



## **SCHOOL COMPLAINTS PROCEDURE LOCKWOOD PRIMARY SCHOOL**

### **Stage One: Complaint Heard by Staff Member**

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, all staff will be made aware of the complaints procedure so that they know what to do when they receive a complaint.

The school will respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaints co-ordinator will consider referring the complainant to another staff member. Where the complaint concerns the headteacher, the complaints co-ordinator will refer the complainant to the chair of governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to an individual governor, that governor will refer the complainant to the appropriate person and advise them about the procedure. Governors will not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

### **Stage Two: Complaint Heard by Headteacher**

The headteacher's influence will already have shaped the way complaints are handled in the school. At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The head may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

### **Stage Three: Complaint Heard by Governing Body's Complaints Appeal Panel**

If the complainant is not satisfied that the complaint has been addressed at stages 1 or 2, the complainant needs to write to the Chair of Governors giving details of the complaint. The Chair will convene a meeting of Governing Body Complaints Panel through the Clerk to the Panel. The governors' appeal hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

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 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. 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 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:

- 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 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 3 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 that the Governing Body has acted unreasonably.