

The Kite Primary Federation

Norwell C of E Primary & St Matthew's C of E Primary

Complaints Procedure



Introduction

The Kite Primary Federation work hard to develop a positive partnership with parents and their children but sometimes things may go wrong.

All concerns and complaints are taken seriously and we hope that we can work together to resolve any differences we may have informally. However, school governors have a responsibility under Section 29 of the Education Act 2002 to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides.

Our complaints procedure is set out in the following pages which are available to parents on request; via our Parent Information Folder and issued to all parents of new starters. It will also be available on the school website.

Where do I begin?

Whether you are a parent or a member of the public the place to start is the school. It is much better if matters can be sorted out within school; even if things might feel rather awkward in the beginning. There is usually more than one side to any dispute or misunderstanding and it is important that all the facts are known so that the best solution can be found.

Please contact the school and ask to speak to the Business Manager. The Business Manager can advise who the best person is to deal with your complaint and will make an appointment for you to meet them. It may be appropriate to see a class teacher or the Headteacher.

The contact details for the schools are:

Norwell C of E Primary
Business Manager: Kirsty Bradley
kbradley@norwell.notts.sch.uk
Tel: 01636 636244

St Matthew's C of E Primary
Business Manager: Kirsty Bradley
kbradley@st-matthews.notts.sch.uk
Tel: 01636 821217

What do I need to do?

Think about the nature of your complaint. If there has been a specific incident, gather the facts and try to separate what might have happened from what actually happened. You might want to write down the details. See Appendix 6 which provides an example. In particular be clear about:

- what it is you are complaining about;
- when and where the incident happened;
- who else was involved;
- whether anyone saw it happen;
- who you have spoken to already, and
- what you want to happen as a result of your complaint.

Or you may want to raise concerns of a more general nature.

The school will look into the issues you have raised and respond once they have established what happened.

It is important that you raise your concerns as soon as you can. By taking positive steps early on, the school is more likely to be able to sort out your complaint.

What if my complaint is about the Headteacher?

If your complaint is about the Headteacher you should contact the chair of governors of the school. The school will give you the name of the chair of governors and tell you how to contact her or him. The chair or a nominated complaints governor will investigate your concerns and respond directly to you.

What if my complaint is about the governing body or an individual governor?

If the complaint is about a governor, contact the chair of governors first. The chair will investigate your concerns. If the complaint is about the chair of governors, a nominated complaints governor will investigate. If you have a complaint about the governing body as a whole, contact the Secretary of State for Education directly at the DfE.

What can I expect to happen?

You will be listened to so that your complaint is understood. Complaints need to be investigated and the Headteacher or chair of governors will need some time to do this. A reasonable amount of time for investigating most complaints is 20 school days. You will be told if it will take longer than this.

If we agree that your complaint is justified, we will tell you what action will be taken. If we do not support your complaint, we will tell you the reasons for our decision; these can be put in writing if you wish.

What if I am not satisfied with the way in which the school has dealt with my complaint?

You will be told of your right to appeal. If the Head teacher, the Chair of Governors and the nominated complaints governor have not been able to solve your complaint to your satisfaction, a committee of the governing body which has not been involved with your complaint should deal with your appeal. They will check to ensure that the school's complaints procedure has been carried out correctly.

If the complaint is about the National Curriculum or religious education and worship and the school cannot resolve it, separate procedures apply. You can get more information about this from the LA.

Who can help?

If you feel worried about making a complaint about a school you may want to involve a friend, representative or interpreter to support you. You could contact your local county councillor or there are agencies that might be able to support you, for example:

- Advisory Council for Education (ACE) on 0808 8005793; or
- Race Equality Council (REC) on 0115 958 6515
- If your child has special educational needs, you may want to contact the Parent Partnership Service on the following numbers.
- Nottingham Office, 0115 948 2888
- Mansfield Office, 01623 651170

If you are still not satisfied after the appeal, you have a final right of appeal to the Secretary of State for Education. If he agrees that your complaint was justified, he will direct the governing body to act in a particular way.

How long will it take?

Complaints should be handled quickly and most issues should be resolved in a few days. The school should complete most investigations within 20 school days but if a complaint moves through all the above stages, it may take several months.

