



## Complaints and Resolutions Procedure

Haddenham Community Junior School

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# Contents

<b>Introduction</b>	<b>2</b>
1.1. Our Approach	2
1.2. Concern or Complaint	2
1.3. Aims and Objectives	2
1.4. Framework of Principles	2
1.5. Areas not covered by this procedure	3
<b>2. Procedure</b>	<b>3</b>
2.1. Three Stage Approach	3
2.2. Complaint Campaigns Approach	4
<b>3. The Stages</b>	<b>4</b>
3.1. Stage 1 – Informal Resolution, with staff	4
3.2. Stage 2 – Formal Resolution, with Headteacher	5
3.3. Stage 3 – Formal Resolution, with Governing Board	6
3.3.1 Outcome of the Panel Hearing	6
<b>4. Serial or Persistent Complaints</b>	<b>6</b>
<b>5. Complaint Campaigns</b>	<b>7</b>
5.1. Stage 1 – Formal Resolution, with Headteacher	7
5.2. Stage 2 – Formal Resolution, with Governing Board	8
5.2.1 Outcome of the Panel Hearing	8
<b>6. Monitoring and Review</b>	<b>9</b>
<b>7. Timeframe Stages Summary</b>	<b>10</b>
<b>Appendix One - Complaint form</b>	<b>11</b>
<b>Appendix Two - Complaint Campaign form</b>	<b>13</b>
<b>Appendix Three - At the panel hearing</b>	<b>15</b>

# **1. INTRODUCTION**

## ***1.1. Our Approach***

Our governing board has adopted this procedure to deal with concerns or complaints from members of the school community or general public. This document describes the procedure to address formal complaints, addressed to HCJS. It is designed to ensure that all concerns or complaints are managed fairly, efficiently and at the appropriate level.

## ***1.2. Concern or Complaint***

The school defines a “concern” as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’, and a “complaint” as ‘an expression of dissatisfaction about actions taken or a lack of action’. In cases where it is unclear whether a matter is a concern or a complaint, the Headteacher will determine the interpretation.

## ***1.3. Aims and Objectives***

Our school aims to be fair, open and honest when dealing with any complaint and to resolve it through open dialogue and mutual understanding.

Careful consideration will be given to all concerns and complaints and we will deal with them as swiftly as possible. We will provide sufficient opportunity for any complaint to be fully discussed.

In all cases we will put the interests of the child above all other issues.

## ***1.4. Framework of Principles***

Our procedure is underpinned by the following framework of principles: -

- Encourage resolution of problems by informal means wherever possible
- Be easily accessible and publicised
- Be simple to use and understand
- 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, wherever possible (some information sharing may be necessary to carry out a thorough investigation)
- Address all points of issue, providing an effective response and appropriate redress, where necessary
- Provide information to the school’s senior management team so that services can be improved.

## ***1.5. Areas not covered by this procedure***

This procedure does not apply to issues concerning admissions, exclusion appeals, statutory assessment of special educational needs or grievances by school staff. These are the subject of separate complaints procedures; more information can be obtained from the school.

In addition, Ofsted has the power to investigate certain (qualifying) complaints about maintained schools, including those from parents. A qualifying complaint is one that affects the whole school, not an individual. More information can be obtained from the school or Ofsted.

All other complaints are handled by the school according to the arrangements set out below.

## **2. PROCEDURE**

### ***2.1. Three Stage Approach***

The procedure has three possible stages. Most cases will begin with the informal stage, and should be addressed in the first instance to the member of staff at the school most likely to be in a position to deal with the concerns expressed. Where concerns cannot be resolved after reasonable efforts to do so informally or a more serious matter is in question, then a written complaint should be sent to the school addressed to the Headteacher.

- Stage 1- Informal Resolution- With staff at the school

Most concerns are resolved informally with staff at the school. More difficult or complex concerns may take more than one discussion.

