

# Christ Church C of E Infant and Nursery Complaints Procedure 2018 -2019



# January 2018

## School Complaints Procedure

### Introduction

Christ Church Infant School Staff and Governors are committed to the resolution of concerns and complaints promptly and with integrity. This is identified in our Complaints Policy.

Set out below are the procedures for a complaint to be heard and resolved.

Annex 1 shows a summary of the complaints process including an indicative timescale in which the complaint should be resolved.

#### Stage One: Concern / Complaint Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, staff are made aware of the procedures, they know what to do when they receive a complaint.

The views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff will be respected. In these cases, the complaint can be referred to another staff member. Where the complaint concerns the head teacher, the complaints should be referred to the chair of governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, they may refer the complainant to another member of staff. 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.

Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. Governors do not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

#### Stage Two: Concern / Complaint Heard by Head Teacher

The head teacher's influence will already have shaped the way complaints are handled in school. At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The head may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

#### Stage Three: Complaint Heard by Governing Bodies Complaints Appeal Panel

The complainant needs to write to the Chair of Governors giving details of the complaint on the forms available (Appendix 1). The Chair, may choose to speak to the complainant, and if the matter still remains unresolved they will convene a Governing Body Complaints panel.

The governor's appeal hearing is the last school-based stage of the complaints process, and is not convened merely to rubber-stamp previous decisions.

Individual complaints would not be heard by the whole GB 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 governing body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference.

These can include:

- Drawing up its procedures;
- Hearing individual appeals;
- Making recommendations on policy as a result of complaints

The procedure adopted by the panel for hearing appeals would normally be part of the school's complaints procedure. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair and be supported by a Clerk.

### Investigating Complaints

At any point persons nominated to investigate the complaint should make sure that they:

- Establish **what** has happened so far, and **who** has been involved;
- Clarify the nature of the complaint and what remains unresolved;
- Meet with the complainant or contact them (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;
- At the end of a meeting or telephone call, it would be helpful if the member of staff, Head Teacher or Governor ensured that both the persons discussing the complaint have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record.

### Resolving complaints

At each stage in the procedure the school will want to keep in mind ways in which a complaint can be resolved. 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 the light of the complaint

### The remit of the Complaints Appeal 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 schools systems or procedures to ensure that problems of a similar nature do not recur

There are several points which any governor sitting on a complaints panel needs to remember:

- 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 to 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 complainant. However, it has to be recognised 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 satisfy the complainant that his or her complaint has been taken seriously.
- c. An effective panel will acknowledge that many complainants 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 checklist for a panel hearing will guide the structure of the hearing. See Appendix 1.

## Roles and Responsibilities

### The role of the clerk

The Department strongly recommends that any panel or group of governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required to:

- 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 the parties of the panel's decision.

### The Role of the Chair of the Governing Body or the Nominated Governor

The nominated governor role:

- Check that the correct procedure has been followed;
- If a hearing is appropriate, notify the clerk to arrange the panel;

## The Role of the Chair of the Panel

The Chair of the panel has a key role, ensuring that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;
- Key findings of fact are made;
- Parents and others 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. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

## 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, with the panel's response within a week of the panel meeting. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

