



South Wingfield

PRIMARY SCHOOL

Complaints Policy 2024-2025

Policy for Dealing with Complaints

We welcome suggestions for improving our work in school. Be assured that, no matter what you want to tell us, our support and respect for your child will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate an incident or problem properly if it took place some time ago. We do appreciate the assistance we receive from parents in addressing any problems that arise.

We receive very few complaints. Problems sometimes arise from misunderstandings which are easily addressed. Most concerns and complaints can be sorted out quickly by speaking with your child's class teacher. When parents and teachers treat each other with mutual respect and support, this provides a very good role model for all our children.

Our complaints policy follows the complaints procedure for external complaints about the actions of school staff issued by Derbyshire LA. It is important to note that anonymous complaints cannot be dealt with under this procedure.

In most cases complaints are successfully resolved informally through discussions with the member of staff concerned or Head teacher. In others the Head teacher is responsible for investigating the complaint, reporting back to the complainant and informing Governors of the outcome of the investigation.

In the event the complaint is about the way in which the school has dealt with a complaint or the complaint is about the Head teacher it is appropriate for the matter to be referred to the Governing Body or a Complaints Panel set up by the Governing Body

Except in exceptional circumstances previous stages of the procedure should be exhausted before a complaint is referred to a subsequent stage.

The timescales indicated in the Complaints Procedure are those which are expected in normal circumstances. Where the complaint is detailed and/or requires an extensive investigation the timescales may be increased. The complainant should be informed in writing of any variations to the timescales indicated and given a revised timetable for resolving their complaint.

Where complainants or members of staff are invited to a planned meeting either as part of the investigation or of The Complaints Panel any request to be accompanied by a friend or representative should be accommodated.

The monitoring and review of complaints by the school and the Governing Body in order to evaluate our performance and contribute to our improvement will take place on an annual basis in the first Governing Body meeting of the academic year.

The procedure to be followed in the event of a complaint being made is summarized in the following stages:

Informal Stage

In most cases complaints are successfully resolved informally by teachers, senior managers and Head teachers. Complaints should, therefore, initially be directed to the Head teacher.

The Head teacher will:

Either

1. Encourage the complainant and member of staff to discuss the complaint and resolve it informally.

Or

2. If the complainant has already discussed their complaint with the member of staff, or that would be inappropriate, discuss the complaint with the complainant and resolve it informally, or arrange for a senior manager to do so.

And

3. Where appropriate inform the Chair of Governors without discussing the nature of the complaint at this stage.

If a School Governor is directly approached by a complainant it is important that the Governor emphasises that they can only give general advice about how their complaint might be dealt with. The Governor should encourage the complainant to talk to the Head teacher who will attempt to resolve their complaint informally in the first instance. The Governor should also inform the head teacher about the complaint as soon as possible.

It is important to note that when a Governor becomes involved in this way they cannot take part in any of the formal procedures which may follow. It may, however, be appropriate for them to accompany the complainant to a planned meeting with a member of staff or the Head teacher at this stage or any other subsequent formal meetings. This would normally only be necessary if the complainant appears uncomfortable about attending a meeting with the member of staff or Head teacher or any other subsequent formal meetings on their own.

Formal Stage 1

If a complaint cannot be resolved in an informal way and/or the complainant still remains unhappy the Head teacher should deal with the complaint formally. The Head teacher should ask the complainant to put their complaint in writing, stating that they wish to make a formal complaint.

The letter should include:

- Their name.
- The nature of their complaint.
- How they can be contacted.

The head teacher should:

- Acknowledge this letter within two working days.
- Investigate the complaint and then decide how best to resolve it within a further five working days.

- Provide a written response outlining how the investigation was conducted and the outcome of the complaint, as well as offering the complainant the opportunity to discuss the outcome if appropriate. This should be within two working days of completing the investigation.
- Advise the complainant that if they are dissatisfied with the outcome their complaint will be considered by the Chair of Governors at Formal Stage 2.
- Inform the Chair of Governors that a Formal Complaint has been received and what action will be taken to provide a response without discussing the nature of the complaint at this stage.

If the Head teacher is not able to resolve the complaint and/or the complainant still remains unhappy the complaint should be dealt with at Formal Stage 2.

Formal Stage 2

The complainant should be informed that their complaint has been passed to, and how to contact, the Chair of Governors. The complainant should write to the Chair of Governors and that letter should include:

- Their name.
- The nature of their complaint.
- Where appropriate the reasons why they were unhappy with the head teacher's decision.
- How they can be contacted.

