



Complaints Policy

for

**Canon Popham Church of England (VA)
Primary & Nursery School**

**Working Together
We Learn and Grow**

PERSON RESPONSIBLE FOR POLICY:	Mrs A. Navas
APPROVED:	DATE: 14 July 2017
SIGNED: <i>A. Navas</i>	ROLE: Headteacher
TO BE REVIEWED	July 2018

CONTENTS	PAGE
Vision Statement	3
Introduction	3
Stage 1 (Informal Concern)	3
Stage 2 (Formal Complaint)	3
Stage 3 (Complaint Escalated to the Chair of Governors)	4
Stage 4 (Governors' Complaints Committee)	4
Roles & Responsibilities	5

Vision Statement

Our vision is to work together as a Christian community to nurture our children within a happy, stimulating and caring school.

A place where:

- *Christian values are at our heart: endurance, compassion, thankfulness, forgiveness, justice and hope*
- *Everyone is unique and welcome*
- *We respect and care for everyone and everything around us*
- *High standards are expected and achievements celebrated so that everyone is able to reach their full potential*
- *Self-esteem and confidence are nurtured on a journey of self-discovery*

Everyone Matters!

Introduction

The school works hard to provide a good service to, and have good relationships with pupils, parents and other members of the local community. At the same time it is recognised that on occasions an individual or group may have a complaint against a member of the school staff or the school itself. When a complaint occurs the following principles will apply:

1. Every complaint will be taken seriously
2. Resolution of problems will be by informal means wherever possible
3. Each complaint will be handled at the appropriate level
4. Procedures will be impartial and non-adversarial
5. Complaints will be dealt with as promptly as possible
6. Confidentiality will be respected at all times

Stage 1 (Informal Concern)

There is a difference between a complaint and a concern. Concerns should be handled without the need for formal procedures. Every effort will be made to resolve a concern informally, before it becomes a formal complaint. A phone call or a meeting with a member of staff should be sufficient to resolve most concerns. On occasions a head of department or senior member of staff might become involved to help resolve the problem. If the concern cannot be resolved it should be referred to the Headteacher before it becomes a formal complaint.

Where an approach is made directly to a member of the Local Governing Body, the governor concerned will refer the complainant to the appropriate person and advise them about the procedures. This will ensure impartiality at a later stage of the proceedings.

Stage 2 (Formal Complaint)

Formal procedures will be invoked when the attempts made in Stage 1 have failed to resolve the matter and the person raising the concern remains dissatisfied and wishes to take the matter to the formal complaint stage.

The 'complaints co-ordinator' is responsible for the operation and administration of the complaints procedure. The person responsible for assessing the complaint and deciding the outcome is the Headteacher. Where the complaint is against the Headteacher, the Chair of Governors will act in this capacity. The formal complaint will be heard within 15 days of receiving the complaint, subject to school holidays.

The Headteacher/Chair of Governors may delegate the task of collating information to another member of staff, but the final decision on action to be taken cannot be delegated.

The Headteacher/Chair of Governors can:

- Dismiss the complaint in whole or part
- Uphold the complaint in whole or 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.
- The outcome of the investigation will be conveyed to all parties within 5 days of the hearing.

The number and nature of formal complaints will be reported to the Governing Body in the Headteacher's report delivered to the next Full Board Meeting. No details of individuals concerned will be contained in this report.

Stage 3 (Complaint Escalated to the Chair of Governors)

The complainant should either to write to the Chair of Governors care of the School Office giving details of the complaint or the School Office will contact the Chair on behalf of the complainant. The Chair will nominate a Governor to investigate the matter on behalf of the Governing Body. The Governor will investigate the matter and contact the complainant for further detail and clarification. The Governor will provide a written response, on behalf of the Governing Body.

Stage 4 (Governors' Complaints Committee)

The complaint will be taken to the Governors' Complaints Committee when the complainant is not satisfied with the outcome of Stage 3 and wishes to take the matter to the final stage. When the complainant wishes to take the matter to the Governors' Complaints Committee a formal request should be made to the Chair of Governors in writing. The Chair will convene a meeting of the committee within 15 working days of receiving the letter.

The Governors' Complaints Committee will contain 3 or 5 members. It will not contain any members of the Governing Body who have had prior involvement in the case.

The Governors' Complaints Committee can:

- Dismiss the complaint in whole or part
- Uphold the complaint in whole or 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.

Once the Complaints Committee has reached a decision the Chair will inform all parties of the outcome in writing within 5 working days. At this point it should be made clear that the procedures have been exhausted and there will be no leave to appeal.

This committee is the last school-based stage of the complaints process, and is not convened merely to rubber-stamp previous decisions.

Individual complaints should not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The Governing Body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

The Remit of The Complaints Appeal Panel

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.

There are several points which any governor sitting on a Complaints Panel needs to remember:

1. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
2. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
3. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is not adversarial.
4. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
5. The governors sitting on the panel need to be aware of the complaints procedure.

Roles and Responsibilities

The Role of the Clerk: The Department strongly recommends that any panel or group of governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required to:

- 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;
- record the proceedings;
- notify all parties of the panel's decision.

The Role of the Chair of the Governing Body or the Nominated Governor

The nominated Governor role is to:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the clerk to arrange the panel.

The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- 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 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 with each party treating the other with respect and courtesy;
- the panel is open minded and acting 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;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Headteacher may question both the complainant and the witnesses
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher and the witnesses The Panel may ask questions at any point.
- The Complainant is then invited to sum up their complaint.
- The Headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The Chair explains that both parties will hear from the panel within a set time scale.