



## Longney C. of E. Primary Academy Complaints Procedure

Longney C of E Primary school complaints procedure has four stages.

The four academy-based stages are:

- **Stage one:** Complaint heard by staff member, either that whom the complaint concerns or another appropriate member of staff.
- **Stage two:** Complaint heard by head teacher. If stage one did not produce a satisfactory result or if the complainant feels their complaint has not been handled properly.
- **Stage three:** Complaint heard by Chair of Governors. If stage two outcome is not satisfactory to the complainant or the complaint concerns the head teacher.
- **Stage four:** Complaint heard by GB's complaints appeal panel. If all previous stages have failed to produce a satisfactory outcome for the complainant.

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 head teacher after a meeting with the complainant.

Where a Governor is first approached regarding a complaint they will refer the complainant to the appropriate person depending on the Stage the complaint is at.

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

Where the first approach is made to a governor, the next step will be to refer the complainant to the appropriate person and advise them about the procedure. It would be useful if governors did 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.

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 is crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they know what to do when they receive a complaint. **Keep a log of all conversations.**

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. Where the complaint concerns the headteacher, Mrs. Cartwright, she can refer the complainant to the chair of governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, it can be referred 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.

## **Stage Two: Complaint Heard by Head Teacher, Mrs. Cartwright**

**If the complaint is about the head teacher then Stage 2 is bypassed.**

The complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their original complaint. In this case, the complainant will contact Mrs. Cartwright. The head may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

Discretionary Stage – mediation with the head teacher and Chair of Governors; if no agreement reached then proceed to Stage 3

## **Stage Three: Complaint Heard by Chair of Governors**

The complainant will write to the Chair of Governors giving details of the complaint. At this point, the complainant may be dissatisfied with the way the complaint was handled at stage two, as well as pursuing their initial complaint. The Chair will seek to resolve the issue as expeditiously as possible. The Chair may delegate the task of collating the information to a member of the staff Senior Management Team, but not the decision on the action to be taken.

## **Stage Four: Complaint Heard by Governing Bodies Complaints Appeal Panel**

The complainant will write to the Chair of Governors giving details of the complaint and stating that, despite the influence of the Chair of Governors, he/she remains dissatisfied. The Chair, or a nominated governor, will convene a GB complaints panel. The complainant can say which Governors would be acceptable and those not acceptable on the appeals 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 are not be heard by the whole GB at any stage as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The governing body will nominate a number of members with delegated powers to hear complaints at this stage, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

The procedure adopted by the panel for hearing appeals will be part of the school's complaints procedure. The panel can be drawn from the nominated members and will consist of three or five people. The panel may choose their 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 must 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, 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.
- b. 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 that 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.
- 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 (who will also be accompanied by a responsible adult. 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, it would be helpful to give the parent 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 this complaints procedure.

## **Roles and Responsibilities**

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

It is strongly recommended that any panel or group of governors considering complaints be clerked. The clerk would be chosen by the panel. The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- 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 or the Nominated Governor**

The nominated governor will:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the clerk of the governors to arrange a panel if a hearing is appropriate.

## **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 needs to ensure that the complainant is notified via the clerk of the panel's decision, in writing, with the panel's response. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

## Longney C. of E. Primary Academy Complaints Procedure - Formal Complaint Form

Please complete and return to ..... the Chair of Governors 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 who:

Complaint referred to:

Date:

