



## Lingdale Primary School

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'Working together to be the best we can be'

### **Complaints Policy and Procedure**

<b>Date Written:</b>	Sept 2019
<b>Written by:</b>	Sarah Thornton
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## Lingdale Primary School & Lingdale Primary 2 year old provision

### Complaints Policy

#### **Introduction**

At Lingdale Primary and Lingdale 2 year old provision, we strive to provide a good education for all our children. (Article 28 and 29) The Head Teacher, staff and governors will work very hard to build positive relationships with parents and carers. However, the school is obliged to have procedures in place in case there are complaints from parents and carers. The following sets out the procedures we will follow in such cases.

If any parent is unhappy with the education or care their child is receiving, or have any concerns about the school or child care, we encourage them to talk to the child's class teacher or the room leader in the 2 year old provision immediately. We deal with all complaints in accordance with procedures laid down by the Local Authority.

All parents have the right, as a last resort, to refer the matter to the Secretary of State for Education, if they feel that their complaint has not been properly addressed.

#### **Aims and Objectives**

Our school and 2 year old provision aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints, and to deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. The interests of children must be considered above all else. (Article 3) We provide sufficient opportunity for any complaint to be fully discussed and then resolved.

#### **The complaints process**

If a parent is concerned about anything to do with the education or child care that we are providing at our school and in our 2 year old provision, they should, in the first instance, discuss the matter with their child's class teacher. In our experience, most matters of concern can be resolved positively in this way. All staff work very hard to ensure that each child is happy at school and in our childcare, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child's progress.

Where parents feel that a situation has not been resolved through contact with the class teacher or room leader, or that their concern is of a sufficiently serious nature, they should make an appointment to discuss it with the Head Teacher. A complaints form (available from the school office) should be submitted to the Head teacher at this time. The Head teacher considers any such complaint very seriously, and investigates each case thoroughly. Most complaints are normally resolved by this stage. Should the complaint not be resolved, parents should put their complaint in writing to the Chair of Governors who will fully investigate your complaint. Similarly, any complaints about the Head Teacher should also be put in writing to the Chair of Governors.

This complaint must be made in writing, stating the nature of the complaint, and how the school has handled it so far. The parent should send this written complaint to the Chair of Governors. The Chair of Governors will then investigate the complaint and respond in a timely manner.

Where parents feel the complaint has not been resolved by the Chair of Governors, this will be escalated to the Governing body. The governing body must consider all written complaints within fifteen working days of receipt. The complaint will be investigated and will be heard by a panel of the governing body. It will arrange a meeting to discuss the complaint, and will invite the person making it to attend the meeting, so that s/he can explain the complaint in more detail. The school gives the complainant at least three days' notice of the meeting.

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

The Governing Body Complaints Panel will consist of 3 or 5 governors and will have delegated powers to hear complaints. Its membership will be specified in the Governing Body's Committee Structure and may provide for a number of governors to be drawn from a pool of governors which would normally preclude anyone who works at the school. A person who is independent to the governing body will also sit on the panel. Its terms of reference will include:

- Drafting procedures for approval by the full Governing Body;
- Hearing individual appeals;
- Making recommendations on policy as a result of complaints.

The panel will choose its own chair.

The panel can:

- Dismiss the complaint in the whole; or in part;
- Uphold the complaint in the 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:

- a. 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, the Governing Body will 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.
- b. The aim of the hearing, which will 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 that will satisfy the complainant that his or her complaint has been taken seriously.

- c. 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 informal and not adversarial.
  
- d. 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 (Article 12) and give them equal consideration to those of adults. Where the child's parent is the complainant, the parent will be given the opportunity to say which parts of the hearing, if any, the child needs to attend.
  
- e. The governors sitting on the panel need to be aware of the complaints procedure.

## **Roles and Responsibilities**

### **The Role of the Clerk**

The Governing Body will ensure that a Clerk is appointed to the Complaints Panel. The Clerk to the Complaints Panel will be the contact point for the complainant and will:

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties;
- Collate any written material and send it to the parties in advance of the hearing;
- If appropriate, 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**

The Chair of Governors will:

- 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.

### **Notification of the Panel's Decision**

The chair of the panel will ensure that the complainant is notified of the panel's decision, in writing, with the panel's response, within three school days. The letter will explain that, if not satisfied with the outcome of the school complaints procedure, the complainant may refer their complaint to the Secretary of State for Education and Skills.

### **Further Action**

If the complainant is not satisfied their complaint can be referred to the Secretary of State for Education and Skills, if the complainant believes the Governing Body has acted unreasonably.

### **Monitoring and review**

The governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The Head Teacher logs complaints received by the school, and records how they were resolved. Governors may ask to examine this log.

Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.

Signed – S Thornton 1<sup>st</sup> March 2020