



Hope House School Barnsley

Complaints Procedures & Policy



Complaints Procedure Policy

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Christian Perspective:

Within the procedures noted the school always seeks to adhere to the Christian principles of justice, forgiveness and restoration and aims for reconciliation wherever possible.

Overview

1. From 1st September 2003 Governing Bodies of all schools and nursery schools in England are required, under Section 29 of the Education Act 2002 and subsequent legislation, to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised.

2. There are certain complaints, which fall outside the remit of this Governing Body's complaints procedure, for example, staff grievances or disciplinary procedures, which have their own procedures.

Dealing with complaints – initial concern

The school needs to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

These key messages deal with complaints but the underlying principle is that concerns ought to be handled, if at all possible without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases, the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach by a parent/carer with a concern. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

Dealing with verbal concerns

Initially a verbal concern should be dealt with by the class teacher or subject teacher. If resolution is not found then the Principal should take on the verbal concern. Only when these stages have been exhausted should the formal written complaints procedure be implemented. *If a verbal concern is about a staff member then it should not be dealt with by that staff member but by their immediate line manager.*

Dealing with complaints – formal procedures

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. A formal complaint must be made **in writing** only after a staff member has been given an opportunity to resolve it. The written complaint must be made to the Principal or Principal.

Framework of Principles

An effective complaints procedure will:

- Encourage resolution of problems by informal means wherever possible;
- Be easily accessible and publicised;
- Be simple to understand and use;
- 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;
- Address all the points at issue and provide an effective response and appropriate re-dress where necessary;
- Provide information to the Principal and Principal so that services can be improved.

Investigating Complaints

At each stage, the person investigating the complaint will make sure they:

- Establish what has happened so far, and who has been involved;
- Clarify the nature of the complaint and what remains unresolved;
- Meet with the complainant or contact them (if unsure or further information is necessary);
- Clarify what the complainant feels would put things right;
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- Conduct the interview with an open mind and be prepared to persist in the questioning;
- Keep notes of the interview.

Resolving Complaints

At each stage in the procedure the school will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- An apology;
- An explanation;
- An admission that the situation could have been handled differently or better;
- An assurance that the event complained of will not recur;
- An explanation of the steps that have been taken to ensure that it will not happen again;
- An undertaking to review school policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Vexatious Complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Time Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. An effective complaints procedure will have realistic time limits for each action within each stage (see below). However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

The Formal, Written Complaints, Procedure

The Stages of Complaint

1. The school complaints procedure has well defined stages. There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the Principal after a meeting with the complainant.

2. Three school-based stages are likely to be sufficient for most schools:

- Stage One: verbal concern heard by class teacher, followed by Principal or Principal.
- Stage Two: written complaint to the Principal, appointment with Principal or Principal made.
- Stage Three: written complaint to Governing Body's complaints appeal panel.

3. An unsatisfied complainant can always take a complaint to the next stage. If the unresolved a complaint can be made to OFSTED or the DfE.

4. In the case of a complaint which concerns the conduct of the Principal or Principal or both a complaints co-ordinator should be appointed and may refer the complaint to the Chair of Governors. When the first approach by a parent/carer is made to a Governor, the complaint should be referred to a complaints co-ordinator.

Managing and Recording Complaints

Recording complaints

1. The person dealing with the complaint will record the progress of the complaint and the final outcome. A concern may be made in person, by telephone, or in writing. Complaints at stage two – Principal/Principal, must be made in writing. At the end of a meeting or telephone call, it would be helpful if the member of staff ensured that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record.

2. All records are confidential and will be kept locked in the Principal's office. Records should be kept for six years

Governing Body Review

1. The Governing Body can monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary.

2. As well as addressing individual complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard the school may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Body can be a useful tool in evaluating a school's performance.

Publicising the Procedure

There is a legal requirement for the Complaints Procedure to be publicised. It is up to the Governing Body to decide how to fulfil this requirement but details of the Complaints Procedure will be included in:

- The information given to new parents when their children join the school;
- Home school bulletins or newsletters;
- Posters displayed in areas of the school that will be used by the public, such as reception or main entrance;
- The school website.

Informing OFSTED. Hope House School Barnsley will supply OFSTED on request with a written record of all complaints made during any specified period, and the action, which was taken as a result of each complaint.

