



1. Introduction

At William Read Primary School we strive to provide a good education for all our children. The Headteacher and staff work very hard to build positive relationships with all parents and carers. However, the school is obliged to have procedures in place in case there are complaints by parents or guardians. The following policy sets out the procedures that the school follows in such cases.

If any parents or carers are unhappy with the education that their child is receiving, or have any concerns relating to the school, we encourage them to talk to the child's class teacher immediately.

We deal with all complaints in accordance with procedures laid down by the Authority. If the school itself cannot resolve a complaint, those concerned can refer the matter to the Authority.

All parents and carers have the right, as a last resort, to appeal to the Secretary of State for Education and Skills, if they still feel that their complaint has not been properly addressed.

Any complaints related to children with SEND are dealt with in accordance with the school's Complaints Procedures. Complaints related to children at Statutory Assessment and those with an EHC plan are dealt with in accordance with the guidelines set out by the Local Authority.

2. Aims and objectives

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints, and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. In all cases, we put the interests of the child above all else. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

3. The complaints process

Stage 1 - The first contact

- 1.1 Parents are always welcome to discuss any concerns with the appropriate member of staff, who will clarify with the parent the nature of the concern and reassure them that the school wants to hear about it. The member of staff may explain to the parent how the situation happened. It can be helpful to identify at this point what sort of outcome the parent is looking for.
- 1.2 If the member of staff first contacted cannot immediately deal with the matter, he/she makes a clear note of the date, name, contact address or phone number.
- 1.3 All members of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. He/she will check later to make sure the referral has been dealt with.
- 1.4 If the matter is brought to the attention of the Headteacher, he/she may decide to deal with the concerns directly at this stage.
- 1.5 The staff member dealing with the matter should make sure that the parent is clear what, if any, action or monitoring of the situation has been agreed. (Although not always necessary, consideration should be given to confirming in writing what has been agreed - either by letter or a copy of a file note).
- 1.6 Where no satisfactory solution has been found within ten days, parents are asked if they wish their concern to be considered further. If so they are advised to write to the Headteacher or, if the complaint relates to the Headteacher, to the Chair of Governors.

Stage 2 - Formal involvement of the Headteacher

- 2.1 The Headteacher (or Deputy Headteacher) acknowledges the complaint in writing within three working days of receiving the written complaint. The acknowledgement gives a brief explanation of the school's complaints procedure and a target date for providing a response to the complainant - normally within ten working days. If thereafter it is not possible to respond within the ten days, a letter is sent explaining the reason for the delay and giving a revised target date.
- 2.2 Ordinarily the Headteacher (or Deputy Headteacher) provides an opportunity for the complainant to meet with him/her to supplement any information provided previously. It should be made clear to the complainant that he/she may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or her behalf. The Headteacher (or Deputy Headteacher) may be accompanied by an advisor if the circumstances warrant this.

(a) Note that, on grounds of possible bias, the designated governor would subsequently be ineligible to sit on a complaints review panel established under stage 3.
- 2.3 Where necessary, following the meeting, the Headteacher (or Deputy Headteacher) will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil concerned and others present at the time should be interviewed. Pupils would normally be interviewed with parents/guardians present unless this would seriously delay the investigation of a serious/urgent complaint or where a pupil has specifically said he/she would prefer that parents or guardians were not involved. In such circumstances another member of staff with whom the pupil feels comfortable should be present. If the complaint is against a member of staff, he/she must subsequently be allowed to explain his/ her version of events.
- 2.4 The Headteacher or Deputy Headteacher must keep written records of all meetings and telephone conversations - which should be signed and dated - and other related documentation.
- 2.5 Once all the relevant facts have been established, the Headteacher (or Deputy Headteacher) may wish to meet the complainant to discuss/resolve the matter directly. In any event a written response should always be sent, including a full explanation of the decision and the reasons for it. Where appropriate, the letter will indicate what action the school will take to resolve the complaint. The complainant must be advised that should he/she wish to take the complaint further he/she should notify the clerk to the governors/designated governor within five weeks of receiving the letter.
- 2.6 If a complaint is against the action of a Headteacher (or if the Headteacher has been very closely involved at stage 1) the Chair of Governors will carry out all the stage 2 procedures.

Stage 3 - Designated Governor

- 3.1 When the governor designated by the governing body to deal with complaints receives notice of a complaint, he/she will decide whether it appears appropriate to seek an informal resolution to the issue. The designated governor is Mr. T. Harrison (Chair of Governors)

3.2 If so, the designated governor will:

- either telephone and/or meet with the parent/guardian to hear their side of the story;
- talk to the Headteacher to hear the other side of the story;
- discuss with the Headteacher how the issue might be resolved;
- agree with the Headteacher whether it would be helpful for the governor to act as facilitator/mediator between the head and the parent.
- seek to resolve the matter to the satisfaction of both the Headteacher and the parent;
- (if not the chair) keep the chair informed of the fact that he/she is handling a complaint, without disclosing any details.

3.3 If the designated governor decides that action as at 3.2 is not appropriate in the circumstances, or having tried this approach the matter is still not resolved, then he/she must write to the parent to let him/her know that the matter will be referred to the complaints review panel. The letter should also explain that the complainant has the right to submit any further documents relevant to the complaint.

COMPLAINTS REVIEW PANEL

3.4 According to the arrangements concerning membership (*b*) of the complaints review panel as agreed by the governing body, the clerk to the governors will seek to convene the panel within 20 working days.

3.5 The clerk will ask the Headteacher to prepare a written report for the panel in response to the complaint. The head should additionally ask members of staff directly involved in matters raised by the complainant to prepare reports.

3.6 The clerk to the governors will write and inform the complainant, Headteacher, any relevant witnesses, and members of the panel at least five working days in advance, of the date, time and place of the meeting. All relevant correspondence, reports and documentation about the complaint should be included with the letter. The complainant should also be informed of his/her right to be accompanied to the meeting by a friend/representative/advocate. The letter will also explain how the meeting will be conducted and the complainant's right to submit further written evidence to the panel.

3.7 Subject to the prior agreement of the chair of the panel, the Headteacher may invite members of staff directly involved in matters raised by the complainant to attend the hearing.

3.8 It is the responsibility of the chair of the panel to ensure that the meeting is properly minuted.

3.9 The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations which will satisfy the complainant that his or her complaint has at least been taken seriously.

3.10 The panel should remember that many parents are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the panel. The chair of the panel will therefore ensure that the proceedings are as informal as possible.

3.11 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

(b) The panel members must be governors with no prior involvement with the complaint. If he/she has not

previously been involved, the chair of the governing body should chair the panel; otherwise the vice-chair should do so. It is not appropriate for the Headteacher to sit on the panel. The advantages of having a parent governor on the panel should be considered.

3.12 The meeting should allow for:

- the complainant to explain his/her complaint and the Headteacher to explain the school's response;
- the Headteacher to question the complainant about the complaint and the complainant to question the Headteacher and/or other members of staff about the school's response;
- panel members to have an opportunity to question both the complainant and the Headteacher;
- any party to have the right to call witnesses (subject to the approval of the chair) and all parties having the right to question all the witnesses;
- final statements by both the complainant and the Headteacher.

3.13 The chair of the panel will explain to the complainant and the Headteacher that the panel will now consider its decision, and that written notice of the decision will be sent to both parties within two weeks. The complainant, Headteacher, other members of staff and witnesses will then leave.

3.14 The panel will then consider the complaint and all the evidence presented in order to:

- reach a unanimous, or at least a majority, decision on the complaint;
- decide upon the appropriate action to be taken to resolve the complaint;
- where appropriate, recommend to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.

3.15 A written statement outlining the decision of the panel will be sent to the complainant and Headteacher. The letter to the complainant should explain whether a further appeal can be made, and if so, to whom.

3.16 The school should ensure that a copy of all correspondence and notes are kept on file in the school's records. The records should be kept separately from the pupil's personal records.

Stage 4 - The role of the Authority: the Authority Review

The following information is provided by the Authority.

4.1 Your local education authority (Authority) is Essex County Council. **Authorities have limited powers to intervene in matters of school management** and, along with central government, Essex Authority encourages parents and others with concerns about schools to discuss the issues firstly with staff at the school, as set out in Stage 1 of the above procedures. The majority of concerns about children's education and welfare can be resolved in this informal way, which helps to build and maintain good relations between the school and parents.

4.2 The Authority can advise you on the route for expressing your concerns or making a complaint and can facilitate the resolution of the complaint by liaising with the Headteacher and governing body to ensure that procedures are followed and your concerns dealt with reasonably.

4.3 If you come to the Authority without first having gone through the above procedures, we will explain to you that you must go back to the school in the first instance and follow its procedures.

- 4.4 Our role in facilitating the resolution of complaints about schools is a carefully balanced one. We try to maintain an objective stance, giving you and the school the information and any guidance you need to move the matter forward.
- 4.5 We have an agreement with schools that, if you send us a written complaint about a school, we will normally forward the complaint to the school for attention. We would use our discretion not to do this if the written complaint includes information of a highly sensitive and/or personal nature, in which case our Personnel Services department will deal with it and contact the school in a discreet way.
- 4.6 It is difficult for us to address anonymous complaints, though we do check out any assertions made in them where they appear to be serious. The school has a right to know who is complaining about them and most situations can only be resolved if both sides can get together and work through the problem.
- 4.7 Where you have been through the school's internal complaints procedures (with or without recourse to a complaints review panel) and are still unhappy with the outcome or decision from the governing body you can either call the Authority's Helpline number: 08456 037627 to ask for advice, or you can write to the Authority enclosing full details of your complaint, including correspondence between yourself and the Headteacher and governing body.

Please address correspondence to:

Executive Director for Schools, Children and Families Essex
County Council
Schools, Children and Families Directorate PO
Box 11, County Hall
Chelmsford Essex
CM1 1LX

- 4.8 If appropriate, we will then conduct an Authority Review. This consists of an examination of the correspondence connected with the complaint and consideration of any statement from the governing body and Headteacher about the way the complaint has been handled. We may also seek the views of other Authority staff who have contact with the school.
- 4.9 **The purpose of the Authority Review is to establish whether the governing body and Headteacher (or designated governor) appear to have followed the school's complaints procedures and whether they have acted reasonably.**
- 4.10 We will aim to send you, and the school, the outcome of the review within ten working days but will let you know if it is likely to take longer. The letter will state our view of the way the complaint has been handled and will give any appropriate recommendations for yourself and the governing body to consider as a way forward.
- 4.11 If you wish to pursue your complaint beyond the Authority Review, you can write to the Secretary of State at the address shown below:

Department for Education (DFE)
Castle View House
East Lane
Runcorn
Cheshire WA7 2GJ

- 4.12 Please enclose with your correspondence to the DFE a copy of our letter giving the outcome of the Authority Review. This will save time in that the DFE will not subsequently need to ask for our view of what has happened.
- 4.13 **We would advise parents that, unless the school and/or Authority is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken, as governing bodies are empowered to deal with many issues without reference to either the Authority or the Secretary of State.**

Guidance Notes for Parents

If you have a suggestion or a concern

We would like you to tell us about it. We welcome suggestions for improving our work in the school and want to know if you have any concerns. Be assured that no matter what you wish to tell us, our support and respect for you and your child in the school will not be affected in any way. If you have a concern, please let us know as soon as possible. It is difficult for us to properly investigate an incident or problem which happened some time ago.

What to do first

Most concerns can be sorted out quickly by speaking with your child's class teacher in the first instance. If the matter cannot be resolved, please speak with:

1. Our SENCo or our Pastoral Support Worker
2. Deputy Headteacher
3. Headteacher

It is usually best to discuss the problem face to face. You may need an appointment to do this, and you can make one by ringing or calling in to the school office. You can take a friend or relation to the appointment with you if you would like to.

All staff will make every effort to resolve your problem informally. They will make sure that they understand what you feel went wrong, and they will explain their actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case it will be possible to achieve a satisfactory outcome but it will help both you and the school to understand both sides of the question. It may also help to prevent a similar problem arising again.

If you are still concerned

We will do all that we can to resolve matters straight away but if you are not entirely satisfied with the teacher's response you can make a formal complaint to the Headteacher. This should be made in writing.

If your complaint is about an action of the Headteacher personally, then you should refer it to the Chair of Governors as the governor designated by the governing body to deal with complaints. You can contact her via the School.

You may find it helpful at this stage to have a copy of the full statement of the governing body's complaints procedure as this explains in detail how complaints are dealt with. This is available from the school office.

The Headteacher (or a Governor from the Curriculum Committee who can be accessed via the Clerk to the Governors) will contact you to discuss the problem. Usually you will be invited to a face-to-face meeting. Again, you may take a friend or someone else with you if you wish.

If you are still unhappy

We very much hope and expect that we will have been able to resolve the problem by this stage. However, if you are still not satisfied you may wish to make a formal complaint to the governing body. You should write to The Chair of the Governors care of the school.

Initially your complaint may be dealt with by the governor designated by the governing body to deal with complaints. He/she will try to see if there is a way forward. (Note that at this stage your complaint will not be made known to other governors. This is so that if it is necessary for the governors to hold a formal hearing of your complaint they will not be prejudiced in advance).

If the designated governor is unable to resolve the matter, or was involved at the earlier stage because the complaint related to the Headteacher, your complaint will then be heard by a panel of three governors. As explained above, they will have no prior knowledge of the case and will thus be able to make a fresh, unbiased assessment. You will be invited to attend the panel meeting, accompanied by a friend or representative if you wish, and to put your side of the matter. The Headteacher will also attend to give her account. The governing body's complaints procedure explains how these meetings are conducted. This meeting will take place within twenty working days and you will be given five working days notice in advance of the meeting.

During the meeting, you can expect there to be opportunities for:

- you to explain your complaint;
- you to hear the school's response from the Headteacher; you to
- question the Headteacher about the complaint;
- you to be questioned by the Headteacher about the complaint;
- the panel members to be able to question you and the Headteacher;
- any party to have the right to call witnesses (subject to the chair's approval) and all parties to have the right to question all witnesses;
- you and the Headteacher to make a final statement.

In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the Headteacher and yourself **within two weeks**. All participants other than the panel and the clerk will then leave.

The panel will then consider the complaint and all the evidence presented in order to:

- reach a unanimous, or at least a majority, decision on the complaint; decide on the
- appropriate action to be taken to resolve the complaint;
- recommend, where appropriate, to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.

The clerk will send you and the Headteacher a written statement outlining the decision of the panel **within two weeks**. The letter will explain that you are entitled to have the handling of the complaint reviewed by the Authority under Stage 4 of the procedures, as described on the following pages. That process is not strictly an appeal, as the Authority cannot direct the governing body in most general complaints cases. It is, however, an opportunity to seek the view of an official third party; and the outcome, including any recommendations, may be helpful to you in seeking resolution of the complaint, through the Secretary of State for Children, Schools and Families if necessary.

We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

Other sources of information and advice

If you can access the Internet, the **Department for Education** (DFE) also has a parents' website at www.direct.gov.uk/en/parents, which you may find a helpful source of information and guidance.