



# Complaints Procedure

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**Approved by Trustees – April 2016**

**Approved by Staff – September 2016**

**Date for Review – September 2017**

## Edison Primary School: Complaints

This document sets out the school's approach to dealing with parental concerns and complaints.

We value good home/school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concern.

We welcome feedback on what parents feel we do well, or not so well, as a school. We will consider carefully all feedback, whether positive or negative, and will review our policies and practices accordingly.

We will treat all concerns and complaints seriously and courteously and will advise parent and others of the school's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils.

All school staff and Trustees will receive a copy of this statement and will be familiar with the school's procedures for dealing with parental concerns and complaints, to which they will have access as required. The policy is available on request to parents.

The school's procedures will be reviewed regularly and updated as necessary.

Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, use our option to close a complaint before all the stages of the school's procedures have been exhausted, if this appears to be appropriate.

The government and Board of Trustees of Edison Primary School advocate resolution of parental concerns and complaints at school level wherever possible, in the interests of maintaining good home/school relations. The role of the Trustees in advising parents and school on the handling of concerns is set out in the school's procedures.

If at any stage, as a result of a complaint, a decision or course of action is taken with regards to an individual (apart from the complainant) which they feel is unjustified or incorrect, they have right of appeal.

### **Procedures for dealing with complaints**

The majority of concerns from parents, carers and others are handled under the following general procedures.

The procedure is divided into three stages:

The **Informal stage** aims to resolve the concern through informal contact at the appropriate level in school.

**Stage 1** is the first formal stage at which written complaints are considered by a member of the SLT and/or the designated Trustee (Jas Grewal), who have special responsibility for dealing with complaints.

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**Stage 2** is the next stage once stage 1 has been worked through. It involves a complaints appeal panel of Trustees and persons independent from the running of the school.

How each of these stages operates is explained below:

### **Informal Stage – your initial contact with the school**

1. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's class teacher.
2. Once your concern is made known to us, we will see you, or contact you by telephone or in writing, within three working days. If it is necessary, all members of staff know how to refer to the appropriate person with responsibility for your particular issues. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.
3. Any actions or monitoring of the situation that has been agreed, will be communicated clearly and we will confirm this in writing to you.
4. If necessary we will contact appropriate people who may be able to assist us with our enquiries into your concern.
5. We will normally update you on the progress of our enquiries within ten working days. Once we have responded to your concern, you will have the opportunity of asking for the matter to be considered further.
6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

### **Stage 1 – Formal consideration of your complaint**

This stage in our procedures deals with written complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined above.

1. Normally, your written complaint should be addressed to the Headteacher, or in her absence, the Deputy Headteacher. If, however, your complaint concerns either of these personally, it should be sent to the school marked "For the attention of the Chair of the Board of Trustees".
2. We will acknowledge your complaint in writing as soon as possible after receiving it. This will normally be within three working days.
3. We will enclose a copy of these procedures with the acknowledgement.
4. Normally we would expect to respond in full within 15 working days but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
5. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint. The Headteacher, Chair of the Board of Trustees or designated Trustee(s) may also be accompanied by a suitable person if they wish.
6. Following the meeting, a member of the Leadership Team, investigating officer, Chair of the Board of Trustees or designated Trustee(s) will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.

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7. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
8. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
9. The SLT, Chair of the Board of Trustees or designated Trustee(s) will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
10. Once we have established all the relevant facts, we will send out a written response to your complaint. This will give an explanation of the decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.
11. The person(s) investigating your complaint may decide that we have done all we can to resolve the complaint, in which case we may use our discretion to close the complaint at this point.
12. If you are unhappy with the way in which we reached our conclusions, you may wish to proceed to stage 2, as described below.
13. If as the result of a complaint, a decision or course of action is taken with regards to an individual (apart from the complainant) which they feel is ungrounded, unjustified or incorrect they have the right to appeal. The Chair of the Board of Trustees or designated Trustee will hear the appeal and if they feel that further consideration is required, the matter will be referred to a Stage 2 review. The complainant will be informed of any decision to refer the matter to Stage 2 and the next steps in the process will be communicated in writing.