- Stage 2- Formal Resolution- Written complaint to the Headteacher

A formal complaint can only be made to the Headteacher. This will usually be after careful and reasonable efforts have been made to resolve the matter informally, but it is accepted that a formal complaint relating to a serious matter may be made without first going through Stage 1.

- Stage 3- Formal Resolution-Panel Hearing

Where the complaint has not been resolved satisfactorily at Stage 2 it may be referred to the Governing Board Complaints Panel.

### ***2.2 Complaint Campaigns Approach***

Where a complaint is based on the same subject and is raised by multiple people a two stage process will apply and is explained in Section 5.

The two stage procedure will also apply to complaints that do not directly relate to educational concerns, but are directed at HCJS.

### **3. THE STAGES**

#### ***3.1. Stage 1 – Informal Resolution, with staff***

If you have any concerns about the school, or the education we are providing at any time, please discuss the matter with your child's class teacher or one of our lead teachers at the earliest opportunity.

It is **not** appropriate to publicise any concerns you may have on social networking sites. Please speak, or write, to someone at the school at your earliest convenience, rather than using any other means.

The school considers any concerns very seriously and most problems can be resolved following discussion and a shared understanding of the issues. All members of staff work very hard to ensure that each child is happy at school and is making good progress and they always want to know if there is a problem so they can help to resolve it.

Most concerns can be resolved at this level, however, if after speaking to any of the members of staff listed above you are still concerned please discuss the matter with the Headteacher by making an appointment via the school office. (01844 291829). The headteacher will require the complainant to explain any concerns and suggest what actions you feel would resolve the complaint.

A concern that has not been resolved by informal means within ten working days from receipt of the concern can be notified as a Formal Complaint in accordance with Stage 2 below, either by the person raising the concern or by referral by the member of staff dealing with the concern.

File notes from the staff member(s) dealing with the concern and/or file correspondence between the person raising the concern and the staff member(s) which form the record of concerns raised at Stage 1 of this procedure must be retained and may be referred to at later stages of the process.

#### ***3.2. Stage 2 – Formal Resolution, with Headteacher***

Most concerns are resolved at Stage 1, however if you remain dissatisfied and wish to make a formal complaint this must be done in writing, addressed to the Headteacher. Set out briefly and clearly the facts and state what it is that the complainant considers should have been done or where the School has not met reasonable expectations.

We provide a complaint form (Appendix 1) attached to this procedure. The aim of the form is to give us as clear an understanding as possible of your complaint and includes a section on what actions you feel would resolve the problem.

If you would like support in completing the form from someone unconnected with the complaint, please let us know and we would be happy to organise this for you.

If the complaint is about the headteacher or a governor, it should be returned to the chair of the governing board at the school address, marking the envelope 'FOR IMMEDIATE ATTENTION'. If your complaint is about the chair of the governing board, your completed form should be returned to the clerk of the governing board.

You will receive an acknowledgement of the receipt of your complaint within 5 school days.

An investigation will be carried out into the complaint and the way it has been handled by the school. This will include a review of any relevant documentation and information and seeking the views of relevant people, where necessary. The person undertaking the investigation will normally write to you with the outcome of this process within 15 school days of receiving the complaint.

If, at any time, it becomes apparent that the complaint is a disciplinary or capability issue, the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. You will be notified if this is the case with your complaint, however, you are not entitled to know which procedure, or the final outcome, because of the right to confidentiality of the member of staff involved.

Following the outcome of the investigation, if you feel your concern has not been resolved, you may choose to move to Stage 3 of the procedure. You must let the school know if you wish to do this within 10 school days of the completion of Stage 2.

### ***3.3. Stage 3 – Formal Resolution, with Governing Board***

At this stage the complaint will be considered by a panel, who will meet to consider the complaint and make a final decision about it on behalf of the governing board.

Panel members will have no detailed prior knowledge of the complaint, or connection with the complainant. The meeting will normally take place within 15 school days of your request.

You will have the opportunity to submit evidence on the complaint prior to the meeting of the panel and also to attend, accompanied by a friend/partner if you wish, to put your case forward. The headteacher will be given the same

opportunities. Appendix 2 outlines the process that will be followed at a panel hearing.