## Appendix 1

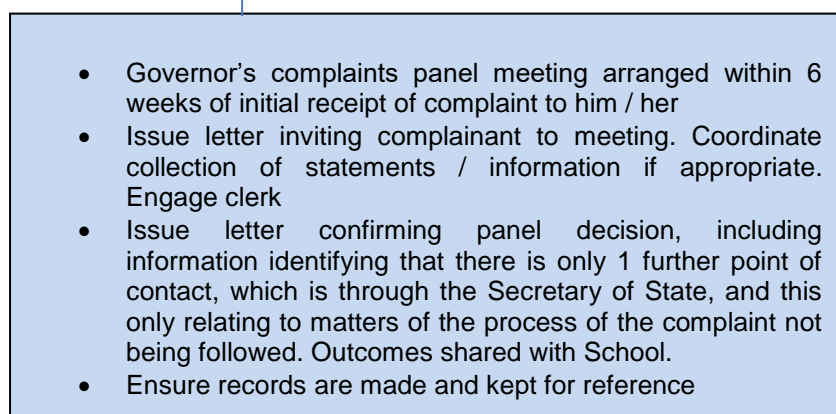
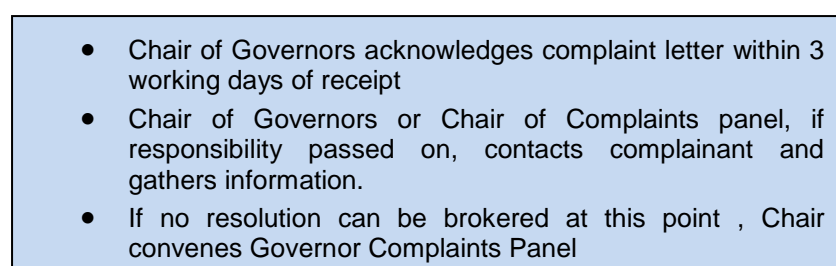
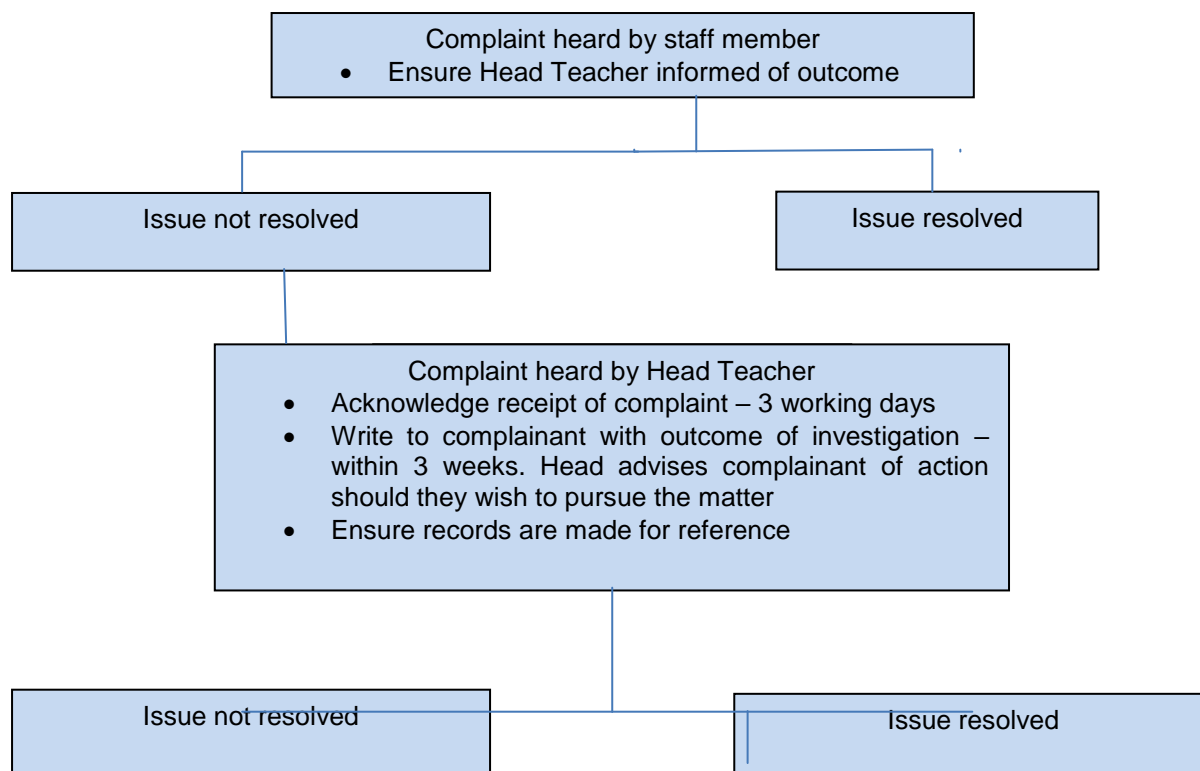
### Checklist for a Panel Hearing

The panel needs to take the following points into account.

- The hearing is as informal as possible
- Witnesses are only required to attend for the part of the hearing in which they give their evidence
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses
- The head teacher may question both the complainant and the witnesses after each has spoken
- The head teacher is then invited to explain the school's actions and be followed by the school's witnesses
- The complainant may question both the head teacher and the witnesses after each has spoken
- The panel may ask questions at any point
- The complainant is then invited to sum up their complaint
- The head teacher 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
- The chair explains that both parties will hear from the panel within a set time scale

## Annex 1 – Flowchart

### Summary of Dealing with Complaints





## **Christ Church C of E Infant School Complaint's form**

Please complete and return to ..... (Head Teacher / Chair of Governors) who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening / Mobile telephone number:

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint (Who did you speak to and what was the response)?



What actions do you feel might resolve the problems at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: