



Complaints Policy

May 2019

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1.0 INTRODUCTION AND SCOPE

1.1 Legal Context

Since 1 September 2003 Governing Bodies of all maintained schools and maintained nursery schools in England were required, under Section 29 of the [Education Act 2002](#), summarised in Appendix 1, 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.

The School Standards and Framework Act 1998 provided an additional function of the Governing Body to establish and publish procedures for dealing with complaints relating to the school, other than those covered by legislation and formal procedures elsewhere.

1.2 Scope

The Policy of Layton Primary School is to work in partnership with parents and is based on the belief that co-operation and a sense of joint purpose between staff, parents and the school will assist in ensuring open and positive relationships. From time to time, however, parents or members of the public may express concern or make a complaint, either orally or in writing, about the conduct of the Headteacher or an individual member of staff.

This policy cannot be used where there may be a complaint or grievance against members of staff within schools. In cases such as these, there are alternative procedures which can be obtained for consideration via your school administrator.

Anonymous complaints will continue to be considered and an outcome of any findings will be recorded in the schools recording systems. In dealing with complaints, the school will ensure that they are dealt with effectively and with fairness to all parties.

Layton Primary School will have different procedures for complaints or appeals about the curriculum, special educational needs provision, exclusions, and admissions. Disciplinary action, child protection or criminal investigations are also dealt with through separate specific procedures. This document provides advice and guidance on how schools should respond when an external complaint has been made about the actions of school staff.

A copy of the complaints procedures can be found on Layton Primary School's website.

A written copy may be obtained upon request from Layton Primary School.

- 1.3 It is encouraged to resolve any areas of concern(s) informally before the formal process is commenced, however, in some circumstances the seriousness of the complaint could lead to the commencement of this procedure at the formal stage.
- 1.4 It is recommended that the Governing Body ensures that any third party provider offering community facilities or services through the school premises, or using school facilities, have their own complaints procedures in place

2.0 COMPLAINTS

2.1 What is a complaint?

- a. For the purposes of this procedure a complaint is described as an expression of dissatisfaction about the conduct of, actions or lack of action by a member of staff, unacceptable delay in dealing with a matter or unreasonable treatment of a pupil or other person. The complaint needs to be put in writing or if made verbally will be verified by the complainant and Layton Primary School.
- b. This procedure does not cover complaints under legislation for which separate arrangements are in place for example those relating to:
 - the National Curriculum
 - Collective Worship
 - Freedom of Information Access
 - School Admissions
 - Pupil Exclusions
 - Staff Grievance
 - Statementing procedures for Special Educational Needs
 - other functions of the Governing Body.
- c. Serious complaints or allegations relating to the abuse of children, assault, criminal or financial matters are also the subject of separate procedures, which may involve other agencies. Where this may be the case, contact should be made with the Headteacher in the first instance.

Except in exceptional circumstances previous stages of the procedure should be exhausted before a complaint is referred to a subsequent stage.

3.0 GENERAL PRINCIPLES

3.1 Who to complain to:

If the complaint is about:

- something that has happened or failed to happen in the school, contact the Headteacher;
- the actions of the Headteacher, contact the Chair of Governors via the school;
- the actions of a governor, contact the Chair of Governors via the school;
- the Chair of Governors, contact the Clerk to Governors via the school;
- the actions of the governing body, contact the Clerk to Governors via the school.

Layton Primary School and Governing Body would in most cases hope to resolve concerns and complaints at an informal stage, but the procedure allows for more formal considerations of a complaint and an appeal stage if matters cannot be resolved and may in some stages require an independent investigating officer to be included in the process. Where this is the case, this will be fully communicated to the complainant.

Where a complaint is made against an individual member of the school staff, that person will be informed of the complaint at the earliest opportunity, in writing and will be provided with a copy of the complaint. Full confidentiality must be adhered to at all times during these processes and it is important to note, that anonymity of the complainant cannot be guaranteed.

