

**St Michael's CE (C) Primary School
Compliments and Complaints Procedure
Based on the LEA Guidelines provided for Governing Bodies – September 2003**

As agreed by the Full Governing Body July 2006

To be reviewed – Biannually in the Summer Term. Last reviewed June 2008

At St Michael's school our Governing Body felt that we should have a 'Compliments and Complaints Procedure' as on occasion our parents and members of our local community want to acknowledge and celebrate positive aspects of school life and our many achievements.

Compliments Procedure

When a compliment is received it will be shared with the appropriate member(s) of staff immediately and be brought to the attention of the Personnel Committee at their next meeting. This will then be fed back to the full Governing Body during the 'Committee Reports' section of their meetings. All written compliments are held in a file in the Head Teacher's office.

Complaints Procedure

Section 29 of the Education Act 2002 requires that all maintained schools should have a published procedure for dealing with complaints relating to the school and to any community facilities or services that the school provides. The requirement to have a formal complaints procedure need not in any way undermine efforts to resolve a concern informally. Complainants will be treated fairly and with respect at all times during and after the course of any complaints investigation.

Details of a complaint will be kept confidential except in so far as they need to be shared with people who might contribute to their investigation and/or resolution.

Dealing with Complaints – Informal Concerns

The school treats all complaints seriously and undertakes to investigate them in a timely and professional manner. It is hoped that most concerns can be resolved informally without the need to progress to formal procedures.

All members of staff should be aware of the complaints procedure and understand:

- The importance of attempting to resolve problems informally before they become formal complaints.
- The importance of treating complainants with respect.

In the first instance we encourage parents to talk to their child's teacher as in most cases concerns can be resolved in this way. However, the school will respect the views of a complainant who indicates that they would have difficulty discussing a concern with a particular member of staff. In these circumstances, or when a concern cannot be addressed by the class teacher, the individual should speak to the Phase Leader responsible:

| | |
|--------------------------------------|--------------------------------|
| Nursery, Pre-Reception and Reception | Foundation Stage Phase Leader |
| Years 1 and 2 | Key Stage 1 Phase Leader |
| Years 3 and 4 | Lower Key Stage 2 Phase Leader |
| Years 5 and 6 | Upper Key Stage 2 Phase Leader |

Upon receipt of a concern, the school will investigate the issue(s) raised and discuss with the complainant the best way to deal with the matter. Timeframes will be agreed that are acceptable to both parties.

If initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further, the formal Complaints procedure will need to be invoked.

Dealing with Complaints – Formal Procedures

Investigations undertaken during the complaints procedure may lead to action being initiated under other procedures e.g. disciplinary or child protection and consideration will be given to this possibility at the earliest stage. In these cases the published complaints procedure will be suspended until action under the other procedures (including appeals) has been concluded. The complainant will be advised if this is the case and also informed of the likely length of delay in the final resolution of their complaint.

At each stage the person investigating the complaint will

- Clarify the nature of the complaint and what remains unresolved.
- Establish what has happened so far and who has been involved.
- Meet with or contact the complainant.
- Clarify what the complainant feels would put things right.
- Interview those involved in the matter and/or those complained of – they can be accompanied if they wish.
- Conduct the interview with an open mind and be prepared to persist in the questioning.
- Keep detailed notes of any interviews.

Stage 1 – Complaint heard by the Headteacher

It may be that the Headteacher has not been made aware of the concern raised prior to this point. The Headteacher may delegate the task of collating the information to another individual but not the decision on the action to be taken. It is hoped that the Headteacher will, in most cases, resolve the matter to the satisfaction of all concerned without recourse to the next stage of the complaints procedure.

Stage 2 – Formal complaint to the Governing Body

Where complaints cannot be resolved by the Headteacher or where the complainant is dissatisfied with the response of the Headteacher or where the complaint is about the Headteacher, the complainant can contact the Chair of the Governing Body. Full details of the complaint should be given in writing or verbally. Where a complaint is accepted verbally it will be reported back to the complainant to ensure the details have been collected correctly. Complainants are encouraged to state what actions they feel might resolve the problem to their satisfaction.

Appendix 1 – Complaint Form

The Chair of Governors will consider whether it is appropriate for him/herself to investigate the complaint, or whether to refer it to a Complaints committee to undertake a full review.

The Chair should write to the complainant following investigation into the complaint. If it is to be referred to a Complaints committee then a letter should be sent giving an explanation of what happens next, timescales involved, and the name of the person from whom they will next hear about the progress of the investigation.

When considering a complaint the Chair of Governors may wish to seek technical or procedural advice from officers of the County's Education Service on the appropriate course of action to be taken.

The Governing Body Complaints Committee

Membership of the Complaints committee will consist of three governors who have delegated powers to hear complaints and set out the terms of reference for the committee. All members will be independent and impartial and come from a cross section of the different categories of governor. No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it. The Headteacher and Chair of Governors should not be members of this committee. The committee will elect its own chair.

The complainant must be given the opportunity to make representation in person. The committee should therefore meet at a time and a venue convenient to all parties.

The Complaints committee will undertake a full review of the complaint and 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.

The aim of the review will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it should be recognised that the complainant might not be satisfied with the outcome if the governors do 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 and fully investigated.

Appendix 2 – Checklist for Complaints committee hearing

In accordance with the recommendations of the Department for Education and Skills, the Complaints committee will have a clerk. Their role is to:

- Set the date, time and venue
- Collate any written material and send to all parties in advance
- Record the proceedings
- Notify all parties of the decision in writing

If following investigation the complaint is upheld, redress should be appropriate to the complaint and may include:

- An apology
- 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 the light of the complaint
- Providing any other solution requested by the complainant

The Headteacher will take responsibility for:

- Ensuring that the remedy is carried out
- Ensuring that any remedy is within the school's powers
- Ensuring the approach to remedies is reasonable and consistent

Where a complaint is not upheld the complainant must be given a response and informed of any further action that might be appropriate in their situation.

Appendix 3 – Complaint Procedure Flowchart

Stage 3 - Staffordshire County Council's Education Service (SCCES)

Stage 4 - Department for Education and Skills (DfES)

Complainants do not have a general right of appeal should they disagree with the governors' decision. They may, however, raise the matter with the County Council's Education Service or Secretary of State if they consider the complaint was not investigated properly and fairly. If governors have followed a proper procedure and considered the complaint reasonably, neither the Education Service nor the Secretary of State can reverse their decision.

Please complete this form and return it to the school who will then forward it to the Chair of the Governing body. Please continue on a separate sheet if necessary.

1. **Name**
2. **Address** _____
3. **Telephone Number (Home)** _____ **(Work)** _____
4. **Name of child** _____
5. **Details of the Complaint** (please include the date or period of time to which your complaint relates)

6. **What action, if any, have you already taken to try and resolve your complaint** (who did you speak to, when and what was the response?)

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

8. **Do you have a suggestion for change?**

Please attach copies of any more information you have to back up your complaint, such as letters, reports etc

Signed:

Date:

The Complaints committee needs to take the following points into account

- The hearing is as informal as possible.
- Witnesses are only required 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 Complaints committee may ask questions at any point.
- Both parties leave together while the Complaints committee decides on the issues raised.
- The chair explains that both parties will hear from the committee within a set timescale.

Appendix 3 – Complaints Procedure Flowchart

