



## **Copnor Primary School – B4. Complaints Policy**

### **Rationale**

Copnor Primary School is committed to caring for the welfare of its children. Complaints lead to dissatisfaction, and will therefore be dealt with promptly and transparently. We would rather deal with an issue promptly before it has time to grow and in that sense we encourage parents and children to share concerns with us. However we recognise that there may be times when it proves necessary to complain more formally. Should this occur the local authority guidelines are followed in full and the governing body have implemented a staged approach, consisting of four stages. This is in line with current Government legislation and are covered in law by Section 29 of the Education Act 2002, which requires that all governing bodies of maintained schools set in place a procedure to deal with complaints.

### **Stage 1: The first contact**

- 1.1. Parents are always welcome to discuss any concerns with the appropriate member of staff, who will clarify with the parent the nature of the concern and reassure them that the school wants to hear about it. The member of staff may explain to the parent how the situation happened. It can be helpful at this point to identify what sort of outcome the parent is looking for.
- 1.2. If the member of staff first contacted cannot immediately deal with the matter, s/he will make a clear note of the date, name and contact address or phone number.
- 1.3. All members of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. S/he will check later to make sure the referral has been dealt with.
- 1.4. If the matter is brought to the attention of the Headteacher he may decide to deal with concerns directly at this stage; if the complaint is against the Headteacher the parent will be advised to contact the Chair of the Governing Body.
- 1.5. The member of staff dealing with the concern will make sure the parent is clear what action (if any) or monitoring of the situation has been agreed, putting it in writing if appropriate.
- 1.6. Where no satisfactory solution has been found within ten days, parents will be advised that if they wish their concern to be considered further they should write to the Headteacher (or to the Chair of governors if the complaint is concerning the head teacher.).

### **Stage 2: Referral to the Headteacher for investigation**

- 2.1 The Headteacher (or designated person) will acknowledge the complaint in writing within three working days of receiving the written complaint. The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This should normally be within ten working days. If this proves impossible, a letter will be sent explaining the reason for the delay and giving a revised target date.
- 2.2 The Headteacher (or designated person) will provide an opportunity for the complainant to meet them to supplement any information provided previously. It will be made clear to the complainant that if s/he wishes s/he might be accompanied to any meeting by a friend, relative, representative or advocate who can speak on his/her behalf.

- 2.3 If necessary the Headteacher (or designated person) will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. Pupils should normally be interviewed with parents/guardians present, but if this would seriously delay the investigation of a serious/urgent complaint or if the pupil has specifically said that s/he would prefer that parents/guardians were not involved, another member of staff with whom the pupil feels comfortable should be present. If a member of staff is complained against, they must have the opportunity to present their case (see appendix 2 - General Principles.)
- 2.4 The Headteacher (or designated person) will keep written records of meetings, telephone conversations and other documentation.
- 2.5 Once all the relevant facts have been established as far as possible, the Headteacher (or designated person) will then produce a written response to the complainant, including a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint. The complainant will be advised that should s/he wish to take the complaint further s/he should notify the Chair of Governors within five weeks of receiving the letter.
- 2.6 If the complaint is against the Headteacher, or if the Headteacher has been closely involved at Stage 1, the Chair of the Governing Body will carry out all the Stage 2 procedures.

### **Stage 3: Review by the Governing Body**

- 3.1 The Chair of the Governing Body will write to the complainant to acknowledge receipt of the written request for the governing body to review the complaint. The acknowledgement will inform the complainant that three members of the school's governing body will hear the complaint within twenty days of receiving the complaint. The letter will also explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be sent to the three members.
- 3.2 A meeting of the Governors' Complaints Panel will be convened.  
No governors with prior involvement must be included on the panel and it may be necessary to use reserves (previously agreed by the governing body) to ensure the Panel can meet within the set time. If s/he has not previously been involved the Chair should chair the Panel; otherwise the Vice-Chair should do so. Governors should bear in mind the advantages of having a parent governor on the panel, and will also want to be sensitive to issues of race and gender. It is not appropriate for the Headteacher to sit on the Panel.
- 3.3 The Chair/Vice-Chair will ensure the Panel hears the complaint within twenty working days of receiving the letter. All relevant correspondence relating to the complaint will be given to each Panel member as soon as the composition of the panel is confirmed. If the correspondence is extensive, the Chair may prepare a thorough summary for sending to Panel members.
- 3.4 The Chair or clerk will write and inform the complainant, Headteacher, any relevant witnesses and members of the Panel at least five working days in advance of the date, time and place of the meeting. The notification will also inform the complainant of his/her right to be accompanied to the meeting by a friend/advocate/interpreter and explain how the meeting will be conducted and the complainant's right to submit further written evidence to the Panel.
- 3.5 The Headteacher will be invited to attend the Panel meeting and will be asked to prepare a written report for the Panel in response to the complaint. All concerned should receive any relevant documents including the Headteacher's report, including the complainant, at least five working days prior to the meeting.  
The Headteacher may also invite members of staff directly involved in matters raised by the complainant to respond in writing or person, subject to the discretion of the Chair.
- 3.6 The meeting should allow for:
  - The complainant to explain their complaint and the Headteacher to explain the school's response

- The Headteacher to question the complainant about the complaint and the complainant to question the Headteacher and/or other members of staff about the school's response
- Panel members to have an opportunity to question both the complainant and the Headteacher
- Any party to have the right to call witnesses (subject to approval of the Chair) and all parties having the right to question all the witnesses
- Final statements by both the complainant and the Headteacher.

It is the responsibility of the Chair of the Panel to ensure that it is properly minuted.

3.7 The Chair of the Panel will explain to the complainant and Headteacher that the Panel will consider its decision and that a written decision will be sent to both parties within 15 working days. The complainant, Headteacher, other members of staff and witnesses will then leave.

3.8 The Panel will then consider the complaint and all the evidence presented and

- Reach a unanimous, or at least a majority decision on the complaint;
- Decide upon the appropriate action to be taken to resolve the complaint; and
- Where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.

3.9 A written statement outlining the decision of the Panel must be sent to the complainant and Headteacher. The letter to the complainant should also explain whether a further appeal can be made, and if so, to whom.

3.10 The school should ensure that a copy of all correspondence and notes are kept on file in the school's records. These records should be kept separately from the pupil's personal records.

#### **Stage 4 Complaint is sent to the Local Government Ombudsman**

4.1 If a complainant wishes to go beyond the governors' complaints panel, they should be advised to write to the Local Government Ombudsman. This can be done by phoning the Advice Team on 0300 061 0614 or 0845 602 1983 (8.30 to 5.00, Mondays to Fridays.) Alternatively the complainant may text the Ombudsman on 0762 480 4299 or e-mail them at [advice@lgo.org.uk](mailto:advice@lgo.org.uk) or complete an on-line complaint form at [www.lgo.org.uk/making-a-complaint](http://www.lgo.org.uk/making-a-complaint)

#### **Publication of this policy**

This policy will be published on our website: [copnorprimaryschool.co.uk](http://copnorprimaryschool.co.uk). It is also available, upon request, as a free paper copy. To receive a copy of the policy as a paper copy, contact: Mrs A Newsham, Copnor Primary School, Copnor Road, Portsmouth, PO35BZ. Or telephone, 02392 661191.

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