This procedure is based on the guidance provided by the DfE 'School Complaints Procedure 2011'. It was agreed by the C & P Committee during the Autumn Term 2012.

PART TWO - PROCEDURES

Appendicies

Appendix 1 - An example of a complaints procedure

Appendix 2 - The Remit of The Complaints Appeal Panel

Appendix 3 – Roles and Responsibilities

Appendix 4 – Checklist for a Panel Hearing

Appendix 5 – Complaints Procedure Flowchart

Appendix 6 - Example of a complaint form

Appendix 1 - An example of a complaints procedure

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 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 head teacher's influence will already have shaped the way complaints are handled in the school. At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The head 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 merely to 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 can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.

Appendix 2 - 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 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.

Appendix 3 - 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.

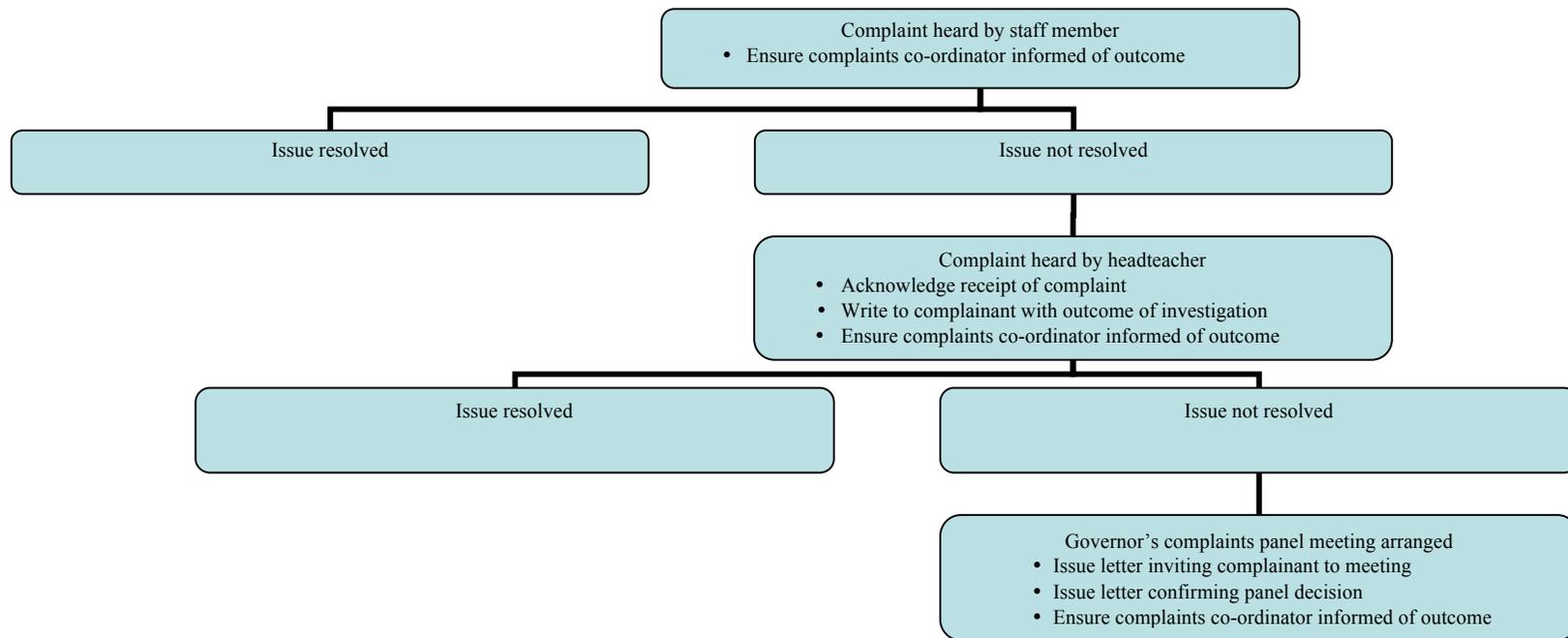
Appendix 4 - Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal 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 head teacher may question both the complainant and the witnesses after each has spoken.
- The head teacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the head teacher 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 head teacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

Summary of Dealing with Complaints

Annex C - Flowchart



Annex D - Example of a complaint form

Please complete and return to(complaints co-ordinator) 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?