At this stage it is important that only the Chair of Governors is involved, as other Governors may have to listen to any subsequent hearings which may result from an investigation of the complaint

The Chair of Governors should:

- Acknowledge the letter within two working days.
- Conduct an investigation and speak to everyone involved as soon as practicable. This will usually be within ten working days.
- Provide a written response outlining how the investigation was conducted and the outcome of the complaint, as well as offering the complainant the opportunity to discuss the outcome if appropriate. This should be within two working days of completing the investigation.
- Advise the complainant that if they are dissatisfied with the outcome their complaint will be considered by the Complaints Panel of the Governing Body at Formal Stage 3.

If the Chair of Governors is not able to resolve the complaint and/or the complainant still remains unhappy the complaint should be dealt with at Formal Stage 3.

Formal Stage 3 - Governors' Complaints Panel

If the complainant is dissatisfied with the outcome of the Chair of Governor's investigation they should write to the Chair of Governors stating why and request that their complaint be referred to the Complaints Panel of the Governing Body.

The Complaints Panel will comprise three Governors who have not previously been involved in the complaint and/or do not have a personal or pecuniary interest. It may also be inappropriate for the Complaints Panel to include teacher or staff Governors.

A meeting of the Complaints Panel will be convened within 10 working days of the request.

At least five working days before the meeting members of the Complaints Panel should receive papers about the complaint which should include as appropriate:

- A copy of the original complaint.
- An outline of any investigation carried out by the Head teacher at Formal Stage 1.
- A copy of the letter sent to the complainant about the outcome at Formal Stage 1.
- A copy of the letter from the complainant expressing their dissatisfaction with the outcome at Formal Stage 1.
- A copy of the letter to the Chair of Governors requesting an investigation at Formal Stage 2.
- An outline of any investigation carried out by the Chair of Governors at Formal Stage 2.
- A copy of the letter sent to the complainant about the outcome at Formal Stage 2.
- A copy of the letter from the complainant expressing their dissatisfaction with the outcome at Formal Stage 2.
- A copy of the letter requesting that the complaint is heard by the Complaints Committee.

The complainant should be invited to attend the meeting to state their case and should be offered the opportunity to be accompanied by a friend or other adult if they wish. Normally children should not attend. If the Complaints Panel thinks that it would be helpful for a child to be present the Governors should seek the permission of the parents. The complainant does not have to attend the meeting in which case the Complaints Panel will consider the documentary evidence provided by the complainant.

The Head teacher and/or Chair of Governors should be invited to attend the meeting to state their case. They do not have to attend the meeting in which case the Complaints Panel will consider the documentary evidence relating to any investigation(s) the Head teacher or Chair of Governors carried out.

The Complaints Panel may invite the Chief Education Officer's representative to provide advice and guidance. That person will not have any role in deciding the outcome but will advise on whether the procedure has been followed appropriately and on the reasonableness of the Complaints Panel's decision.

[Attendance by the Director's representative will be part of the LA's traded Comprehensive Personnel Package or on a consultancy basis].

The Complaints Panel will consider 2 questions only:

1. Whether the investigation(s) were conducted properly and reasonably within this procedure.
2. Whether the outcome was reasonable and appropriate

If the Complaints Panel decides the answer to the second question is no it should decide a different outcome to the complaint.

The Panel will have an opportunity to question the complainant, Head teacher and/or Chair of Governors when they have stated their cases. When the Complaints Panel is satisfied that it has all the information it needs it will consider all the evidence and decide an outcome. In the event that further information is needed and it is not available at the time the meeting may be adjourned and re-convened at a mutually convenient time. This should be as quickly as possible and wherever practicable within five working days.

When the Complaints Panel has all the information it needs the complainant, Head teacher and/or Chair of Governors will leave the meeting. The Complaints Panel will then reach its decision in private. It will decide:

- Whether the earlier investigation(s) were conducted appropriately and reasonably.
- Whether the decision of the Head teacher and/or Chair of Governors was reasonable and appropriate.
- Where appropriate an alternative outcome to the complaint.

The complainant should be informed of the Complaints Panel's decisions in writing within two working days.

The decision of the Complaints Panel is Final.

Stage 4: Beyond the Governing Body

Complaints can be taken to the Secretary of State for Education under Education Act 1996 on the grounds that a Governing Body or LEA is acting or proposing to act unreasonably or has failed to discharge its duties under the Act.

This policy has been informed by the Complaints Procedure Toolkit - LEA/0180/2003 available for download from www.governornet.co.uk.

