

# FOREFIELD JUNIOR SCHOOL

## COMPLAINTS PROCEDURE

### School Context

Since 1<sup>st</sup> September 2003, Governing Bodies of all maintained schools and maintained nursery schools in England have been required, under Section 29 of the Education Act 2002, to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law has also required the procedure to be publicised.

### Dealing with complaints - initial concerns

We recognise the need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage reduces the numbers that develop into formal complaints.

We aim to ensure that concerns are handled, if at all possible, without the need for formal procedures. Our formal complaints procedure is only necessary if efforts to resolve the concern informally are unsuccessful. In most cases, a class teacher or an individual delivering the service will receive the first approach. Our staff development process includes training to help resolve issues on the spot including apologising where necessary.

### Dealing with complaints - formal procedures

Our formal procedures are invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further (see Appendix A).

At our school, the Headteacher has overall responsibility for the operation and management of the school complaints procedure. The Headteacher may nominate the deputy Headteacher or a senior member of staff to deal with the complaint.

### Framework of principles

To be effective, our complaints procedure will:

- encourage resolution of problems by **informal** means wherever possible
- be easily **accessible** and **publicised**
- be **simple** to understand and use
- be **impartial**
- be **non-adversarial**
- allow **swift** handling with established **time limits** for action and keeping people informed of the progress
- ensure a full and **fair** investigation by an independent person where necessary

- respect people's desire for **confidentiality**
- address all the points at issue and provide an **effective** response and **appropriate** redress where necessary
- provide **information** to the school's senior management team so that services can be improved

### **Investigating complaints**

Whenever a formal complaint is received it will be investigated. At each stage, the person investigating the complaint makes 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

### **Resolving complaints**

At each stage in the procedure, we will remain mindful of 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 light of the complaint

We encourage complainants to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

At all times, we will seek to identify areas of agreement between the parties and clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

**Vexatious complaints**

If, despite following appropriate procedures the complainant remains dissatisfied, or tries to reopen the same issue, the Chair of the Governing Body will inform them in writing that the procedure has been exhausted and that the matter is now closed.

**Time limits**

Complaints are considered and resolved as quickly and efficiently as possible. We set realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits may be set and the complainant sent details of the new deadline and an explanation for the delay.

## **APPENDIX A: THE FORMAL COMPLAINTS PROCEDURE**

### **The stages of complaints**

Our formal complaints procedure has well-defined stages. At each stage, we clarify exactly who will be involved, what will happen and how long it will take. There may, on occasion, be the need for some flexibility, for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the Headteacher after a meeting with the complainant.

### **Our school-based stages are as follows:**

- stage one: complaint heard by staff member (though not the subject of the complaint)
- stage two: complaint heard by Headteacher or nominee
- stage three: complaint heard by Governing Body's appeal panel (see appendix C)

If a complaint concerns the conduct of the Headteacher or a Governor, or where a Headteacher or Governor has been involved in the issue previously, then the matter will be referred to a senior member of staff or member of the Governing Body, not previously involved. In some circumstances, the school reserves the right to refer the matter to an external body.

### **Managing and recording complaints**

#### **Recording complaints**

The progress of any complaint and the final outcome will be recorded by the complaints co-ordinator. A complaint may be made in person, by telephone or in writing (see appendix B). At the end of a meeting or telephone call, the member of staff will ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.

#### **Governing Body review**

The Governing Body will monitor the level and nature of complaints and review the outcomes on a termly basis to ensure the effectiveness of the procedure and make changes where necessary. Wherever possible, complaints information shared with the Governing Body will not name individuals.

We are committed to on-going improvement. Therefore, as well as addressing and individual's complaint, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, we will identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Body helps us in evaluating our performance.

**Publicising the procedure**

Details of our complaints procedure are included, as appropriate, in:

- the school prospectus
- the school website

**Reference**

The Education Act 2002: Section 29

The Governor's Guide to Law

## Appendix B: Complaint form

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Daytime telephone number:

Evening 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 problem 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: