

Compassion – Courage – Hope – Integrity – Justice
Respect – Responsibility - Wisdom



Herne Bay Junior School

Complaints Procedure Policy

Policy Agreed: Sept 2015

Review Date: Sept 2018

- address all points of issue, providing an effective response and appropriate redress, where necessary
- provide information to the school's senior management team so that services can be improved

Formal Complaints Procedure

Stage 1

If you feel that a concern has not been addressed through informal discussion, and you wish to have the matter formally investigated by an appropriate person from the school, please complete a complaint form. If you would like help completing the form, the school will be happy to provide the assistance of someone unconnected with the complaint. The school will acknowledge in writing receipt of the complaint form within **three working days** after receiving it. The school will enclose a copy of the school's complaints procedure with the acknowledgement. Initially your complaint will be dealt with by the Class Teacher/Deputy Headteacher. If you are not satisfied with the result from the Class Teacher/Deputy Headteacher then the procedure will be as follows:

If the matter is about:

- the day-to-day running of the school
- the interpretation of school policies
- the actions or inactions of staff at the school

these are concerns/complaints under the Headteacher's responsibility and will be investigated by the Headteacher/Senior Teacher or a nominated member of the Governing Body. *See D1 for flowchart.*

If the matter is about:

- school policies as determined by the Governing Body
- the actions or inactions of the Governing Body
- the Headteacher

these are concerns/complaints under the Governing Body's responsibility and will be investigated by the Chair of Governors or a nominated Governor. It may be necessary to appoint an independent investigator in certain circumstances. *See D2 for flowchart.*

If the complaint is a staff disciplinary or capability issue, then the matter will be dealt with by following the appropriate procedure rather than the complaints procedure (KCC Schools Personnel procedures). You will be notified if this is the case with your complaint, but you are not entitled to know which procedure or the final outcome.

Monitoring and Review

The Governing Body monitors the complaints procedure, in order to ensure that all complaints are handled properly. The Headteacher logs all formal complaints received by the school and records how they were resolved. Governors examine this log on an annual basis and consider the need for any changes to the procedure.

Availability

A copy of this procedure is available to all parents on request.

D1 Complaint/Concern Under Head Teacher's Responsibility

Concern - Informal

You should try and resolve the problem with the school.



Unresolved ?



Resolved - No further action



No.

Formal – Stage 1

You will be given copies of the complaints procedure and complaint form and offered support in completing the form. You will have 3 days to complete and return the form.



Formal – Stage 1

Form received by school

Is complaint about areas of Headteacher's responsibility or Governing Body's responsibility?



Headteacher's responsibility –

Headteacher deals with matter or designates senior member of staff and write to you with the outcome of the process within 10 working days of receiving the complaint.



Resolved?



Yes. No further action



No. Complainant wishes to move to Stage 2 of the procedure and notifies the school in writing within 10 working days.



Formal – Stage 2

Complaint form passes to the Chairman or nominated complaints governor to review whether the complaint has been properly dealt with



Resolved?



Yes. No further action



No. Complainant is given copy of Procedure for Governing Body Complaints Panel Hearing. A governor complaints panel is set up to consider the complaint within 10 working days of the complaint being passed to the governing body. It consists of 3 governors, with no prior knowledge of the complaint, who will consider written and verbal submissions from the complainant and the Headteacher



The panel meets to consider the complaint and make a final decision on behalf of the Governing Body.



Panel writes to complainant with its conclusion within 5 working days of the meeting



Resolved?



Yes. No further action



No. The complainant may decide to write to the **Local Government Ombudsman** if they feel the school has acted unreasonably or not followed the correct procedures.

D2 Complaint/Concern under Governing Body's Responsibility

Informal

Complaint at school level – complainant should try and resolve the problem with the school

Resolved?

Yes. No further action

No.

Formal – Stage 1

You will be given copies of the complaints procedure and complaint form and offered support in completing the form. You will have 3 days to complete and return the form.

Formal – Stage 1

Form received by school

Is complaint about areas of Headteacher's responsibility or governing body's responsibility?

Governing body's responsibility -

Chairman deals with matter or designates a governor and writes to you with the outcome of the process within 10 working days of receiving the complaint

Resolved?

Yes. No further action

No. Complainant wishes to move to Stage 2 of the procedure and notifies the school in writing within 10 working days. Complainant is given copy of Procedure for Governing Body Complaints Panel Hearing.

Formal – Stage 2

Complaint form passes to the governing body



A governor complaints panel is set up to consider the complaint within 10 working days of the complaint being passed to the governing body. (See Procedure for a Governing Body Complaints Panel hearing). It consists of 3 governors, with no prior knowledge of the complaint, who will consider written and verbal submissions from the complainant and Chairman of Governors (or designated governor)



The panel meets to consider the complaint and make a final decision on behalf of the Governing Body.



Panel writes to complainant with its conclusion within 5 working days of the meeting



Resolved?



Yes. No further action



No. The complainant may decide to write to the **Local Government Ombudsman** if they feel the school has acted unreasonably or not followed the correct procedures

E. Complaint Form

Please complete and return to Mrs Paula Amos 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?

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

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

F. Procedure for a Governing Body Complaints Panel Hearing

The Governing Body Complaints Panel operates according to the following formal procedures:

1. The Chair of the Governing Body Complaints Panel will aim to arrange for the panel meeting to take place within **10 working days**.
2. The Chair of the Governing Body Complaints Panel will ask you whether you wish to provide any further written documentation in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.
3. The Head Teacher will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
4. The Chair of the Governing Body Complaints Panel will inform you, the Headteacher, any relevant witnesses and members of the panel by letter, at least **five working days** in advance, of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place in the school; but we will do what we can to make alternative arrangements if you prefer.
5. With the letter, the Chair of the Panel will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit further written evidence to the panel.
6. The letter from the Chair of the Panel will also inform you that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
7. With the agreement of the chair of the panel, the Headteacher may invite members of staff directly involved in matters raised by you to attend the meeting,
8. The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
9. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
10. The chair of the panel will ensure that the meeting is properly minuted. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.
11. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the clerk can then be asked maintain confidentiality in the minutes.

12. 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.
13. 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 five working days**. All participants other than the panel and the clerk will then leave.
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 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.
15. The Chair of the Panel will send you and the Headteacher a written statement outlining the decision of the panel **within five working days**. You are entitled to have the handling of the complaint reviewed by the local authority. That process is not strictly an appeal, as the local 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.
16. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

Chair of Governors _____

Date: _____