

**Wootton St Peter's CE Primary School, Wootton Village,  
Boars Hill, Oxford, OX1 5HP**

Policy for dealing with complaints

### Introduction

Since 1 September 2003, the governing bodies of all maintained schools and nursery schools in England have been required to have a procedure for dealing with complaints against the school or against any community facilities or services that the school provides. This procedure must be publicised and be available for consultation by all users of the school. Wootton St Peter's School's procedure is displayed in the entrance lobby to the school and is published on the school's website. In addition a brief guide to the operation of the procedures has been prepared, a copy of which is given to all parents when their children start school and forms part of this policy (Appendix 1).

The governing body has ultimate responsibility for the school and for ensuring that all the pupils receive a high standard of education, whilst the Headteacher has the day-to-day responsibility for the school's internal management and organisation. Hence any complaints about the school must be directed to the school (i.e. a teacher or the Headteacher) in the first instance.

The procedure for dealing with complaints falls into two distinct stages. In the first, informal stage, the complaint is dealt with by the teachers and it is hoped that a satisfactory solution can be agreed at this early stage. If this does not prove to be possible, the complaint moves into the second, formal stage and is referred to the governing body for it to resolve. In this document, wherever the term 'parent' is used, the intention is that this embraces those adults who have legal responsibility for the child.

Underlying principles of the procedure.

The procedure is designed to

- be well publicised and easily accessible
- be simple to understand and to use
- be impartial
- be non-confrontational
- set timetable for speedy resolution of complaints
- keep all participants informed of progress
- offer mediation to complainant
- allow ultimate appeal to governing body if necessary
- keep proceedings confidential
- examine all matters at issue.

First, informal stage of the complaints procedure

1. If a parent has a concern about any aspect of their child's education, it is important that they first discuss the problem with the child's class teacher. This should be done as soon as the parent becomes aware that there is a problem. If the concern is over some particular incident that has occurred in school, this should be discussed with the class teacher without delay; it is doubly important that the time lapse should be five working days or less between

the event and its reporting by the parent (less than five days, say) if a thorough investigation is to be carried out.

2. If the discussion with the class teacher fails to allay the parent's concern, their next step is to write to the Headteacher

- describing their concern in detail
- summarising the discussion with the class teacher
- saying how they would like the matter resolved
- requesting a meeting with the Headteacher.

The intention here is to allow the Headteacher to carry out their own investigation, so that when the meeting with the parent takes place, both parties will be well-briefed.

3. If the meeting with the Headteacher still fails to resolve the concern to the satisfaction of the parent, the complaint moves into the second, formal stage and will henceforth be dealt with by the governing body.

Second, formal stage of the complaints procedure

1. The parent triggers this stage of the process by writing to the Clerk to the governors, giving notice that they wish to make a complaint. Their letter should be addressed to the Clerk c/o Wootton St Peter's CE Primary School and the envelope marked Urgent and Confidential. The Clerk will respond to this letter by sending a copy of the official complaints form (see Appendix 2) to the parent, to be returned to the Clerk on completion.

2. When the complaints form has been returned, the Chair of the governors and the Clerk jointly will consider whether mediation appears to offer a route to a satisfactory solution. If mediation is to be proposed, the Clerk will write to the parent, making this offer for them to accept or reject, at the same time setting out the benefits to be gained by adopting this approach. If mediation is accepted by both the parent and the Headteacher, it will be carried out by an independent mediator from outside the school, provided by the Governor Services of the local authority. The parent and the Headteacher will each present their case to the mediator, who will attempt to broker a solution that is acceptable to both parties to the dispute.

3. The hope is that mediation will be successful in breaking the deadlock. However if mediation is not successful in bringing the two parties into some measure of agreement, or if the mediation approach is not adopted, the complaint will then be passed on to the complaints panel of the governing body for them to resolve. This panel comprises three governors who, up to this point, have not been involved in any way with the initial complaint from the parent or the subsequent stages of the complaints procedure. One of the governors will chair the panel and the Clerk will also be present to take notes of the discussion.

4. When the panel meeting takes place, the format will be

- parent and Headteacher will appear together before the panel
- panel chair will introduce the panel members and outline the procedure
- parent will detail their complaint
- Headteacher can question the parent
- Headteacher will describe the school's response to the complaint
- parent can question the Headteacher
- panel can question either of the participants at any point in the proceedings
- parent and Headteacher in turn summarise their evidence
- chair explains that the panel will consider all that they had heard and would communicate their decision within five working days

- both parties leave the meeting.

5. As a general rule, attendance at a panel meeting is restricted to the two main participants. However either of the main participants can be accompanied by another person should they feel the need for some moral support, but this additional person cannot take any active part in the proceedings either by any contribution to the panel discussions or by offering any advice to the participant. The use of witnesses is not encouraged and it is preferable that any evidence that they might bring to the hearing should be in the form of witness statements. If witnesses are necessary in order to establish key facts, they will remain outside the meeting room until called to give evidence. They can be questioned by the panel and by the participants; they will leave the room when they have finished their evidence. Any documentary evidence should be submitted to the panel in advance; if new and relevant evidence is produced at the panel meeting, the chair will temporarily adjourn the meeting to allow the panel members to consider this new evidence. Both participants will leave the room during this adjournment.

6. The various steps in the stage two process will conform to the following schedule.

6.1 A copy of the complaints form will be sent to the parent within five working days from when the Clerk receives the letter of complaint

6.2 Within five working days of the Clerk receiving the completed complaints form, a decision will be made on whether to offer the parent either a meeting with an independent mediator or one with the governors' complaints panel.

6.3 There are several alternative routes that the process can then follow.

a) If the offer of mediation is accepted, within five working days of the acceptance being received by the Clerk the parent will be notified that a meeting with the mediator will be held within the subsequent ten working days i.e. within fifteen working days from the acceptance of the mediation offer. If mediation is successful, no further action needs to be taken. If mediation is unsuccessful, a meeting with the complaints panel will be held within fifteen working days from the failed mediation meeting.

b) If the offer of mediation is not accepted, the parent will be notified that a meeting of the complaints panel will be held within fifteen working days from when the Clerk received the parent's rejection of mediation.

c) If mediation is not offered, the parent will be notified that a meeting of the complaints panel will be held within the following fifteen working days.

6.4 All relevant papers will be sent to the parent and the Headteacher, five working days before the complaints panel meeting.

6.5 The parent will be informed of the decision reached by the complaints panel within five working days from the panel meeting.

The various stages are illustrated in the flow chart that can be found in Appendix 3. Appendix 4 sets out general guidelines for complaints panels.

7. There are a number of possible results from the complaints panel hearing.

The panel can

- uphold the complaint, wholly or in part
- dismiss the complaint, wholly or in part
- decide on appropriate action that will resolve the complaint
- recommend changes to ensure that complaints of a similar nature do not recur

Whatever the outcome, the result of the panel's deliberations should be communicated to the parent and the Headteacher, in writing, within five working days from the day of the panel meeting.

8. Once the panel has met and reached its conclusions, it cannot be reconvened to consider the matter again. The panel's decision is final. Nor can the local authority be brought in to investigate the complaint on the parent's behalf. If the parent is dissatisfied by the decision of the complaints panel, their only recourse is to write to the Secretary of State for Schools, setting out their reasons for disagreeing with the panel's decision.

## Appendix 1

### Wootton St Peter's CE Primary School

#### Guide to the school's complaints procedure

##### Introduction

The governing bodies of all maintained schools are required to have a policy to deal with complaints relating to the school. The purpose of this guide is to set out briefly the steps that you must follow if you have concerns over some aspect of your child's education. The full policy, which you are recommended to read, can be found on the school's web site and a copy is available in the entrance lobby to the school. If you do have concerns, there is a prescribed procedure for examining and ultimately resolving them and this goes through two stages.

The first, informal stage is for you to discuss the problem with the appropriate class teacher and then, if this does not resolve the matter to your satisfaction, with the Headteacher. If you are then still not satisfied the next, formal stage is for you to make a complaint to the governing body, whose responsibility it is to investigate the complaint and to decide whether or not, in their view, your complaint has been handled in a reasonable way.

Our aim is to resolve any complaint in a non-confrontational manner. Although the governors have a duty to be impartial in evaluating any complaint, at the same time they have a duty of care for all the staff, in this instance protecting them from abuse or threatening behaviour. Procedures for dealing with such events are set down in section 7.10 of the school's Health and Safety policy, which will be invoked should the need arise.

##### First, informal stage

If you have any concern over some aspect of your child's education your first step must be to discuss this with the class teacher as soon as you become concerned; it is important that you do not allow time to elapse. If there is some particular incident that has given rise to your concern, you should bring it to the attention of the teacher within five working days of it having occurred.

If the discussion with the class teacher does not resolve the matter to your satisfaction, you should write to the Headteacher, setting out in detail the cause of your concern, summarising your meeting with the class teacher, and requesting a meeting with the head. This will enable the head to make their own investigation before meeting with you to discuss your problem. If, after the meeting with the head, you are still dissatisfied, your next move should be to write to the clerk to the governors saying that you wish to make a formal complaint. The letter should be addressed to the clerk c/o Wootton School and marked Urgent and Confidential.

##### Second, formal stage.

The clerk will respond to your letter by sending you a copy of the official complaints form, which you should complete and return to him. The chair of governors and the clerk will then decide whether mediation would be helpful in resolving the matter or whether your complaint should go directly to the governors' complaints panel to deal with. You will be informed of this decision.

If mediation is offered to you and you accept, you and the Headteacher will each present your case to the mediator, who will be a neutral figure, provided by the Governor Services of the Local Authority.

If the mediator is successful in helping to resolve your complaint to your satisfaction, that will be the end of the matter.

If mediation is not accepted or is not successful, the complaint will be considered by the governors' complaints panel, which comprises three governors, none of whom has, up to this point, been involved in any way with your complaint.

A meeting of the complaints panel will be arranged at which you and the Headteacher will appear together and will make your respective cases to the panel. You and the head will be able to direct questions to each other and you will both be questioned by panel members.

Following the meeting, the panel will consider the submissions of both sides and decide whether to uphold or reject your complaint; you will then be informed of this decision in writing.

The schedule for the various steps in this second, formal stage is as follows.

1. The complaints form will be sent to you within five working days of receiving your complaints letter.
2. A decision on whether to offer mediation or whether to refer the complaint to the governors' complaints panel, will be made within five working days from receiving the completed complaints form from you
3. If your complaint is referred directly to the complaints panel, a meeting with the panel will be arranged to take place within fifteen working days of deciding to go down this route and you will be notified accordingly.
4. If mediation is offered and you accept, the intention will be to have the mediation meeting within ten working days of receiving your acceptance.
5. If mediation results in agreement, no further action needs to be taken.
6. If mediation is unsuccessful, you will be able to take your complaint to the complaints panel and a meeting with them will be arranged to take place within five working days from the unsuccessful mediation meeting.
7. You will be sent copies of all the papers submitted to the panel, five working days before the panel meeting.
8. You will be informed of the panel's decision within five working days from the panel meeting.

Once the panel has met and reached its conclusion, it cannot be reconvened to consider the matter again. If you are still not satisfied with the result, the local authority cannot investigate the matter on your behalf. The only further action you can take is to write to the Secretary of State for Schools, setting out your reasons for disagreeing with the panel's decision

**Appendix 2**  
**Complaints Form**

When completed this form should be returned to the Clerk to the Governors, c/o Wootton St Peter's CE Primary School, in an envelope marked Urgent and Confidential.

Your name.....

Address.....

.....

.....

Postcode.....

Daytime telephone number.....

Evening telephone number .....

Name of child (ren) at school.....

Your relationship to the child e.g. parent, guardian, carer, other.....

.....

Please supply details of your complaint.....

.....

.....

Have you discussed your complaint with the child's class teacher and with the

Headteacher?.....

.....

What were the conclusions of your discussions with the teachers?.....

.....

.....

If you are supplying any documentary evidence to support your complaint, please give

details.....  
.....  
.....

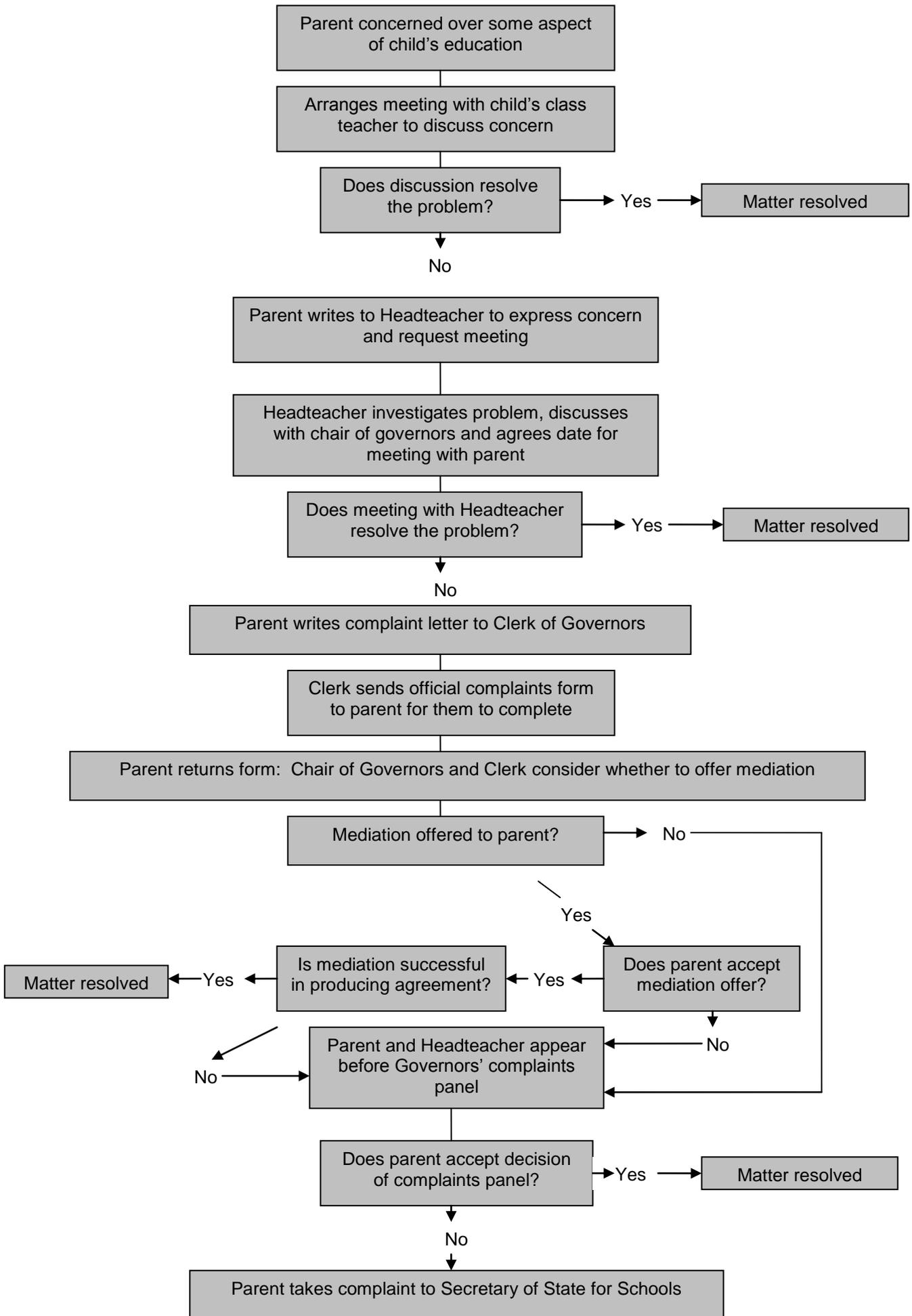
How would you like to see this complaint resolved.....  
.....  
.....

Signature.....Date.....

For official use:

Date acknowledgement sent..... By whom.....

Complaint referred to..... Date.....



## Appendix 4

### Complaints Policy: Guidance for Governors

#### Introduction

At its first meeting in a new school year, the governing body should nominate four governors to provide a pool from which the members of a complaints panel can be drawn, should the need arise. It is preferable that these governors do not have children in the school in order to ensure, as far as is possible, that they do not have any prior detailed knowledge of a complaint before it is dealt with by the panel.

When a complaint has been lodged by a parent, the governing body should be informed in the most general terms, neither the name of the complainant nor the nature of the complaint being disclosed to the governors. Thereafter the matter should be handled by the complaints panel, in strictest confidence.

#### Complaints Panel

The panel will comprise three governors plus the Clerk to the governors, who will take notes but otherwise will not take an active part in the proceedings. The chair of the panel will be appointed by the Chair of the governors and will be responsible for ensuring that all participants in the panel meeting receive a fair and courteous hearing. The atmosphere should be non-confrontational and all questions should be phrased in an unbiased and non-aggressive manner.

It is important that not only is the panel independent and impartial, but that it is seen to be so. None of the members of the panel should have had prior knowledge or involvement in the complaint or in the circumstances surrounding it. In order to preserve the neutrality of the proceedings, both the parent and the Headteacher should at all times appear together before the panel.

#### Panel decision

In arriving at its conclusions the panel should consider

- how the complaint was handled in the first, informal stage
- how the Headteacher investigated the complaint
- whether, if mediation was not proposed, it was the correct decision
- why, if mediation was attempted, it was unsuccessful
- whether there are any shortcomings in the complaints procedure and if so, what actions should be taken to improve it
- what redress should be offered if the complaint is thought to be justified.

The panel should reach its decision without fear or favour.