

## **St. Matthew's CE (Aided) Primary School**

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#### **STATEMENT OF POLICY ABOUT HOW COMPLAINTS BY PARENTS AND OTHERS WILL BE DEALT WITH**

Note: This policy statement relates to complaints other than those about the curriculum or religious worship for which a separate procedure has been established. Details of this procedure are available from school.

#### **1. What is a complaint?**

The school considers a complaint principally to be an expression of grievance or dissatisfaction received from or on behalf of a parent or member of the public regarding: -

- ♣ action taken by or on behalf of the school.
- ♣ failure by the school or its staff or contractors to respond to a reported problem.
- ♣ the standard of service(s) provided or discrimination in their delivery.
- ♣ the policies of the school.

#### **2. How to make a complaint**

A parent or member of the public can make their complaint in the first instance either verbally or in writing to the headteacher.

The school, if asked, will help anyone who would like assistance to set out their complaint including access to translation services where necessary.

#### **3. How are complaints dealt with?**

It is hoped that the majority of complaints can be resolved informally either by raising them verbally, in person or on the telephone, or by putting them in writing, given or sent to the school, when they can be discussed there and then or at a mutually agreed time and a satisfactory explanation given or resolution speedily implemented.

Complaints that cannot be resolved informally will be dealt as follows:

- ♣ an acknowledgement (or final response where possible) will be sent to the complainant within five school working days .
- ♣ the complainant will be told the name and telephone number of the person dealing with the complaint.
- ♣ a full response will be sent within twenty school working days, or if a complete answer still cannot be given, the complainant will

be told what is being done to investigate the complaint and how long this will take.

- ♣ the complainant will be told if their complaint has to be dealt with under a separate procedure.

#### 4. **Where to go if not satisfied with the outcome?**

- (i) Complainants not satisfied with the outcome of their complaint dealt with by the headteacher should write to: -

The Chair of Governors  
c/o The School Address

who will arrange for the complaint to be looked into by the governing body's complaints committee. Even at this stage there is provision within the policy for the complaint to be tried to be resolved informally and the chair of governors may choose to try to do so in the first instance before formal referral to the complaints committee itself.

- (ii) Thereafter, complainants still not satisfied with the outcome who want to take the matter further, beyond the school, can write to either: -

Director of Children's Services  
Telford & Wrekin Council  
Civic Offices  
Coach Central  
Telford TF3 4HD

The Secretary of State for Education  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
Westminster  
London SW1P 3BT

However, the LA's policy is that unless allegations relate to serious incidents of staff conduct, child protection issues or potential criminal activity it will not look into complaints about matters in schools until after the school's own complaints procedures have been fully exhausted and concerns still remain. The LA consider schools should have every opportunity to resolve complaints at local level in the first instance. The LA recognise that the majority of issues raised can only be effectively resolved at local level where, in most cases the power to take appropriate action is vested in the school rather than the LA.

#### 5. **What to do if the complaint is about the headteacher**

Complaints about the Headteacher, that the complainant cannot or does not wish to raise directly with the Headteacher, should in the first instance be sent to the chair of governors who will arrange for the matter to be dealt with as set out in 4(i) above.

#### 6. **Monitoring of Complaints**

An anonymous analysis of all formal complaints will be reported to the governing body regularly so that any necessary changes in the school's policies, practices or procedures can be considered and implemented.

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### SCHOOL COMPLAINTS PROCEDURES

#### MODEL SCHOOL PROSPECTUS ENTRY ABOUT COMPLAINTS OTHER THAN THOSE ABOUT CURRICULUM OR RELIGIOUS WORSHIP

The following paragraph is recommended by the LA to be published in the school prospectus as an addition to the LA recommended entry that deals with the arrangements for making a formal complaint (to the governing body, the LA or both), under Section 409 of the Education Act 1996 about the curriculum or religious worship.

