

GENERAL COMPLAINT PROCEDURE for FOXFORD SCHOOL

The school's nominated Complaints Co-ordinator is Ms Williamson, Head Teacher

STAGE 1 - THE FIRST CONTACT: GUIDELINES FOR DEALING WITH CONCERNS AND COMPLAINTS INFORMALLY

Complainants may register their concerns either verbally or in writing by letter or by use of a complaint form.

The complainant will be provided with an opportunity to discuss their concern with an appropriate member of staff, who clarifies the nature of the concern, the outcome the complainant is seeking, and gives reassurance that the school will treat it seriously

The Complaints Co-ordinator will identify the appropriate complaint procedure. The Co-ordinator will make sure the complainant is clear what action (if any) or monitoring of the situation has been decided on, only putting this in writing if this seems the best way to make things clear.

Where no satisfactory solution has been found within **10 working days** at the latest, the Complaint Co-ordinator will ask the complainant if they wish their concern to be registered formally.

STAGE TWO - FORMAL REFERRAL TO THE HEAD TEACHER

If the concerns relate to the Head Teacher, or the Head Teacher has been so involved as not to be impartial, the complainant must be advised to contact the Chair of the Governing Body.

The Chair will decide if they wish to have support from an officer of the L.E.A. Where the Head Teacher has acted as Complaint Co-ordinator at Stage One, another senior member of staff may be designated to collect some of the information from the parties involved, or another senior member of staff may be nominated to be the Investigator.

The complaint should be submitted in writing either by letter or by completion of the school's complaint form. The complainant will be made aware of the assistance available from the LEA or other bodies with the writing of the complaint.

The investigator will acknowledge the complaint in writing within **three working days**, providing a brief explanation of the school's complaint procedure, their own name and telephone number, and a target date for providing a response - this should normally be within **10 working days**. If there is any delay, a written explanation and revised target date will be sent.

The investigator will provide an opportunity for the complainant to meet him or her to supplement or explain any information provided previously. Every effort will be made to arrange a time and date convenient to the complainant, with a minimum of 3 days' notice. The invitation will make it clear that they are welcome to be accompanied by a friend, relative, representative, or advocate to speak on their behalf, and that interpreting facilities are available if needed. The venue will be suitable for those with special needs e.g. wheelchair access, hearing loop.

The investigator will interview witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil should also be interviewed. Pupils will normally be interviewed with parents/guardians present. In some situations, circumstances may prevent this e.g. where this would seriously delay the investigation of a serious/urgent complaint, or where particular circumstances mean that a pupil has specifically said he or she would prefer they not be present.

In such circumstances another member of staff with whom the pupil feels comfortable must be asked to attend.

Written records of the complaint, the process of investigation, meetings, telephone conversations and other documents will be kept for two years. These are confidential to the school and L.E.A., but will be the basis of a report of the investigation if one is requested by the complainant.

Once all the relevant facts have been established, the head teacher or designate will produce a report, and a written response to the complainant. It may be best to meet the complainant to discuss the outcome and resolve any outstanding concerns. In any event, the complainant should be offered the opportunity to meet with the investigator to discuss the outcome.

The written response will include:

- a full explanation of the decision reached and the reasons for it, including clarification of any misunderstandings by any of the parties involved
- where applicable, what action the school will take to address the complaint and prevent recurrence, which might include an undertaking to review school policies

- an apology if appropriate (an admission that the situation could have been handled differently or better is not the same as an admission of any negligence). If there is a possibility of a claim for compensation or of legal action being brought, advice will be sought from the City Council on the wording of the letter.
- information on how, and the timescale, for requesting a review by the governing body, if they are not satisfied with the outcome.

STAGE THREE - GOVERNING BODY REVIEW OF HEAD TEACHER'S OR CHAIR'S INVESTIGATION

A request to review a complaint investigation should be made in writing, to the Chair of the Governing Body within **28 days** of receipt of the outcome letter.

The Clerk to the Governing Body will write to the complainant within **3 working days** to acknowledge receipt of the review request; to confirm the grounds on which a review will be considered and request written details of the grounds for the review be received within 28 days of the outcome letter. These grounds are limited to:

- a claim that material information was not taken into account in investigating the complaint
- a claim that procedures have not been properly applied in handling the complaint
- a claim that there has been an incorrect interpretation of Council or school policy

The Governing Body will then nominate three members to form a Complaint Panel to review the complaint and any further documents submitted by the complainant. These must be governors who have had no prior involvement with the complaint.