These procedures are in addition to Layton Primary School's Whistleblowing procedures and other statutory reporting procedures applying to the school. Layton Primary School is responsible for making service users aware of the existence of these procedures and it is important to note that should members of staff have concerns they wish to raise in confidence, the Whistleblowing Policy should also be referred to in order to establish the correct procedure to use for the individual situation.

3.2 Timescales

Layton Primary School is committed to dealing with complaints as speedily as possible and would plan to complete each stage within 10 school days. From time to time, it may not be possible to complete the process in that timescale. Where that is not possible the complainant will be informed of any delays in writing.

Schools do not operate during school holiday dates therefore this can often lead to confusion of timescales for complaints being dealt with. Complaints will therefore not be dealt with during school holidays and will be completed at the earliest opportunity on returning to school.

Where a complaint leads to criminal proceeding this will always be the case, therefore timescales within this procedure may need to be reviewed.

3.3 Confidentiality

All conversations and correspondence will be treated confidentially. Personal information will only be shared between staff and governors on a 'need to know' basis. It is essential that any information shared with any party (including Staff and Governors), as a result of this procedure, is kept strictly confidential.

It is essential that Governors do not discuss any matters disclosed to them with other members of the Governing Body, to ensure that sufficient Governors have no prior knowledge of the complaint to enable a complaints panel

to be convened, if required, at the Formal Stage. It is also essential that Governing Bodies are mindful that details of situations occurring within the school should not be discussed or made reference to at any Governing Body meetings.

3.4 Accompaniment

Throughout this procedure, all parties will have the opportunity to be represented. In the case of a member of staff you may bring along to any informal or formal meetings a Union representative, friend or colleague and in the case of a Parent, you may be represented by a friend or a colleague at any informal or formal stages.

It is not appropriate for Solicitors or representatives of similarly professional environments who are not linked to a Professional Trade Union, to be present at any formal meetings.

3.5 Recording and Monitoring Complaints

Governing Bodies are legally required to publicise their Complaints Procedure. The Governing Body must decide how to fulfil this requirement but details of the Complaints Procedure could be included in:

- Information given to new parents when their children join the school.
- Information available to the children themselves.
- School bulletins or newsletters.
- The school website.
- Information given to community users and in letting agreements.
- A specific complaints leaflet which includes a form on which a complaint can be made.
- Posters displayed in the main entrance or reception area of the School and others used by the public.

A record of complaints, how they were dealt with and the outcome should be maintained as a separate complaints file, in the interests of the members of staff concerned and the Headteacher.

Layton Primary School should maintain a written record of all formal complaints, how they were dealt with and the outcome in a complaints register.

3.6 Resolving Complaints

It is useful to encourage complainants to indicate what actions they feel might resolve the problem.

In this respect it should be noted that complainants' views on this may be unreasonable and they should be made aware of what are reasonable and appropriate outcomes in relation to the specific nature of their complaint.

Identifying areas of agreement and clarifying any issues can also create a positive atmosphere in which to discuss any outstanding issues.

3.7 Unreasonable, Malicious and Persistent Complaints

A good complaints procedure which has been properly followed will limit the number of protracted complaints. There will, however, be occasions when the complainant remains dissatisfied even though all stages of the Complaints Procedure have been completed. If the complainant continues to raise the same issue it is reasonable for the Chair of Governors to inform them in writing that the procedure has been exhausted and that the matter is now closed.

If the complainant raises an entirely new separate complaint it must be responded to in accordance with this procedure

3.8 Serious Allegations or Complaints

If the allegations refer to criminal activity, which may require the involvement of the Police, the Headteacher should inform the Chair of Governors and seek the advice of Human Resources. If allegations refer to safeguarding children, advice should be sought from the Local Authority Designated Officer (LADO) and Human Resources.

If the allegations involve financial or accounting irregularities or circumstances which may suggest irregularities affecting cash, stores, property, remuneration or allowances, the Headteacher should inform the Chair of Governors and seek the advice of Human Resources so that the complaint can be investigated under the procedures normally applied for suspected financial irregularities.

If the allegations relate to the abuse of children, the Headteacher should seek the advice of their Human Resources provider. **Serious allegations of this nature must be referred under Layton Primary School Child Protection Procedures** to the Local Authority (It will usually be necessary for a strategy meeting to be convened in order to consider a way forward).