"For all other complaints or concerns parents and others are encouraged to raise them initially with the headteacher (*schools to include other names and status where appropriate*) who will be able to discuss them either there and then or at a mutually agreed time. Should it not be possible to resolve any complaint or concern satisfactorily, in this way, the complaint should be put in writing and sent or given to the headteacher. If you would like assistance in setting out your complaint the school will, if asked, help you to do this, facilitating access to translation services where necessary. The school will then deal with your complaint as follows: -

- ♣ formally acknowledge it within five school working days.
- ♣ tell you the name and telephone number of the person looking into your complaint.
- ♣ respond to it within twenty school working days or, if it is not possible to give you a complete answer, tell you what is being done to investigate and how long it is expected to take.
- ♣ tell you if your complaint has to be dealt with under a separate procedure.

If, when you have received your response, you are not satisfied with the outcome of your complaint you can write to the chair of governors (c/o the school) who will arrange for the governing body's complaints committee to consider what you still wish to say.

Thereafter should you remain dissatisfied and want to take the matter further you will be informed of who else you can write to at that time.

A full statement of the school's complaints policy can be obtained from the school.

# **SCHOOL GOVERNING BODIES COMPLAINTS COMMITTEE**

## **Guidance on how to deal with complaints made to the Governing Body**

### **1 Legal Position**

The Education Act 2002 requires the governing body of a maintained school, or a maintained nursery school, to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised

In establishing or publicising procedures the governing body must have regard to any guidance given by the Secretary of State. The current guidance is attached in full for information.

The LA expects complainants to fully exhaust the school's own complaints procedures before involving the LA or the Secretary of State. Complainants who come to the LA either before or part way through using the school procedures will be referred back to the school. They will be told that the LA will not get involved until the school procedures have been exhausted and concerns still remain. The only situations where the LA would consider getting involved at an earlier stage would be where allegations related to serious incidents of staff conduct, child protection issues or potential criminal activity.

The majority of complaints are rightly matters for schools to deal with and which are likely only be effectively resolved at school or local level. Furthermore governing bodies will appreciate that in most situations, the power to take appropriate action is vested in the school rather than in the LA.

Schools should therefore, be aiming through their established procedures, to give parents and others confidence that they can and are prepared to effectively look into and satisfactorily resolve their concerns.

### **2 Written Complaints Procedures**

A model school policy statement and entry in the school prospectus is included in this document. Model terms of reference for a complaints committee are on the Learning Platform under committee guidance.

The school must also have a policy dealing with complaints about the curriculum and religious worship. This policy is prepared by the LA and approved by the Secretary of State. A copy of this policy and associated procedure is available on the Learning Platform under Complaints. The

guidance set out below, therefore, only has bearing on complaints relating to 'other matters'.

### **3 Complaints Made To The Governing Body**

Complaints will fall into two categories:

- ♣ those where the complainant has taken the matters of concern up with school staff, culminating with the headteacher but remains dissatisfied with the response received;
- ♣ those about the headteacher that the complainant does not wish to take up with the headteacher directly.

The chair of governors receiving a complaint, which in the first instance should but has not been dealt with by staff including the Headteacher, can refer the complainant to the headteacher to exhaust this process before involving the governing body complaints committee.

### **4 Procedures Following Receipt of A Formal Complaint made to the Chair of the Governing Body**

The chair of the governing body can, in the first instance, attempt to resolve a complaint made to the governing body informally him/herself before the formal process of referring the complaint to the governing body's complaints committee.

However if the complaint is about a member of staff and makes allegations that, if confirmed, could lead to disciplinary action the chair of the governing body should firstly contact the LA's H.R. service to discuss the most appropriate way of dealing with the complaint. If it is decided that staff disciplinary processes should be used then the school's appropriate personnel procedures should be followed. If it is decided that the matter be dealt with as a general complaint then the procedures set out below should be followed.

- ♣ Chair of the governing body refers the complaint letter to the governing body's complaints committee.
- ♣ The complaints committee initially consider the complainant's letter and then ask headteacher to submit written comments on the points of concern raised. It is important that the headteacher's submission includes any witness statements or other information gathered as part of his/her detailed investigation. If the committee feel there are any gaps, or lack of clarity, in the information supplied the headteacher should be asked to provide the further information required.

Equally, if the committee need to clarify or, seek further information on matters raised by the complainant, they should write to ask for what they consider is needed.

This is important as the complaints committee need to understand clearly the concerns expressed, ensure that the complainant is given fair treatment and a chance to fully state their case.

Having received the complainant's case **in writing**, the headteacher's comments on the points raised should also be **in writing**. Both parties need to be treated equally. It would be unfair, to obtain information from the headteacher by interview and not to offer the same opportunity to the complainant.

The Secretary of State's guidance model procedure includes a 'hearing' by the governing body complaints committee. Whilst governing bodies can include such a process in their procedures, the LA advise against this. Such meetings may well only degenerate and thereby achieve little. Face to face meetings are likely to have already taken place with staff and/or the headteacher or with the chair of the governing body at earlier stages in the procedures.

- ♣ It is also useful if complainants can be encouraged to state what actions they feel might resolve the problem at any stage. This might enable the governing body to come to a speedier, mutually acceptable, resolution.
- ♣ The complaints committee should then write a response answering all the points of concern, setting out the evidence considered, the conclusions/decisions reached and reasons for them.
- ♣ Complaints committee meetings should be held without too much delay. The school complaints policy (if the LA's guidance has been followed), requires a full response to be sent within 20 school days wherever possible or, an explanation given as to why this cannot be achieved.

## 5 How To Construct The Response Letter

Responses should:-

- ♣ follow the 'straight bat' principle;
- ♣ be impartial;
- ♣ be civil and constructive;
- ♣ if there has been a delay in responding; apologise and give reasons for it;
- ♣ comment in a considered way upon **every** raised point of concern. If this is not done the complainant is likely to come back seeking answers to the points not responded to;

- ♣ not consider the school to be never in the wrong;
- ♣ set the record straight. Inevitably the complaint letter will have been written from one perspective only. It may help understanding for facts relating to the 'other perspective' to be clearly stated;
- ♣ describe the evidence considered;
- ♣ set out the conclusions the committee have arrived at, the decisions made and the reasons for them;
- ♣ where the complainant has stated the actions they feel might resolve the problem comment on whether or not these are feasible and, if not, the reasons why:
- ♣ where appropriate apologise for any shortcomings, particularly where misunderstandings may have arisen;
- ♣ where appropriate admit that the situation could have been handled differently or better. This is not the same as an admission of negligence;
- ♣ where it is practical to do so give an assurance that the event or situation will not recur;
- ♣ if the committee feel some action needs to be taken, include the details of what will be done and when, including an explanation of the steps that have been taken to ensure that it will not happen again;
- ♣ express satisfaction where the committee is supportive of the school's actions in relation to any matters of concern. Explain why the committee is satisfied where necessary;
- ♣ where appropriate give an undertaking to review school policies in light of the complaint;
- ♣ always try to end on a positive note by expressing the hope that the situation can now return to normal and that the child concerned can continue their education without further problem;
- ♣ include the right to take their concerns to the next stage of the complaints procedure if still dissatisfied and wish so to do.

## **6 Some Standard Phrases That Can be Used in Response Letters**

- ♣ Opening:

The complaints committee have now looked into what you had to say in your letter of (date).

We will deal with your points of concern in the same order as raised in your letter.

♣ Individual Points of Concern/Evidence Considered:

“With regard to (include point of concern) we are told (or, given to understand, or, believe) that (include appropriate detail of headteacher’s response setting out the school’s side of the story)”.  
(This is particularly important if the record needs to be set straight or misunderstandings are apparent).

♣ Conclusion:

“We are satisfied that (detail what satisfied with – e.g. “the school have acted appropriately in respect of...” or, “the action taken by the headteacher was an appropriate response to the situation” etc.) or,

“We are not satisfied that (detail committee’s concerns) was acceptable action and we have issued instructions that (describe action to be taken)”.

(Note: Decisions and the reasons for them must be clearly stated.)

“We have considered the action(s) you feel would help resolve the problem(s). We agree with you and will make arrangements to put the following measures in place: -

(detail/list the action(s) to be implemented)”. Or,

“We have considered your view(s) on the action(s) you feel might help resolve the problem(s) but are agreed that (this/these) cannot be implemented for the following reasons: -

(detail/list the action(s) with reasons why the committee consider they cannot agree with them)”.