If s/he has not previously been involved, the panel should be chaired by the Chair of the Governing Body, otherwise the Vice-Chair should do it. The Head Teacher or others involved in the original investigation should not have a place on the panel. If the complaint is from a parent, Governors will bear in mind the advantage of having a parent governor on the Panel, and will also be sensitive to issues of race, gender and religious affiliation, to ensure a fair and balanced hearing of the case.

The Clerk convenes the Complaints Panel, within 28 days of receipt of the appeal and at the same time provides panel members with copies of all relevant correspondence and documentation. If this is extensive, the Chair of the Panel should prepare a thorough summary for the other members.

The complainant, head teacher and other witnesses are given a minimum of **5 working days'** notice of the appeals hearing. The complainant is advised of their right to bring a friend or representative, or to be represented by someone of their choice.

The Panel meeting will be kept as informal as possible, particularly when the complainant attends in person. A round table type of meeting will be adopted where possible.

The Outcome of Appeals may be to:

- uphold the result of the original investigation, in which case a full explanation will be given
- find the complaint was justified and overturn the original decision. In this case the Review Panel will issue an apology, and if the provision of a service or other remedial action is required, will ensure this is put in hand quickly, and consider implications for procedures, staff training etc. If there is a possibility of a claim for compensation or of legal action being brought, the Review Panel will seek advice from the City Council on the wording of the letter.
- find there has been no malpractice or failure of service, but that policies or resources did not permit what the complainant wanted. In this case, the Review Panel will consider whether or not it is appropriate the policy or allocation of resources should be reviewed, and give a full explanation of what action will be taken.
- The Chair of the Panel will notify the complainant in writing of the outcome, and advise them of any right of further appeal eg to the LEA, Secretary of State, or Local Government Ombudsman (see General Framework document)

MONITORING AND REPORTING

The Investigator will record the outcome and identify who is responsible for carrying out and monitoring any recommended action, in the school's complaints log

The Head Teacher will produce a regular analysis of complaints received for the Governing Body

School Complaints Procedure – Annex B Complaint Form

If there is anything which makes it difficult for you to tell us about your complaint, for example if English is not your first language, please tell us so that we can help you.

Data Protection Act 1998

The personal data that you provide will be used for the purposes of investigating your complaint, and for producing statistical data to enable the school's management to monitor access to and the effectiveness of the school's complaint procedure. The information you give will be held securely and in confidence.

Please complete and return to Ms Williamson (Complaints Co-ordinator) who will acknowledge receipt and explain what action will be taken.

First Name:
(Mr/Mrs/Miss/ Ms/Other)

Last Name:

Your Address:

Postcode:

Day time telephone number:

Evening telephone number:

If your complaint relates to a pupil, please give:

Pupil's name:

And your relationship to the pupil:

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?)

School Complaints Procedure

What would you like us to do to make improvements or put things right?

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

Signature:

Date:

Please also complete and return the attached Equal Opportunities monitoring form.

For Office Use

Date received:

Date acknowledgement sent:

By Who:

Date complaint logged:

By Who:

Complaint referred to:

Date:

Name.....

School Complaint Form

Equal opportunities monitoring

Data Protection Act 1998

The Personal Data that you provide will be used for the purpose of monitoring that all groups of people are able to access and use the complaints procedure and that we treat people fairly. The information that you give will be held securely and in confidence.

This information will not affect the way in which your complaint is handled. When you have filled in this form, please return it either with your complaint form, or if you prefer, after your complaint has been dealt with.

- **Gender:** Are you: Female Male

- **What age group do you fit into? (please tick one box only)**
Under 16 16 - 24 25 - 34 35 - 49 50 - 64 65 - 79 80+

- **What is your ethnic group?**
Choose one section from a) – e) and then tick the one box you think best describes your cultural or ethnic background.
 - a) **White**
 - British
 - Irish
 - Any other White background
(please write in below)

 - b) **Mixed**
 - White and Black Caribbean
 - White and Black African
 - White and Asian
 - Any other mixed background
(please write in below)

 - c) **Asian or Asian British**
 - Indian
 - Pakistani
 - Bangladeshi
 - background
 - Any other Asian background
(please write in below)

 - d) **Black or Black British**
 - Caribbean
 - African
 - Any other Black
(please write in below)

 - e) **Chinese or other ethnic group**
 - Chinese
 - Any other
(please write in below)

- **Do you consider yourself to be disabled or to have a long term health condition?**
 Yes No

FLOW CHART FOR COMPLAINTS RAISED WITH SCHOOLS - Annex A

