



# Naunton Park Primary School

# Complaints Procedure

Last review date: December 2023

Next review date: December 2024

Approved by Governors 5.12.23 

## **1. Introduction:**

Section 29 of the 2002 Education Act requires Governing Boards to establish procedures for dealing with all complaints relating to the school or the provision of facilities or services, other than “complaints which fall to be dealt with in accordance with procedures required to be established by other statutory provision”, and to publicise these procedures.

The Headteacher has been nominated as the school’s Complaints Co-ordinator. In the absence of the Headteacher, the Deputy Headteacher will act as the Complaints Co-ordinator.

## **2. Aims:**

It is the intention of the Governing Board that this Complaints Procedure will;

- encourage the resolution of problems by informal means, wherever possible,
- be accessible, simple to understand and use,
- provide an opportunity for concerns and complaints to be shared with the school,
- be effective in quickly resolving concerns and complaints,
- be impartial,
- be non-adversarial,
- allow swift action with clearly established time-limits for keeping people informed of progress,
- address all the points at issue, providing an effective response and appropriate redress, where necessary,
- ensure a full, fair and independent investigation where required,
- respect the need for confidentiality,
- provide information to the school’s senior management and Governing Board that will, where necessary, enable services to be improved,
- work in conjunction with all other school policies, including the school’s Child Protection Policy.

## **3. Dealing with complaints**

### **a) Raising a concern – informal stage**

There is a difference between a concern and a complaint. If concerns are taken seriously at the earliest stage it will reduce the number of formal complaints.

The requirement to have a complaints procedure should not undermine efforts to resolve concerns informally. It is usually appropriate to communicate directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most concerns will be resolved by this informal stage. It is important at this

stage that the person raising the concern is made clear that it is being taken seriously and what action will be taken. It is important at this stage to ascertain whether the person raising the concern is satisfied with proceedings to avoid unnecessary formal complaints.

In the case of serious concerns, it may be appropriate to address them directly to the Headteacher (or to the Chair of the Governing Board, if the concern is about the Headteacher).

If a complaint involves the safety or welfare of a child, the school's child protection procedures must be followed.

#### **b) Making a complaint – formal stage**

The formal procedures will be invoked when initial attempts to resolve issues of concern have proved unsuccessful, in so much as the person raising the concern remains dissatisfied and wishes to take the matter further, or the issue is deemed serious enough to go straight to this formal stage.

The school's Complaints Co-ordinator is responsible for managing the formal complaints procedure.

#### **c) Investigating complaints**

In investigating complaints, the Complaints Co-ordinator will;

- meet with the complainant (preferably) or contact them by phone or letter,
- establish what has happened so far and who is involved,
- clarify the nature of the complaint and what remains unresolved,
- 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 - this may include support from a Union representative if requested,
- conduct the interview with an open mind, asking appropriate questions,
- keep notes of the interview.

#### **d) Resolving complaints**

In resolving complaints, the following actions may be considered as appropriate;

- an apology,
- an explanation,
- recognition that the situation might have been handled differently or better (this is not the same as an admission of negligence),
- an assurance that every effort will be made to avoid a recurrence of the events leading to the complaint and the steps taken,
- an undertaking to review school policies in the light of the complaint.

Key elements in resolving complaints are to identify areas of agreement and to clarify any misunderstandings that might have occurred, in order to create a positive atmosphere in which to discuss any outstanding issues.

**e) Time limits**

Complaints need to be considered and resolved as quickly and efficiently as possible. To this end realistic time limits are set for each action within each stage.

**4. The stages of complaints**

At Naunton Park we have agreed that our formal complaints procedure will have three school-based stages as follows:

- Stage 1: complaint heard by Headteacher or nominated representative
- Stage 2: complaint heard by a member of the Governing Board (usually the Chair of Governors)
- Stage 3: complaint heard by the Governing Board's Complaint Appeals Panel.

Any complainant who remains unsatisfied following the three-stage school based procedure can take their complaint to the Department for Education.

The process of investigating complaints will always start with Stage One.

**5. Managing and recording complaints**

A complaint can be made in person, by telephone, e-mail or in writing. If the complaint is initially made by telephone or in person it should then be detailed in writing within two days. The appendix to this document contains a pro-forma for making written complaints. Additional copies are available from the school office. Parents/carers are made aware of this through a range of publications (see below). In order that the complainant and the school have the same understanding of what was discussed and agreed, brief notes of meetings and telephone calls are kept together with any written submissions.

Any complaints that involve the safeguarding and welfare of children must be managed and recorded in line with the school's child protection procedures.

**6. A step-by-step guide to the formal complaints procedure**

**a) Stage one: Complaint heard by the Headteacher**

- The initial complaint should be made to the Headteacher who is also the Complaints Co-ordinator.
- The Headteacher or nominated representative may request that another member of staff be present during any meetings with the complainant.
- The Headteacher or nominated representative may feel it appropriate to invite a member of staff or governor to any meetings with the complainant who has particular responsibilities relevant to the complaint.
- Written complaints may be submitted in the form of a letter, by e-mail or by the complainant using the official Complaints Procedure Form. If the complaint is in the form of a letter or e-mail, it is very important that a clear statement is included of the actions that you would like the school to take to resolve the concern. Without this, it is much more difficult to proceed.
- The Headteacher or nominated representative will acknowledge receipt of the complaint.
- The Headteacher or nominated representative will carry out a thorough investigation of the complaint, carrying out interviews with all parties concerned, including the complainant when necessary.
- Following the investigation process the Headteacher or nominated representative will record the outcomes in writing, providing copies for all parties.
- The whole of Stage One should normally be completed within 5 working days.

