be resolved or is identified as a staff disciplinary issue it will be immediately referred to the Head of School. In the case an informal complaint against the Head of School, it will be referred to the Executive Headteacher, and in the case of a complaint against the Executive Headteacher, the school's Chair of Governors.

5. School Leadership and Management

Initial responsibility for dealing with complaint such as school policies, financial management, use of school facilities etc is with the members of the School Leadership Team i.e. the Executive Headteacher, Head of School and Assistant Head of School. If the problem cannot be resolved it will then be referred to the Governing Board.

Any member of staff involved in investigating, mediating, explaining and/or resolving an informal complaint must ensure that the complainant:

- Is given an opportunity and appropriate support to express their point of view
- Receives a prompt apology and /or explanation where necessary
- Receives clear advice about any action to be taken and feedback about relevant outcomes and /or developments
- Is advised on the next steps in the process if they are unsatisfied that the complaint has been dealt with thoroughly and appropriately

A complainant can expect a response to an issue raised under Stage 1 within one working week. However, if exceptional circumstances arise which means that the response will take longer, the school will contact the complainant to explain the situation and set another reasonable deadline to respond.

Stage 2

Making a Formal Complaint

A complainant wishing to instigate the formal complaints procedure should be encouraged to write to the Chair of Governors outlining the nature of the concern and the actions and events that have led to this stage. The school should offer to help an individual to write the letter if needed and the person providing this support should be unconnected with the complaint.

Investigating a Formal Complaint

Where informal attempts have been unsuccessful in resolving a complaint, the matter will be formally investigated by an appropriate person from the school. If the matter is about the day-to-day running of the school or the interpretation of school policies by members of staff of the school or the actions or inactions of staff at the school, the matter should be investigated by the Executive Headteacher or a member of senior staff nominated by the Executive Headteacher e.g. the Head of School. If the matter concerns the conduct of the Executive Headteacher, then the matter should be dealt with by the Chair of Governors or governor nominated by the chair. It is necessary that at each stage, the person investigating the complaint makes sure that they:

- Establish the events leading up to and concerning the complaint
- Clarify the nature of the complaint and what remains unresolved
- Meet with the complainant or contact them in writing (if unsure or further information is necessary)
- Clarify what the complainant feels would put things right
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- Conduct the interview with an open mind and be prepared to persist in the questioning
- Keep notes of the interview

Resolving the Formal Complaint

It is essential to report the progress of any complaint and the final outcome to those directly concerned with the complaint. At each stage in the procedure, the school will explore ways in which a complaint can be resolved. Complainants will be encouraged to state what actions they feel might resolve the problem. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review school policies in light of the complaint

An admission that the school could have handled the situation better is not the same as an admission of negligence. Equally, the procedure will seek to identify areas of agreement between the parties. It is also important to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

If the school rejects the complaint, it is important to re-assure the complainant that the matter has been thoroughly investigated.

A complainant can expect a response to an issue raised under Stage 2 within two working week. However, if exceptional circumstances arise which means that the response will take longer, the school will contact the complainant to explain the situation and set another reasonable deadline to respond.

Stage 3

Establishing Governor's Appeal Panel for Complaints

If the complainant remains unsatisfied that the complaint has been dealt with fully and appropriately following the outcomes from the initial investigation they may choose to take it to a third stage. A complainant wishing to make such an appeal will need to complete a complaint appeal form (attached). The school should offer to help an individual to complete the form and the person providing this help should be unconnected with the complaint. At this stage the matter will be referred to a complaints appeal panel of governors as outlined in below.

- The Governing Board should agree the composition of the Complaints Appeals Panel at the first meeting each year
- As governors may not be available at all times, five governor nominees will be agreed from whom a panel of three may be drawn
- When the Chair of Governors receives a copy of the complaint form they will inform the Governing Board that a complaint has been received and that it has been passed to the panel to deal with. No further information about the complaint should be shared with other governors
- The appeal hearing is independent and impartial; therefore, no governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it

NB: If the appeals panel deem that the evidence gathered at stages 1 and 2 show the complaint to be to be 'frivolous and vexatious', the chair of the panel can decide to dismiss the complaint prior to the hearing.

Conducting the Hearing

The aim of the Governors' Appeal Hearing will always be to resolve the complaint and achieve reconciliation between the school and the complainant. The Panel Chair will ensure that:

- All governors on the panel are fully aware of the complaints procedure
- The proceedings are held in private and made as welcoming as possible
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses
- Witnesses are only required to attend for the part of the hearing in which they are required to give their evidence
- The Executive Headteacher or designated person has the opportunity to question both the complainant and the witnesses after each has spoken
- The Executive Headteacher or designated person is given the opportunity to explain the school's actions and be followed by the school's witnesses
- The complainant is given the opportunity to question the Executive Headteacher or designated person and the witnesses after each has spoken
- The panel are able to ask questions at any point
- The complainant is invited to sum up their complaint
- The Executive Headteacher or designated person is then invited to sum up the school's actions and response to the complaint
- Both parties leave together while the panel decides on the issues

Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child is accompanied and 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.



Outcomes from Appeals Panel

The Governors' Appeals Panel can decide to:

- 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 should report their findings and decisions reported verbally to the complainant and those directly concerned with the complaint as soon as possible following the meeting and formally in writing within five working days of the meeting.

Stage 4

If the complainant is still unsatisfied that the complaint has been dealt with fully and appropriately following the outcomes from the governor's appeals panel meeting they may choose to take the complaint to the Local Authority (See parent guide) who will then follow their own procedures and guidance in dealing with the complaint.

Stage 5

Finally, if the complainant believes that the school's Governing Board and/or Local Authority have acted "unreasonably," they can complain to the Secretary of State in the Department for Children, Schools and Families under section 496 of the Education Act 1996. It should be noted that, in this sense, the word "unreasonably" is used in a strict sense and means acting in a way that no reasonable school or authority could act in the circumstances (e.g. in manner that does not reflect agreed policy). This should be a last resort and you should set out the steps you have taken to resolve the problem in your letter.

Partnership

The staff and governors at Cavendish Primary School recognise that concerns from parents/carers and members of the school and local communities with regard to range of aspects school life do arise. We hope this procedure will help all stakeholders to understand how we can resolve such issues in the spirit of partnership.



Cavendish Primary School – Procedure for Handling Complaints

Stage 3 - School Complaint Form

Please complete and return to the Chair of Governors who will acknowledge receipt and explain what action will be taken.

Name:

Address:

Daytime Telephone Number:

Evening Telephone Number:

Relationship to the school e.g. parent, carer, neighbour:

Name of child/children at school (If applicable):

Please give details of your complaint and/or attach original letter of complaint



Cavendish Primary School and Nursery – Procedure for Handling Complaints

Stage 3 - School Complaint Form

Please outline why you are unsatisfied with the complaints process so far

What actions do you feel might resolve the problem to your satisfaction?

Date:
Signature:



Sharing your concerns about your child's education A Guide to Parents/Carers

The staff and governors at Cavendish Primary School recognise that parental concerns with regard to their children's learning and welfare do arise. This guidance will help you understand how to resolve such issues in partnership with the teaching staff.

When should I complain to the School?

The school's Governing Board has overall responsibility for the school and for ensuring that all pupils receive an appropriate and high standard of education.

The Head of School is responsible for making decisions on a daily basis about the school's internal management and organisation. So you should contact the school if you are concerned about a general issue such as:

- Your child's academic progress or learning provision
- Your child's welfare
- Pupil behaviour
- Something that has happened in school;

or about wider issues, such as:

- The overall running of the school
- A school policy
- The management of the school budget
- The use of school facilities

The school has its own complaints procedures for dealing with these issues and welcomes feedback on our service.

The school also has procedures for dealing with complaints about:

- The community's use of school facilities
- Services delivered by the school such as adult learning or childcare

How do I complain to the school?

The school will always want you to speak to the relevant member of staff as soon as you have a concern. This will be the class teacher.

This informal approach is nearly always the quickest and most effective way of resolving your concerns. If you feel that your concern has not been resolved, the school will use the following process (in line with the school's Complaints Procedure) and will advise you:

- To speak to or write to the Head of School who will look into your concern
- To write to the Chair of Governors if you are unhappy with the Head of School's response or the Executive Headteacher's response or if the matter concerns governors.

The school's procedures also offer an appeal to the Governing Board's complaints panel. This panel consists of three governors who have no prior knowledge of your complaint and will consider written and verbal submissions from you and the Executive Headteacher.

Can I take my complaint further?

For most complaints, you cannot take your appeal further than the Governing Board. The Local Authority cannot investigate school matters on a parent's behalf nor can it review how the school has dealt with your complaint. If you feel that the school has acted unreasonably and/or not followed the correct procedures, you can write to the Secretary of State for Children, Schools and Families

When can I complain to the Local Authority?

The Local Authority is responsible for providing a range of services to pupils and their parents or carers such as:

- Statutory assessments for special education needs/disabilities (SEND)
- Parent partnership service for parents of children with SEND
- Assessments, support and advice by the educational psychology, education welfare and behaviour support services

In some cases, parents/carers may have a legal right of appeal to an independent tribunal or panel. These cases include special educational needs assessments, admissions and exclusions. Staff in the relevant service will explain these procedures to you. In other cases, the Local Authority has its own complaints procedure.

When you have exhausted the school's own procedures, you can appeal to the Local Authority if your complaint is about:

- The curriculum your child is taught
- Religious education
- The way your child's school charges for extra things, such as school trips
- Information provided by the Local Authority or your child's school