



## CROSCOMBE AND STOKE ST MICHAEL PRIMARY FEDERATION

# COMPLAINTS PROCEDURE

**Croscombe is a Church of England Primary School and this policy has been written with reference to its Christian foundation.**

### 1 Definition

A concern is usually informal and most concerns are dealt with successfully by the class teacher or headteacher. Occasionally, despite the best efforts of both parties, a concern cannot be resolved by informal discussion and it will need to be referred to the Governing Body. Under the Somerset County Council Parental Complaints Procedure, a concern becomes a formal complaint when it is made in writing to the Governing Body. A complaint can be defined as: "an expression of dissatisfaction about the actions or inactions of the school, which is not immediately resolved and is made by the person directly affected or by someone acting on their behalf".

### 2 Aims of the Complaints Procedure

- To encourage the resolution of problems by **informal** means wherever possible
- To be easily **accessible, simple, impartial, non-adversarial and publicised**
- To allow **swift** handling with established **time-limits** for action and keeping people informed of the progress
- To ensure full and **fair** investigation by an independent person where necessary
- To respect people's desire for **confidentiality**
- To address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary
- To provide **information** to the school's senior management team so that services can be improved if necessary.

### 3 The Process To Be Followed

**3.1** Parents should be encouraged to raise any concerns with the relevant member of staff in the first instance e.g. the class teacher.

**3.2** The issue should be raised with the appropriate member of staff who should follow the agreed school procedure (e.g. Behaviour Policy, Health and Safety Policy). **A record should be made of any action taken by the school and the response made to the complaint.**

**3.3** If the complainant remains dissatisfied they should then be advised to take the complaint to the headteacher who will investigate and respond in writing (within a mutually agreed timescale).

**3.4.** If the complainant is dissatisfied with the response from the headteacher they should write to the Clerk to the Governors stating that they wish to make a formal complaint. The Clerk will issue the Governors Review Request proforma for completion.

**3.5 The Chair of the Panel should contact Somerset Governor Services (01823 356609) for advice prior to holding the Panel Hearing.** The Clerk will convene a panel of no less than 3 governors who have had no prior knowledge of the specific complaint. The date of the panel should be within 15 school days of receiving the complaint proforma.

The complainant may bring a friend/relative to the panel to support them if they so wish.

**3.6** After meeting with the parent, the panel will review and/or investigate the headteacher's handling of the response to the complainant and decide if it was appropriate and fair. They may wish to meet with any staff or witnesses who can provide further information.

**3.7** The panel will write a report following their investigations and send it to the complainant within 15 school days explaining their decision. With this report the complainant should be advised what to do if they are dissatisfied with the report's recommendations, i.e. they should contact the LA within 10 school days who will consider whether their complaint is one the LA feels it is appropriate to investigate.



**4 Process of making a complaint** A copy of these points 1, 2 and 3 should be given to complainants.

### **5 Tips for investigating complaints**

- Clarify the exact nature of the concern or complaint and what is unresolved; sometimes one concern can be masking other underlying issues.
- Be clear about the difference between a concern and a complaint. By taking an informal concern seriously in the early stages, it may prevent it becoming a formal complaint.
- Contact the complainant if necessary or unsure, or if more information is required.
- Establish what has happened and who has been involved.
- Ask what the complainant feels would resolve the issue.
- Notify members of staff if appropriate.
- Express regret over the issue. This is not an admission of liability but it may help in appeasing the complainant.
- Interview those involved, allowing them to be accompanied if they wish; keep an open mind.
- Keep notes of all interviews and all investigations, including telephone calls. Ensure that the complainant is aware that you are taking notes.
- Try to keep to your response times; if this is not possible, send an interim letter.
- Keep all parties informed of the steps/actions being taken.

### **6 Resolving and Closing Complaints**

An effective procedure should identify areas of agreement and clarify any misunderstandings that might have occurred, in order to create a positive atmosphere to try to reach a solution. Record any agreed outcome.

An acknowledgement that the complainant's concern or complaint may have *some* justification could be offered as a way to bring about a successful conclusion. This may involve a combination of the following:

- An expression of regret that the incident has occurred. Note, this is *not* an admission of liability.
- An explanation of what happened, or an explanation of the school's policy on whatever the concern is about.
- An admission that the situation could have been handled better or differently; this is *not* the same as an admission of negligence.
- Where possible, an assurance that the incident will not recur.

If the Governors' Panel feel that

- nothing further can be gained; and that
- every reasonable action has been taken to resolve the complaint ; and
- he or she is confident that a review panel is unlikely to move matters forward then they should write to the complainant outlining the reasons why the case will be closed.

### **7 Guidance on Writing Governors' Review Report.**

- Outline what the key issues are and ensure that each one is addressed.
- Be clear what investigation has been undertaken e.g. who was spoken to, what documents were looked at.
- Be clear what has informed the Panel's decisions. You must be able to provide evidence to back up any decision.
- Care should be taken not to make personal/subjective comments about members of school staff or parents or carers.
- Ensure that the Panel's recommendations are clear and that all parties are aware of them and any timescales.
- Make sure the complainant knows what the next steps are if they are dissatisfied with the recommendations, i.e. contact the LA within 10 days.



**8 Vexatious Complaints**

A sound set of complaints procedures should limit the number of complaints that become protracted or vexatious; and if the procedures are followed correctly to keep the complainant informed of what is happening this should not become an issue.

However, occasionally, despite all the procedures having been followed, the complainant will remain dissatisfied. It may well be the case of not being able to resolve all their concerns and meet all their wishes. Sometimes it is simply a case of 'agreeing to disagree' and moving on.

If a complainant continues to make representations to the school or tries to re-open the same issue, the chair of governors should inform them, in writing, that the procedures have all been followed and that all reasonable action has been taken to try to resolve the issue and that the matter is now closed.

Signed..... Headteacher

Signed..... Chair of Governors

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