Registered Formal Written Complaints For The Last Academic Year: 2015/16 = 0

Summary of dealing with concerns & complaints

Stage 1 - Concern

Verbal concern heard by class teacher.

Verbal concern heard by Principal.

Issue resolved - concern recorded in writing in Incident File - no further action required

Issue not resolved



Stage 2 – Formal Complaint

Complainant asked to write to the Principal.

Complaint heard by Principal and any relevant staff members.

- Acknowledge receipt of complaint within one working week. Can be done by email.
- Meet with complainant within two working weeks of complaint being received
- Post a letter to complainant with outcome of investigation within one working week of investigation
- Ensure complaints co-ordinator informed of outcome

Issue resolved – complaint recorded in writing in Complaints File – no further action required

Issue not resolved



Stage 3 – Governors Panel

Governors' complaints panel meeting arranged by Directors. (Two Governors minimum, who have not been privy to the complaint before. One panel member must be independent of the management and running of the school)

- Acknowledge receipt of written complaint to Governors within one working week of its receiving it. Can be done by email
- Invite complainant, by posted letter, to a meeting date which is within four working weeks of complaint letter to Governors being received, (give at least one weeks' notice of the hearing date. Parents can be accompanied to a panel hearing if they wish)
- Post letter to complainant confirming panel decision within one working week of the hearing. Copies to complainant, Directors, Principal and if relevant the person being complained about.
- Ensure complaints co-ordinator informed of outcome.

Issue resolved – complaint recorded in writing in Complaints File – no further action required

NB: HMI will ask to see complaints records at an inspection.

SECTION 23 OF THE EDUCATION REFORM ACT 1988

These complaints are concerned only with the actions of the Governing Bodies. They do not cover complaints about the actions of individual teachers or the Principal.

Informal

Discussions with the Principal (complaint against Governors)

Formal

- (a) Complaints should be in writing to the clerk of the Governors
- (b) The complaint will be investigated by the appropriate people and a panel set up to consider the complaint at which the complainant may make an oral presentation to supplement the written complaint.
- (c) Notification of the outcome will be given in writing.
- (d) Only after exhausting the standard arrangements for handling complaints may a complainant be able to complain to the Secretary of State.

School Complaints Procedure Statement (to be displayed in a public place)

School Complaints Procedure

1. The concern should be broached verbally with the class teacher in the Primary Department or Subject Teacher / Form Tutor in the Senior Department.
2. If a satisfactory conclusion is not achieved then an appointment should be made with the Principal or Principal through the school office.
3. If a satisfactory conclusion is still not reached then a formal complaint in writing can be made to the Principal or Principal and a meeting will be arranged with the Principal or Principal and any relevant staff member. Please note on the letter that it is a Formal Complaint.
4. If a satisfactory conclusion is not reached after meeting with the Principal then a written complaint can be made the Governing Body and an appeals panel including one independent person will hear the appeal.
5. If a satisfactory conclusion is not reached after the Governing Body the complainant can contact OFSTED or the D.f.E.
6. All complaints are treated in the strictest confidence and records are kept locked in the Principal's / Principal's office.

A full copy of the complaints policy is on the website or available from the office.

Chronological Record of Concern / Complaint

Stage 1: Parental Verbal Concern

Initial Contact Date: _____ Parent / Carer Name _____

Subsequent Contact Dates (Verbal and Phone) _____

Class Teacher: Resolved Yes No

Headteacher: Resolved Yes No

Stage 2: Formal Complaint In Writing To Headteacher

Received Date: _____ Acknowledged Date: _____ 1st Appointment Date _____
(Within 1 week) (Within 2 weeks of complaint being received)

Subsequent Contact Dates (Verbal and Phone) _____

Written Response Sent _____
(Within 1 week of hearing)

Headteacher: Resolved Yes No

Stage 3: Formal Complaint In Writing To Governing Body's Complaints Panel

(2 Governors with no prior involvement with the complaint & one independent person)

Received Date: _____ Written Acknowledged Date: _____ (Please attach)
(Within 1 week of complaint being received)

Invite to Hearing Letter Sent Date _____ (Please attach)
(Panel date to be within 4 weeks of complaint being received)

Panel Hearing Date _____ Written Outcome Response Sent _____ (Please attach)
(Within 1 week of hearing panel)

Resolved

Outcome Notes

Please pass to Administrator Once You've Completed Your Section
To Be Filed In The Relevant Academic Year Incident & Complaints File In Headteacher's office