



# Complaints Procedure

In circumstances where issues/complaints arise at William Davies Primary School, we will ensure that at each stage of the process the person investigating the complaint:

- Establishes what has happened so far;
- Identifies who has been involved;
- Understands the nature of the concern or complaints;
- Knows what issues remain unresolved;
- Has contacted the complainant to establish and clarify information;
- Has spoken to or interviewed those involved as required;
- Conducts meetings with an open mind and is prepared to persist with questioning and finding the answer;
- Keeps accurate records of the complaint including notes of any meetings, discussions and if required arrange for a minute/note taker.

## **Stage 1 - Informal**

The complaint is dealt with by an appropriate staff member or designated Stage 1 Complaints Officer, who is not the subject of the complaint.

In the vast majority of the cases, a concern can and should be resolved by contacting the appropriate member of staff. This may be the teacher, subject leader, or other designated staff member directly involved with the reported problem.

The initial communication from the complainant to the member of staff may be by letter, telephone conversation or in person by appointment. The complainant must allow the designated staff member at least 5 days to respond to the concern.

If this does not lead to a resolution of the problem then the concern/complaint must be referred to the next stage of the process which is the start of the formal process.

## **Stage 2 – Formal [if not resolved at Stage 1]**

If the complainant is dissatisfied with the response from the member of staff at Stage 1 they should be advised to put their complaint in writing to the Head Teacher who will deal with it formally at Stage 2. Where the Head Teacher is the subject of the complaint, the complainant should be advised to address it to the Chair of Governors.

If the complaint is being dealt with by the Chair of Governors it will go straight to Stage 3 of the formal procedure and will be heard by the Chair of Governors.

The complainant must ensure that they include details of why they are still dissatisfied and what action they would like to resolve the complaint. They can also attach any evidence to support their concerns.

The Head Teacher must acknowledge the complaint within 5 days by writing to the complainant. The acknowledgement should state a further communication will follow, within 20 days, which will set out the actions taken to investigate the complaint and the findings. The Head Teacher can delegate another senior member of staff to carry out the investigation and report their findings to them. The Head Teacher will then reach a conclusion based on the investigation. The investigating officer may feel it necessary to meet with the complainant. If this happens, then notes should be produced of the meeting.

The investigating officer will then compile a report detailing their findings. Any recommendations or actions proposed must be considered by the Head Teacher.

Once satisfied that the investigation had been concluded and a decision had been reached, the Head Teacher must notify the complainant in writing of the conclusion and any actions that will be taken as a result. The decision can be communicated by the Head Teacher to the complainant in writing or, if they feel it appropriate, meet with them first to communicate their findings and then confirm in writing afterwards.

The complainant must also be informed. If they are still dissatisfied with the outcome they can write to the Chair of Governors outlining why they are still unhappy.

### **Stage 3 – Formal [if not resolved at Stage 2]**

If the complainant is dissatisfied with the response from the Head Teacher at Stage 2 they should be advised to put their complaint in writing to the Chair of Governors for consideration at Stage 3 of the procedure.

The complaint is heard by the Chair of Governors. This will be delegated to the vice-chair or other nominated governor if appropriate.

The complainant must ensure that they include details of why they are still dissatisfied with the decision, the recommendations and actions of Stage 2 complaint and what they require to resolve the matter. They may also attach any evidence to support their concerns that can be additional to that submitted at Stages 1 and 2. The Chair of Governors must write to the complainant within 5 days of receipt of the complaint to acknowledge this. The letter should state that another letter will follow within 20 school days setting out the actions taken to investigate that complaint and the findings.

The Chair of Governor will look at all the information pertaining to the complaint submitted by the complainant and the investigatory evidence by the school at Stages 1 and

2. The Chair may want to talk with the complainant or investigating staff members to establish facts and obtain further information.

Once satisfied that the investigation has been concluded and a decision has been reached on the complaint, the Chair of Governors will notify the complainant in writing of the conclusion.

The conclusion could be:

- The evidence indicates that the complaint was substantiated and therefore upheld.
- The complaint was substantiated in part and what action will be taken.
- The complaint is not substantiated by the evidence and therefore not upheld.

The complainant is also informed that if they are still dissatisfied they can write to the Governing Body directly via the school or, Governing Services or School Management Support at Newham Partnership Working, outlining why they feel the complaint is unresolved.

#### **Stage 4 – Formal [if not resolved at Stage 3]**

If the complainant is dissatisfied with the response from the Chair of Governors (or Vice-Chair) at Stage 3 they should be advised that the next stage is to put their complaint in writing to the School Governing Body at Stage 4.

If all previous attempts at resolution have been unsatisfactory, the complaint is heard by the Governing Body. This is the final stage of the process.

The complainant must ensure that they include details of why they are still dissatisfied with the decision of the Chair, recommendations and actions of the Stage 3 complaint and what they feel would resolve the matter. They can also attach any evidence to support their concerns in addition to that submitted at Stages 1, 2 and 3.

The complaint will be acknowledged within 10 school days.

The complaint is considered by a panel of Governors who form a Complaints Appeal Panel. The panel must be independent and impartial. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. The panel must have a cross section of categories of governors and sensitive to the issues of race, gender and religious affiliation. If appropriate the panel can be made up of governors from another school.

The panel must convene a meeting to discuss the complaint and all the investigation evidence to make a final decision on how to progress. A clerk should be appointed to take notes of the meeting and records must be kept.

The Head Teacher has a statutory duty for the internal organisation and management of the school, which they must carry out in accordance with any rules, regulations or

policies laid down by the governing body. Therefore the remit of governors' consideration of a complaint about a matter of internal organisation and control will be as to whether the Head Teacher has followed any relevant school policies; it is not to substitute its own operational judgement for that of the Head Teacher.

The panel can decide:

- To convene a meeting with the complainant. If a meeting is to be convened, the person chairing the meeting either the Chair or Vice-Chair (whomever did not deal with the complaint at Stage 3), will write to the complainant to acknowledge the complaint within 10 school days. The letter would also include the date, time and venue of the convened meeting to hear the complaint.
- Decide on the appropriate action to be taken to resolve the complaint.
- For non-complex complaints, to use all the information available to them and make a decision on the complaint as there is enough information to allow for a decision to be made.

Possible outcomes for the Panel

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or in part;
- Recommend changes to school systems or procedures to ensure that similar do not occur.

An outcome letter will be sent to the complainant within 20 school days of the meeting.

The outcome letter from the School Complaints Panel exhausts the 4 Stage procedures. If the complainant is dissatisfied with the process, they are able to contact:

The Secretary of State  
Education, The School  
Complaints Unit, (SCU)  
Department for Education,  
2<sup>nd</sup> Floor, Piccadilly Gate  
Manchester  
M1 2WD

The SCU will examine if the school complaints policy and any other relevant processes were followed. The SCU will also examine policies to determine if they adhere to education legislation. However, the SCU will not re-investigate the substance of the complaint.

## **Dealing with vexatious complaints**

On occasions, despite all stages of the procedures having been followed, the complainant continues to be dissatisfied. If the complainant tries to reopen the same issue, the Chair of the School Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school to respond.

It is important to note however that, should a complainant raise a new, separate complaint, it must be responded to in accordance with the school complaints procedur