*(Note: If some of the complainant’s suggestions can be agreed and some not agreed then a combination of both responses will need to be constructed).*

♣ Apology:

“We are sorry that some misunderstanding appears to have arisen over (detail the matter(s) concerned explaining the misunderstanding)”

“We are sorry that you found it necessary to have to write to the governing body over this matter”.

“We apologise on behalf of the school for the problems this matter has caused you”.

“We accept that the situation could have been handled (differently/ or better)”.

♣ Oil On Troubled Waters:

“we feel sure that the action(s) we have outlined in this response (will/will help) ensure that this sort of issue (will not/cannot) recur”.

“In the light of your complaint we will be undertaking a full review of school policies in this area”.

“We hope this response satisfactorily answers your points of concern and that matters can now return to normal. You will appreciate that it is important that good working relationships exist between the school and individual parents if we are to achieve and maintain the appropriate standards of education for all the children. We hope that (child’s name) can now continue (his/her) education without further problem”.

♣ Taking the matter further

“Should you continue to be dissatisfied and wish to take this matter further you should write setting out your continuing concerns to either: -

Director of Children’s Services, Telford & Wrekin Council, Civic Offices, Coach Telford TF3 4HD , or

The Secretary of State for Education, Department for Education, Sanctuary Buildings, Great Smith Street, Westminster, London, SW1P 3BT”.

## **7 Model Letter:**

A letter used by the LA in response to a complaint which covers some of the above principles is attached for information.

## **8 Monitoring**

All complaints should be monitored regularly by the governing body. All complaints need to be taken seriously and, after having been dealt with through the appropriate procedures, considered in light of what lessons, if any, can be learned and what action, if any, should be implemented.

Such consideration should be given at each stage in the complaints process, not just when they are referred to the governing body complaints committee.

## LA RESPONSE TO COMPLAINT LETTER

Dear

I have now looked into what you had to say in your correspondence covered by your letter of *(Date)*. I will respond to your points of concern in the same order as set out in your complaint letter.

I am told that *(Child)* was sent on two occasions to work in the *(accommodation)* room following some disruptive behaviour in the classroom. As *(Child's)* immediate behaviour then improved *(Member of Staff)* did not consider it necessary to take matters any further on those occasions. It was appreciated that there existed substantial cooperation between you and the school in the effort to help *(Child)* with his learning and behaviour problems. However, I am sure you will accept that had *(Headteacher)* reported to you every single incident resulting in some sanction to *(Child)* which then satisfactorily resolved the matter in School an inordinate amount of time would have been taken. *(Headteacher)* therefore, quite rightly in his capacity as Headteacher made judgements about which issues needed raising with you.

*(Member of Staff)* categorically denies *(action alleged)* in the way you suggest. She is an experienced and respected member of the school's teaching staff and all of her observed teaching has always been more than satisfactory. It is normal professional practice to sometimes *(action alleged)* children when they manifest particular kinds of inappropriate behaviour or are attention seeking. I understand that this practice was used with *(Child)* only when his behaviour was clearly related to these circumstances. This was no different treatment than was applied to other children in similar circumstances.

Transferring children from one class to another is not as easy a task as it may appear. Not only can it cause significant management difficulties but also disruption to the classes concerned. More importantly such a move needs to be in the child's best interests. Such decisions, therefore, need careful consideration. I am told that the school in considering your request were of the view that it was in *(Child's)* best interests, for the continuation of his social and educational development, to remain where he was. It was felt that *(Member of Staff)* was effectively managing his behaviour and thereby best placed to support him in overcoming his difficulties within the class setting.

I hope that this suitably explains the school's thinking in relation to the decisions they made in connection with *(Child's)* ongoing social and educational development whilst at *(School)* School.

As the Local Authority we are satisfied that appropriate considerations have been given and decisions made in relation to *(Child's)* education whilst at the School.

We are sorry that you felt it necessary to move (*Child*) to another school, but hope that he can now settle to completing his education without further problem.

Yours sincerely

For Director of Children's Services

Should you continue to be dissatisfied and wish to take this matter further you should write setting out your continuing concerns to:

*The Secretary of State for Education  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
Westminster  
London  
SW1P 3 BT*