### **3.3.1 Outcome of the Panel Hearing**

The panel will write to you with its conclusion within 5 school days of the meeting, and its decision is final.

If you are still not satisfied, you may wish to put your complaint to the Secretary of State for Education, who can review whether the school has acted reasonably and followed the correct procedures.

The Schools Complaint Unit (SCU) considers complaints relating to LA maintained schools in England on behalf of the Secretary of State and can be contacted via: -

- National Helpline 0370 000 2288
- online at: [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)
- by writing to the Department for Education, School Complaints Unit, 2nd Floor, Piccadilly Gate Store Street Manchester M1 2WD

## **4. SERIAL OR PERSISTENT COMPLAINTS**

Unfortunately, in a small minority of cases, people pursue their complaints in a way which can either impede the investigation of their complaint or can have significant resource issues for the school.

These actions can occur either while the complaint is being investigated, or once the school has concluded the complaint investigation.

In such cases, the school will take advice from the Department for Education and follow its policy for unreasonable complainants.

In the event of a complaint considered “vexatious” the school will revert to The Office of the Independent Adjudicator for clarity before then seeking advice from the DfE and then follow its policy for unreasonable complaints.

## **5. COMPLAINT CAMPAIGNS**

Should the school become the focus of a complaint and receive large volumes of complaints, all based on the same subject or complaints unconnected with the schools delivery of education the below process will apply.

- Stage 1- Formal Resolution- Written complaints to the Headteacher

A formal complaint can only be made to the Headteacher.

- Sage 2- Formal Resolution-Panel Hearing

Where the complaint has not been resolved satisfactorily at Stage 2 it may be referred to the Governing Board Complaints Panel.

### ***5.1. Stage 1 – Formal Resolution, with Headteacher***

A formal complaint must be done in writing, addressed to the Headteacher. Set out briefly and clearly the facts and state what it is that the complainant considers should have been done or where the School has not met reasonable expectations.

We provide a complaint form (Appendix 2) attached to this procedure. The aim of the form is to give us as clear an understanding as possible of your complaint and includes a section on what actions you feel would resolve the problem.

If you would like support in completing the form from someone unconnected with the complaint, please let us know and we would be happy to organise this for you.

If the complaint is about the headteacher or a governor, it should be returned to the chair of the governing board at the school address, marking the envelope 'FOR IMMEDIATE ATTENTION'. If your complaint is about the chair of the governing board, your completed form should be returned to the clerk of the governing board.

You will receive an acknowledgement of the receipt of your complaint within 5 school days.

An investigation will be carried out into the complaint and the way it has been handled by the school. This will include a review of any relevant documentation and information and seeking the views of relevant people, where necessary. The person undertaking the investigation will normally write to you with the outcome of this process within 15 school days of receiving the complaint.

If, at any time, it becomes apparent that the complaint is a disciplinary or capability issue, the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. You will be notified if this is the case with your complaint, however, you are not entitled to know which procedure, or the final outcome, because of the right to confidentiality of the member of staff involved.

Following the outcome of the investigation, if you feel your concern has not been resolved, you may choose to move to Stage 2 of the procedure. You must let the school know if you wish to do this within 10 school days of the completion of Stage 1.

### ***5.2. Stage 2 – Formal Resolution, with Governing Board***



At this stage the complaint will be considered by a panel, who will meet to consider the complaint and make a final decision about it on behalf of the governing board.

Panel members will have no detailed prior knowledge of the complaint, or connection with the complainant. The meeting will normally take place within 15 school days of your request.

You will have the opportunity to submit evidence on the complaint prior to the meeting of the panel and also to attend, accompanied by a friend/partner if you wish, to put your case forward. The headteacher will be given the same opportunities. Appendix 3 outlines the process that will be followed at a panel hearing.

### **5.2.1 Outcome of the Panel Hearing**

The panel will issue a public notification on the school website with its conclusion within 5 school days of the meeting, and its decision is final.

