

Heartwood Church of England Academy Trust



Complaints Policy

Policy Owner:	Heartwood Heads
Version no:	2
Date Revised:	Autumn 2016
Next review date:	Autumn 2018
Sign off signatory:	Chair of Multi Academy Trust

This policy is written in line with the Warwickshire County Council Document:

'Complaints Procedure: Advice and Information for Parents, Carers and Guardians'

Introduction

The Head Teachers, staff and governors of the Heartwood Academy Trust schools want to work with you to establish a good parent / school relationship. They will inform you about the school's policies and your child's progress. However, there may be times when you, as a parent, carer or guardian, will have comments, suggestions or complaints to make.

Concerns

We recognise that occasionally parents may be concerned about an aspect of their child's education or welfare at school. This could include issues concerning the school's approach to aspects of the curriculum, homework, behavioural problems or any other issue. Whatever the issue, the important thing is to talk to someone at the school as soon as you can. It may be all that you need to do to solve a problem. Problems are more easily resolved if they are raised as soon as possible after something has happened.

The school welcomes enquiries from parents about any matter. Teachers and staff will explain the school practices and policies, and how they affect children. The usual protocol is to speak to the child's class teacher in the first instance - please contact the school office to arrange an appointment to discuss your concern. At all times staff will help to resolve a problem. If occasionally parents feel they must state their concern formally, the school has defined procedures for handling complaints. The formal procedure only covers incidents which have happened in the previous three months.

INFORMAL STAGE: Stage 1

Most complaints can be resolved informally and quickly by discussion with a member of staff. If you have a query, first of all discuss it with your child's teacher. They will either respond immediately or as soon as they have the necessary information. You will be given a date by which they will get back to you.

INFORMAL STAGE: Stage 2

If you are still dissatisfied the matter can be referred to the Head Teacher. They will either respond immediately or as soon as they have the necessary information. You will be given a date by which they will get back to you.

NB If you contact a member of the school's governing body before either of the above stages they will ask you to contact the appropriate member of staff or the Head Teacher first. This is to help you start at the right place and leave the governors free to possibly be involved at a later stage.

FORMAL STAGE: Stage 3

Most complaints will have been resolved by this stage. However if you are still unhappy the next step is to make a formal complaint to the governing body, on an official complaints form which you can obtain from the school. You should send your complaint to the Chair of Governors. The Chair of Governors, or a nominated governor, will review the complaint to be certain that the matter has been dealt with at Stage 1 and 2. Your complaint will be acknowledged and you will be asked to suggest dates and times for a hearing. At the hearing you will be given an opportunity to speak to a panel about your complaint. The panel will be drawn from the nominated members and will consist of three people who were not directly involved in the matter being complained about, and one of whom must be independent of the management and running of the school. The panel will also speak to the Head Teacher before discussing what they have heard and reaching a decision. The Chair of the panel will write to you within three school days of the hearing to let you know the outcome.

FORMAL STAGE: Stage 4

If you are still not happy, you can address your complaint to:

The Secretary of State,
Department for Education and Skills,
Sanctuary Buildings,
Great Smith Street,
London, SW1P 3BT.

You should put your complaint in writing and enclose copies of your original complaint.

The Secretary of State will inform you of how your complaint will be handled.

NB the above stages are adapted from the LA Guidance:

‘Complaints Procedure: Advice and Information for Parents, Carers and Guardians’.

APPENDIX 1

Complaint Form

When you have filled in this form take it or send it to the chair of the governing body at your child's school marking the envelope PRIVATE AND CONFIDENTIAL

Please use black ink if possible. You can continue on a separate sheet of paper, or send an accompanying letter if you wish.

1. Child's name:

2. Address:

3. Telephone number:

Work:

Home:

4. Name of school:

5. Brief details of the problem:

6. To what date or period of time does your complaint relate?

7. To whom have you already complained informally and when?

8. Please give details of any more information you have to back up your complaint, such as letters and reports. If you send originals these will be copied and returned to you.

9. Do you have a solution that you wish to suggest?

Signature:

Date:

APPENDIX 2

Procedural arrangements for schools when dealing with complaints

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, if staff are made aware of the procedures, they know what to do when they receive a complaint.

It would assist the procedure if the school respected 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 can refer the complainant to another staff member. Where the complaint concerns the complaints co-ordinator this should be referred to the Head Teacher. Where the complaint concerns the Head Teacher, the complaints co-ordinator 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, 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 a governor, the next step would 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.

Stage Two: Complaint Heard by Head Teacher

The complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The Head Teacher 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 Bodies Complaints Appeal Panel

The complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a GB complaints 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 would 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 may nominate a number of members with delegated powers to hear complaints at that 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 would normally be part of the school's complaints procedure. The panel will be drawn from the nominated members and will consist of at least three people who were not directly involved in the matter being complained about, one of whom must be independent of the management and running of the school. The panel may choose their own chair.

The Remit of The Complaints Appeal Panel

The panel can:

- decide on the appropriate action to be taken to resolve the complaint;
- uphold the complaint in whole or in part;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur;
- dismiss the complaint in whole or in part.

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, 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 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. 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 the complaints procedure.

Roles and Responsibilities

The Role of the Clerk

The Department strongly recommends that any panel or group of governors considering complaints be clerked. 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 role:

- 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 needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