### Stage 2 – Consideration by a Complaints Appeal Panel

- If having already been through Stage 1 you are not happy with the decision or actions taken, or as a result of a referral from the Chair of the Board of Trustees on conclusion of Stage 1, the complaint will be referred to a Complaints Appeal Panel.
- This is a formal process, and the ultimate recourse at school level.
- The purpose of this arrangement is to give you the chance to present your arguments in front of a panel of two Trustees and an additional member independent of the management and running of the school. Each member of this panel should (where possible) have no prior knowledge of the details of the case and must not have been directly involved in the matters detailed in the complaint.
- However, the aim of a panel is not to rehear the complaint. It is there to review how the complaint has been investigated and to determine whether this has been conducted fairly. It is there to establish facts and make recommendations which will reassure you that we have taken the complaint seriously.

The Complaint Appeal Panel operates according to the following formal procedures:

1. The Board of Trustees will convene a panel of two Trustees and an independent member (not responsible for the management and running of the school) and will aim to arrange for the panel meeting to take place **within 3 weeks (school term time only)**.

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2. You will be asked whether you wish to provide any further written documentation in support of your appeal.
3. A member of the Leadership Team, or complaint investigator will be asked to prepare a written report for the panel. The panel can request additional information from other sources if necessary.
4. You will be informed, at least **five working days** in advance, of the date, time and place of the meeting. We hope you will feel comfortable with the meeting taking place in the school but we will do what we can to make alternative arrangements if you prefer.
5. With the letter, you will receive any relevant correspondence or reports regarding Stage 1 and you will be asked whether you wish to submit further written evidence to the panel.
6. The letter will explain what will happen at the panel meeting and that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected to the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
7. If it is necessary in the interests of ratifying the investigative process, the complaint investigator may, with the agreement of the chair of the panel, invite relevant witnesses directly involved in matters raised by you to attend the meeting.
8. The Chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
9. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
10. The Chair of the panel will ensure that the meeting is properly minuted. Please understand that any decision no share the minutes with you, the complainant, is a matter for the panel's discretion and you to nor have an automatic right to see or receive a copy as the minutes are the property of the Board of Trustees. Since such minutes usually name individuals, they are understandably of a sensitive and therefore, confidential nature.
11. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the clerk can then be asked to maintain confidentiality in the minutes.
12. During the meeting, you can expect there to be opportunities for:
  - the panel to hear you explain your case and your argument for why it should be heard at Stage 2;
  - the panel to hear the complaint investigator's case in response;
  - you to raise questions via the Chair;
  - you to be questioned by the complaint investigator through the Chair;
  - the panel members to be able to question you and the complaint investigator;
  - you and the Headteacher to make a final statement.
13. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to you and the Headteacher as soon as is practical. All participants other than the panel and the clerk will then leave.
14. The panel will then consider the complaint and all the evidence presented in order to:
  - reach a unanimous, or at least a majority, decision on the case;
  - decide on the appropriate action to be taken, if necessary;

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- recommend, where appropriate, to the Board of Trustees changes to the school's systems or procedures to ensure that similar problems do not happen again.
15. The clerk will send you, the Executive Head, Head of School, and any persons about whom the complaint has been raised a letter outlining the decision of the panel.
  16. We will confidentially keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

### Closure of complaints

Very occasionally, the school and/or the Board of Trustees will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.

We will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".

If a complainant persists in making representations to the school – to the Leadership Team, designated Trustee or anyone else – this can be extremely time-consuming and can detract from our responsibility to look after the interests of **all** the children in our care.

For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and that the complaint has exhausted our official process. The Trustees will support us in this position, and especially where the complainant's action is causing distress to staff and/or pupils.

In exceptional circumstances, closure may occur before a complaint has reached Stage 2 of the procedures described in this document. This is because a complaints panel takes considerable time and effort to set up and we must be sure that it is likely to assist the process of investigating the complaint.

The Chair of the Board of Trustees may decide, therefore, that every reasonable action has been undertaken to resolve the complaint and that a complaints review panel would not help to move things forward.

Where you have been through the school's complaints procedures (with or without recourse to a complaints review panel) and are still unhappy with the outcome or decision from the Board of Trustees, you can write to the Secretary of State for Education.

**We would advise parents that, unless the school and/or Trust is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken, as the Board of Trustees are empowered to deal with many issues without reference to the Secretary of State.**