



MARLBOROUGH PRIMARY SCHOOL

COMPLAINTS POLICY

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Reviewed: Personnel Committee: June 12
October 2012
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COMPLAINTS PROCEDURE

Introduction

The schools' Governors are committed to provide the best education they can for all pupils attending the school. They recognise however that occasions may arise where parents, guardians or others wish to make a complaint. The Governors are determined that any complaint against their decisions, actions or omissions, or against any decisions, actions or omissions by their staff, shall be dealt with fairly, effectively and, if possible, speedily. To this end, they have adopted the principles and procedures set out below.

Underlying Principles

The principles guiding the Governors' procedure for handling complaints are that it should:-

- Be easily **accessible** and well publicised;
- Be **simple** to understand the use;
- Allow **speedy** handling, with established time limits for action, and keep people informed of progress;
- Ensure a full and **fair** investigation;
- Respect people's desire for **confidentiality**;
- Address all the points at issue, provide an **effective** response and, if appropriate, redress;
- Provide **information** to management so that services can be improved.

Complaints will be treated seriously and courteously and given the time they require to heard. It is important to the school that complainants have confidence in these procedures and know that their case will be thoroughly investigated and heard impartially.

Complainants will be advise at the earliest possible stage of:-

- The scope, if any, for pursuing their complaint and the extent of the procedures for dealing with it.
- The way in which the complaint is likely to be handled.

Complaints will be dealt with as quickly and effectively as possible, adhering to time limits laid down for responding to complaints at each stage of the procedure wherever possible. The procedures for the hearing of complaints will be adhered to by everyone involved unless there is good reason not to.

Definition of a complaint

A complaint, within the terms of the procedures described here, is an expression of dissatisfaction, however made, by a person or persons with a legitimate interest in the school but not being employed at the school about the standard of teaching of members of the teaching staff or about the conduct, actions or omissions of member of staff employed at the school or of the decisions made by the Governing Body.*

** this is not meant to exclude staff who have a child at the school from using these procedures to make a complaint concerning the treatment of their child or their treatment as a parent of that child.*

Definition of a complainant

A complainant is someone:-

- Who has been, or feels that they have been, wronged; or
- Whose child or children have been (or it is alleged have been) wronged, i.e. parents, guardian or other person or agency with parent responsibility; or
- Someone representing a person in one of the above groups, for example, a Councillor, Member of Parliament or solicitor.

Where a complaint is made anonymously, the complainant will be asked, if possible, to reveal who they are to the Chair of Governors. Where the complainant refuses to give their identity, the Chair will determine whether or not to investigate their complaint and, if so, to what extent. The Governing Body do not consider themselves bound to investigate anonymous complaints, particularly if the complaint concerns a member of staff.

Handling complaints of various kinds

Where there are established statutory or other procedures for the disposal of a complaint, those procedures will be followed. Areas to which this applies include:-

- ❖ Parental choice of school
- ❖ Appeals to the Special Educational Needs Tribunal
- ❖ Exclusions from school
- ❖ Child protection

Advice and information about these procedures may be obtained from the school or the Local Authority.

Complaints not covered by established procedures

Those complaints for which there are no established procedures will be handled in the manner set out in the attached documents. The procedure has two distinct stages – one informal and one formal. If the complainant is not satisfied at the conclusion of the formal stage, they may be able to pursue their complaint further with the Secretary of State.

COMPLAINTS PROCEDURE

INFORMAL STAGE

1. All complaints, however received, will be reported to the Headteacher unless the complaint is specifically about the Headteacher (see 8 below). The Headteacher may respond to the complaint directly or refer the complaint to another member of staff if he or she considers that to be appropriate.
2. Where the complaint has been passed to a member of staff, that person will have a duty to inform the Headteacher of progress in dealing with the complaint and of any issue which they are unable to resolve with the complaint.
3. The Headteacher may, at the informal stage, refer the complaint to officers in the Local Authority if he or she considers that they may be able to assist in the resolution of the complaint.
4. The Headteacher has the discretion to omit the informal stage of the procedure if he or she considers the circumstances or nature of the complaint makes this appropriate.
5. If the complaint is not, in the opinion of the Headteacher, well founded, the complainant should be advised of this and an explanation given. If the complaint was made in writing, the complainant should be told in writing. In any case, the complainant should be advised of their right to proceed to the formal stage of the procedure.
6. If the Headteacher considers that the complainant has good cause or some cause for complaint but is unable to resolve the complaint to the complainant's satisfaction, he or she should advise the complainant of their right to proceed to the formal stage of the procedures. Again, if the complaint was made in writing, the response should be made in writing.
7. A complaint made in writing will be acknowledged, in writing, within five school days of its receipt and the complainant will receive a written response within 15 school days of making the complaint unless there is good reason not to do so.
8. Where the complaint is a complaint about the conduct of the Headteacher, the complaint should be sent to the Chair of Governors. The Chair of Governors will then take the role of the Headteacher (as described in paragraphs 3,4,5,6 & 7) or nominate another member of the Governing Body to take that role. **If the complaint concerns child protection issues, the Chair of Governors should contact the Local Authority immediately (Safeguarding Officer).**

COMPLAINTS PROCEDURE

FORMAL STAGE

Where it is not possible to achieve an informal stage resolution acceptable to the complainant, the complainant will be invited to put their complaint in writing to the Chair of Governors (if the complaint is already in writing, a covering letter from the complainant or from the school may be attached).

The Chair of Governors should acknowledge in writing receipt of the complaint within 5 school days of receiving it. The Chair should decide whether he or she wishes to investigate the complaint themselves, ask another member of the Governing Body to investigate or pass it on to a panel of Governors established for that purpose.

In any case, the Local Authority may be asked for assistance in the investigation. If the Chair has already considered the complaint at the informal stage (i.e. the complaint is about the Headteacher), he or she should nominate another member of the Governing Body or a panel of Governors to consider the complaint.

Where the complainant has difficulty in putting their complaint into writing, the Chair of Governors, designated Governor or panel should consider whether to offer assistance or whether to offer an interview to the complainant. Where, following such an interview, further time is needed to investigate the matter, this will be stated at the interview and a time limit set by the Chair, designated Governor or panel.

Following any interview, a written record of the discussion will be made as well as a record of any further investigations.

The outcome of consideration of the complaint at the formal stage may be:-

- Complaint unfounded, no further action proposed;
- Complaint upheld but action already taken by the Headteacher or staff considered adequate;
- Complaint upheld, direction given to the Headteacher to offer redress;
- Complaint referred to appropriate committee of the Governing Body or to the Local Authority for consideration or further procedures invoked, e.g. disciplinary.

The complainant will be notified in writing of the outcome of the investigation and of the decision taken.

The school's Complaints Procedure is not exhausted. If the complainant is dissatisfied with the outcome, they may, if they are a parent of a child at the school, refer the complaint to the Secretary of State for Education.

SCHOOL COMPLAINTS FORM

Please complete and return this form to: _____ (Complaints Co-ordinator) who will acknowledge receipt and explain what action will be taken

Your name: _____ (Please print)

Pupil's Name: _____

Your relationship to the pupil: _____

Address: _____

Postcode: _____

Daytime number: _____ Evening number: _____

Please provide details of your complaint:-

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

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

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

Signature: _____ Date: _____

FOR OFFICIAL USE ONLY

Complaint received by: _____ **Date:**

Acknowledgement* sent by: _____ **Date:**

Complaint referred to: _____ **Date:**

** Attach a copy of the acknowledgement to this form*