If the initial complaint is against the Headteacher this should be submitted directly to the Chair of Governors who will then carry out Stage One.

If a resolution is not found, the process will move to Stage Two.

**b) Stage two: Complaint heard by a representative of the Governing Board (usually the Chair of Governors)**

- If the complainant is not satisfied with the outcome of stage one, they should contact the Chair of Governors in writing requesting a meeting.
- The Chair of Governors, or another nominated governor, may request another governor to be present during any meetings.
- The Chair of Governors, or another nominated governor, will discuss with the complainant why they are not satisfied with the outcome of stage one and what could still be done to resolve the complaint.
- Sometimes a meeting of this nature can help to clarify the main causes of the continuing complaint and lead to a resolution between the Headteacher or nominated representative and the complainant.
- If a resolution has been found, it may be appropriate to call a meeting between the complainant, Headteacher or nominated representative and nominated governor to conclude and draw an end to the complaint to everyone's satisfaction. This will be followed by a letter confirming the outcome.

- If a resolution has still not been reached then the nominated governor will explain the next stage in the formal process.

**c) Stage three: Complaint heard by Governor’s Complaints Appeal Panel**

- If the complainant is not satisfied with the outcome of stage two, they should write to the Chair of Governors giving details of the complaint.
- The Chair will convene a Governing Board Complaints Panel usually within 10 days of receiving notification of the complainant’s request. The panel will consist of 3 governors, one of whom will be nominated Chair. Individual complaints will not be heard by the whole Governing Board at any stage, as this might compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.
- The Governing Board Complaints Panel will be set up and operate according to the remit outlined in section 7a.

**7. The Complaints Appeal Panel**

**a) The Complaints Appeal Panel - remit**

- The appeal hearing is independent and impartial and must be seen to be so. No governor may sit on the panel if they have had prior involvement with the complaint or in the circumstances surrounding it including if they have been involved in stage two.
- The panel should wherever possible represent a cross-section of the categories of governor and be sensitive to the issues of race, gender and religious affiliation.
- The hearing will be held in private with the aim of achieving reconciliation between the school and the complainant.
- The panel should ensure the proceedings are as welcoming as possible and the setting, as informal as possible, rather than adversarial. They should be aware that
- /carers may feel nervous or inhibited in a formal setting and that they may get emotional when discussing issues affecting their child.
- When a child is addressing the panel it is important that the atmosphere is not intimidating. The panel must give equal consideration to the views of a child as those of adults. Parents/carers should be given the opportunity to say which parts of the hearing, if any, the child needs to attend.
- The panel will need to recognise that the complainant may not be satisfied with the outcome if the hearing does not find in their favour. They must therefore endeavour to establish the facts and make recommendations that will satisfy the complainant that their complaint has been taken seriously.

**b) The Complaints Appeal Panel – the process**

- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- The panel will arrange separate meetings with the complainant, Headteacher and the nominated governor from stage two.
- During the separate meetings the three parties are invited to discuss the complaint and any subsequent actions. Witnesses may also be heard at this point.
- The panel may ask questions.
- The three parties at the separate meetings are then invited to sum up.
- The panel then decide on the outcome of the hearings.
- The Chair of the Complaints Panel explains to all parties that they will hear from the panel in writing within 2 working days.

### **c) Outcome of the Complaints Appeal Panel hearing**

As a result of the hearing 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 school's systems or procedures to ensure that problems of a similar nature do not recur.

### **d) 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, together with the panel's response, within two working days of the hearing.
- The letter needs to explain that there is no further right of appeal at school level but that if they are dissatisfied with the panel's decision or the way their complaint has been handled by the school, they may contact the Department for Education. The letter will explain what to do if you wish to take the matter further.
- Finally, a parent or carer may complain to the Secretary of State if he/she believes that the Governing Board has acted unreasonably, or has failed to carry out its duties properly.

## **8. Governing Board's review**

The Governing Board monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and to make changes where necessary.

Formal complaints are relayed to the Governing Board via the Headteacher's Report to governors at full Governing Board meetings. This process does not usually require the individuals involved to be identified.

This monitoring procedure is a useful tool in evaluating school performance.

## **9. Publicising the procedure**

There is a legal requirement for the Governing Board to publicise the Complaints Procedure.

This is done via;

- the school prospectus,
- the school website.

## **10. Roles and Responsibilities**

### **a) The Role of the Clerk to the Complaints Appeal Panel**

- Record all proceedings during the hearings

### **b) The Role of the Chair of the Governing Board**

- The Chair of Governors is responsible for:
  - checking that the correct procedure has been followed;

### **c) The Role of the Chair of the Complaints Appeal Panel**

- The Chair of the Panel has a key role ensuring they;
  - 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,
  - notify all parties of the panel's decision;
- The Chair of the panel must also ensure;
  - 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/carers 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,
  - the panel is open minded and acts 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.



**Naunton Park Primary School**  
**School Complaints Procedure – Complaints Form**

Please complete and return to the Headteacher (Complaints Co-ordinator) who will acknowledge receipt and explain what action will be taken. In the event of a complaint against the Headteacher it should be addressed to the Chair of Governors via the school office.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Daytime telephone number:

Evening telephone number:

Please give details of your complaint:

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

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

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

Signature:

Print name:

Date:

**Official Use**

Date received:

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: