

Buckinghamshire County Council Education Department

**MILLBROOK COMBINED SCHOOL
AND NURSERY**



COMPLAINTS POLICY & PROCEDURE

Reviewed Summer 2010

Millbrook Combined School's Complaints Procedure

Introduction

This document sets out the school's procedure for addressing complaints. It should be used only when informal attempts to resolve problems have been unsuccessful. If you have any concerns about the school or the education provided, please discuss the matter with *your child's class teacher* at the earliest opportunity. The school considers any concerns very seriously and most problems can be resolved at this stage.

Please note that this procedure does not apply to issues concerning the curriculum, collective worship, admissions, exclusion appeals, decisions about your child's special educational needs or grievances by school staff. These are the subject of separate complaints procedures. Copies of these procedures can be obtained from the school.

Aims and Objectives

The school will give careful consideration to all complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

Framework of Principles

- 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.

Formal Complaints Procedure

Stage 1

If you feel that a concern has not been addressed through informal discussion with the class teacher or Key Stage Leader, and you wish to have the matter formally investigated by an appropriate person from the school, please make an appointment to discuss it with the Headteacher or complete a complaints form (Appendix 1). If you would like help completing the form, the school will be happy to provide the assistance of someone unconnected with the complaint.

The Headteacher will involve the Key Stage Leader and any action will be followed through together, in the first instance the key Stage Leader will conduct the investigation.

If the matter is about:

- the day-to-day running of the school
- the interpretation of school policies
- the actions or inactions of staff at the school

it will be investigated by the headteacher or a senior member of staff nominated by the headteacher.

If the matter is about:

- school policies as determined by the governing body
- the actions or inactions of the governing body
- the headteacher

then, it will be investigated by the Chairman of Governors or a governor nominated by the Chairman.

The person carrying out the investigation will review the way in which the complaint has been handled by the school and ensure that the issues have been dealt with properly and fairly. He/she will normally write to you with the outcome of this process within 15 working days of receiving the complaint.

If it becomes apparent that the complaint is a disciplinary or capability issue, then 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, but you are not entitled to know which procedure or the final outcome.

Stage 2

If you are not satisfied with the result from Stage 1, you may choose to refer your complaint to Stage 2 of the procedure. This must be done in writing to the school within 15 working days of the completion of Stage 1.

At this Stage, the complaint will be considered by either the Chairman or nominated governor, or a panel of 3 governors depending on who carried out the investigation in Stage 1 : -

- A. If Stage 1 was investigated by the headteacher or a senior member of staff nominated by the headteacher, the Chairman or nominated governor will consider the manner in which the complaint was addressed and decide whether it has been properly dealt with. The general principle is that the school should be able to produce documentary evidence to show that the complaint has received fair and proper consideration within the school's procedure. If they have any concerns, they may ask the headteacher to re-open the investigation. The complainant will be kept informed of any delay.

If the complainant is not satisfied after the Chairman or nominated governor has completed their review, a panel of 3 governors will meet to consider the complaint and make a final decision about it on behalf of the governing body.

- B. When Stage 1 has been investigated by the Chairman or nominated governor, Stage 2 will be carried out by a panel of 3 governors, who will meet to consider the complaint and make a final decision about it on behalf of the governing body.

In either A or B, the panel will consist of governors who have no detailed prior knowledge of the complaint, or connection with the complainant. The meeting will normally take place within 15 working days of your request.

You will have the opportunity to submit written 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. The headteacher will be given the same opportunities. The panel will write to you with its conclusion within five working days of the meeting.

The decision of the panel is final. If you are still not satisfied, you may wish to put your complaint to the Secretary of State for Education and Skills.

Monitoring and Review

The governing body 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.

Availability

A copy of this procedure is available to all parents on request.

Appendix 1	Complaint Form
Appendix 2	Establishing a complaint panel
Appendix 3	Remit of the complaints panel
Appendix 4	Checklist for a panel hearing

Appendix One: Complaint form – Millbrook Combined School

Please complete and return to the Head Teacher 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 details of your complaint.

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

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

What actions do you feel might resolve the problem at this stage?

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

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Appendix Two – Establishing a Complaints Panel

The governing body should agree the composition of the complaint panel at the first meeting of the governing body each year. It is recommended that the names of 4 or 5 governors are agreed from whom a panel of three may be drawn.

There are several points which any governor sitting on a complaints panel needs to remember:

- It is important that the 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, governors need to 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.
- The aim of the hearing, which needs to 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 which will satisfy the complainant that his or her complaint has been taken seriously.
- 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.
- 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.
- The governors sitting on the panel need to be aware of the complaints procedure.

Appendix Three – Remit of the Complaints Panel

The panel needs to consider whether the complaint:

- relates to a decision taken by the headteacher, member of staff or the governing body
- is about the way a complaint or concern was handled

If the complaint was in relation to a decision taken by the headteacher or member of staff, the panel will need to consider whether:

- A.** it was a decision within the headteacher's responsibility or
- B.** an area where the governing body have responsibility, or share responsibility but have delegated this to the headteacher.

If the complaint relates to **A**, the panel can:

- consider the manner in which the complaint was addressed but not consider an alternative outcome
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

If the complaint relates to **B**, 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.

Appendix Four - Checklist for a Panel Hearing

IF FOR ANY REASON THIS PROCEDURE CANNOT BE FOLLOWED:

The governing body, in consultation with the LA/Diocese will put in place an alternative fair process.

The panel needs to take the following points into account, whilst ensuring that the hearing is conducted in as an informal manner as possible:

- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The headteacher may question both the complainant and the witnesses after each has spoken.
- The headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the headteacher 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 is then invited to sum up the school's actions and response to the complaint.
- The chair explains that both parties will hear from the panel within five working days.
- Both parties leave together while the panel decides on the issues.

Appendix Five – 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 all parties must be given the opportunity to consider and comment on it.