If you are still not satisfied, you may wish to put your complaint to the Secretary of State for Education, who can review whether the school has acted reasonably and followed the correct procedures.

The Schools Complaint Unit (SCU) considers complaints relating to LA maintained schools in England on behalf of the Secretary of State and can be contacted via: -

- National Helpline 0370 000 2288
- online at: [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)
- by writing to the Department for Education, School Complaints Unit, 2nd Floor, Piccadilly Gate Store Street Manchester M1 2WD

## **6. MONITORING AND REVIEW**

The governing board monitors the complaints procedure, in order to ensure that all complaints are handled properly. The headteacher logs all formal complaints received by the school and records how they were resolved. Governors examine this log on an annual basis and consider the need for any changes to the procedure.

## **7. TIMEFRAME STAGES SUMMARY**

\*Please refer to the procedure for more detailed information.

Normal Complaint procedures, section 3

Stages	Timeframe
<b>STAGE 1- INFORMAL</b> Complaint resolve informally with staff	<b>10 school days</b>
<b>STAGE 2- FORMAL</b> Complaint resolve through Headteacher and an investigation	<b>5 school days to acknowledge written complaint 15 days for the investigation and resolution</b>
<b>STAGE 3- FORMAL</b> Complaint resolve through a Panel Hearing of Governors	<b>5 school days to acknowledge written agreement to proceed to Stage 3 10 days for the investigation and panel hearing 5 days for outcomes and resolution</b>

Complaint campaigns procedure, section 5

Stages	Timeframe
<b>STAGE 1- FORMAL</b> Complaint resolve through Headteacher and an investigation	<b>5 school days to acknowledge written complaint 15 days for the investigation and resolution</b>
<b>STAGE 2- FORMAL</b> Complaint resolve through a Panel Hearing of Governors	<b>5 school days to acknowledge written agreement to proceed to Stage 2 10 days for the investigation and panel hearing 5 days for outcomes and resolution</b>

If no resolution is reached you can write to the Secretary of State of Education and Skills.

## **APPENDIX ONE - COMPLAINT FORM**

Please complete and return to .....(complaints co-ordinator) who will acknowledge receipt and explain what action will be taken.

**Your name:**

**Pupil's name:**

**Your relationship to the pupil:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Please give concise details of your complaint, including dates, names of witnesses etc, to allow the matter to be fully investigated**

**What action, if any, have you already taken to try and resolve your complaint.**

**(Who did you speak to/write to and what was the response)?**

What actions do you feel might resolve the problem at this stage? **This must be completed. Without it the procedure cannot progress through our stated stages.**

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

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

All sections must be completed

## **APPENDIX TWO - COMPLAINT CAMPAIGN FORM**

**Please complete and return to .....(complaints co-ordinator) who will acknowledge receipt and explain what action will be taken.**

**Your name/subject:**

**Pupil's name( if applicable):**

**Your relationship to the pupil( if applicable):**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Please give concise details of your complaint, including dates, names of witnesses etc, to allow the matter to be fully investigated**

**What action, if any, have you already taken to try and resolve your complaint.**

**(Who did you speak to/write to and what was the response)?**

What actions do you feel might resolve the problem at this stage? **This must be completed. Without it the procedure cannot progress through our stated stages.**

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

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

All sections must be completed

### **APPENDIX THREE - AT THE PANEL HEARING**

- After introductions, the complainant will be invited to explain their complaint, and be followed by their witnesses (if any).

- The Headteacher/Chair of Governors may question both the complainant and the witnesses after each has spoken.
- The Headteacher/Chair of Governors is then invited to explain the school's actions and be followed by the school's witnesses (if any).
- The complainant may question both the Headteacher/Chair of Governors and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher/Chair of Governors is then invited to sum up the school's actions and response to the complaint.
- The Chair of the panel explains that both parties will hear from the panel within five school days.
- Both parties leave together while the panel decides on the issues.
- The clerk remains to support the panel.