



# HARRIS GOUGH

## F E D E R A T I O N

### Complaints Procedure

#### **Stage One: Complaint Heard by Headteacher**

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 the headteacher. Where the complaint concerns the headteacher, he/she or the complaints co-ordinator can refer the complainant directly to the chair of governors.

Similarly, if the headteacher feels too compromised to deal with a complaint he/she may consider referring the complainant directly to the chair of governors. 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 headteacher 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 Chair of Governors**

If the complainant is unhappy that the complaint has not been resolved they may request that their complaint be considered by the chair of the governors. The chair of governors would investigate the complaint and convey the outcome to the complainant.

#### **Stage Three: Complaint Heard by the Governing Body Complaints Committee**

If the complainant feels that their complaint still hasn't been resolved, they need to write to the chair of the governors' complaints committee giving details of the complaint. The chair would acknowledge receipt of the letter within a 10 day period and would ask the clerk to convene a GB complaints committee meeting. This meeting should, wherever possible, take place within three weeks (excluding school holidays) of dispatch of the acknowledgment letter unless a longer period (perhaps to arrange suitable dates or collate information) is necessary in which case the chair must inform the complainant the reason for the delay.

The governors' complaints committee is the last school-based stage of the complaints process, and is not convened to merely 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 should appoint a committee consisting of three or five members (preferably with reserves) with delegated powers to hear complaints at this stage in the complaint process, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual complaints;

- making recommendations on policy as a result of complaints.

If the governing body does not appoint a chair, the panel will choose its own chair.

It would not be appropriate to appoint anyone who works at the school to sit on this committee.

The complainant and the person who is the subject of the complaint (if appropriate) should be permitted to bring a supporter (friend, spouse, union representative, etc) should they so chose.

### **The Remit of the Complaints Committee**

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 committee needs to remember:

- a) It is important that the committee is independent and impartial and that it is seen to be so. No governor may be a member of the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the committee, 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 meeting, 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 recognized the complainant might not be satisfied with the outcome if the committee 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 committee 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 committee 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. It would not normally be appropriate for the child to be present throughout the meeting.
- e) The governors sitting on the committee need to be aware of the complaints procedure.

f) The committee should meet on an annual basis to review the complaints procedure.

## **Roles and Responsibilities**

### **The Role of the Clerk**

It is important that any complaints committee meeting which is considering complaints should be clerked. The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the meeting, 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 meeting;
- meet and welcome the parties as they arrive at the meeting;
- record the proceedings;
- notify all parties of the committee's decision.

It is important that the clerk does not influence in any way the decision taken by the committee and must be seen to be impartial at all times.

### **The Role of the Chair of the Governing Body**

The chair of the governing body shall:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the clerk to arrange the meeting.

### **The Role of the Chair of the Committee**

The chair of the committee has a key role, ensuring that:

- the remit of the committee 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 meeting is conducted in an informal manner with each party treating the other with respect and courtesy;
- the committee is open minded and acting independently;
- no member of the committee 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 Committee's Decision**

The chair of the committee needs to ensure that the complainant is notified of the decision, in writing, with the committee's response; within seven days of the meeting. The letter needs to



**HARRIS GOUGH**

F E D E R A T I O N

explain that the complainant can contact the Children's Secretary if they wish to pursue the matter (0370 000 2288).

## **BASCHURCH CE A PRIMARY SCHOOL**

### Checklist for Complaints Committee Meeting

The panel needs to take the following points into account:

- The meeting is as informal as possible.
- Witnesses are only required to attend for the part of the meeting 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 panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the committee decides on the issues.
- The chair explains that both parties will hear from the panel as soon as possible but in any event within a seven day period.

Date approved                      March 2014

Signed

Headteacher

Governor

Date for Review                      March 2017

# **BASCHURCH CE A PRIMARY SCHOOL**

## **Complaint Form**

Please complete and return to Mrs Clare Williams (headteacher) 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)?**

**BASCHURCH CE A PRIMARY SCHOOL**

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

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

**Signature:**

**Date:**

---

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**