If the allegations refer to maladministration of tests, the appropriate authority should be contacted (in the case of Primary Schools, the Standards and Testing Agency, in the case of Secondary Schools, the appropriate examination board). Advice can be sought from the Local Authority School Improvement Officer with responsibility for assessment.

In all the above, consideration will be given under the appropriate procedures where necessary.

Any complaint or expression of concern judged by the Headteacher to be serious will be dealt with under 4.3.

Anonymous complaints will continue to be considered and an outcome of any findings will be recorded in the school's recording systems.

4.0 THE COMPLAINTS PROCEDURES

During all Informal and Formal stages of this procedure, it is important that only the Headteacher or the Chair of Governors is involved as the Investigating Officers, and that members of the Governing Body are not involved as they may be required to support any complaints panel hearing, if required, at the Formal Stage which may result from an investigation of the complaint. In exceptional circumstances, an independent investigator from the Local Authority may be asked to carry out the investigations by the School and a request may be made by the complainant for this to be considered.

4.1 The Informal Stage

In dealing with complaints the Layton Primary School will take account of its public sector equality duty and have due regard to the need to:

- *eliminate discrimination, harassment, victimisation and any other conduct prohibited by or under the Equality Act 2010*
- *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it*

- *foster good relations between persons who share a relevant protected characteristic and persons who do not share it*

In most cases complaints are successfully resolved informally by teachers, senior managers and Headteachers. However, if this does not resolve the problem then the matter should be brought to the attention of the Headteacher or in the case of complaint against the Headteacher, it should be directed to the Chair of Governors by using the Complaints Pro-forma (**Appendix 16**).

The Headteacher/Chair of Governors will:

- Acknowledge the complaint within 5 school days of the receipt of the complaint
- Make enquiries to establish the facts;
- Seek advice as appropriate;
- Attempt to resolve the matter informally;
- Establish whether or not the complaint is satisfied;
- Advise the complainants of the next stages if they wish to proceed to a formal consideration of the complaint;
- Make a brief note of the outcome.

This stage would normally be expected to take no more than 10 school days.

If a school Governor is directly approached by a complainant it is important that the Governor emphasises that they can only give general advice about how their complaint might be dealt with. The Governor should encourage the complainant to talk to the Headteacher who will attempt to resolve their complaint informally in the first instance. The Governor should also inform the Headteacher or Chair of Governors (whichever is appropriate) about the complaint as soon as possible. It would be good practice for any Governor in this circumstance to make a note of the conversation which took place.

If the Headteacher/Chair of Governors is not able to resolve the complaint and/or the complainant still remains unhappy the complaint should be dealt with at the Formal Stages.

4.2 The Formal Stages

Where an informal complaint has not been resolved to the satisfaction of the complainant they should write to the Headteacher or Chair of Governors within 10 school days of the receipt of the outcome at the previous stage, with a copy of the original Pro-forma being included. On receipt, the Headteacher or Chair of Governors will:

- Ensure the complainant is aware of the procedures;
- Require a written record of the complaint (someone else may write this on behalf of the complainant);
- Formally acknowledge the complaint;
- Seek advice as appropriate from Human Resources
- If the complaint concerns a member of staff inform them and provide them with a copy of the complaint;
- Prepare a report as a result of the investigation and consider actions to be taken;
- Advise the complainant of the outcome. Where it is considered no further action is needed or the complaint is unsubstantiated, the complainant should be advised, in writing. They should also be informed of their right to appeal to the Complaints Appeals Committee within 10 school days;
- Make a record of the complaint and its outcome; this should be retained for schools records.

This stage would normally be expected to take no more than 10 school days. The Governing Body should be informed in general terms of all formal complaints.

If the Chair of Governors is not able to resolve the complaint and/or the complainant still remains unhappy the complaint should be dealt with at the Governors Complaints Committee stage.

4.3 Governors Complaints Committee and Appeals

If the complainant is dissatisfied with the outcome of the Chair of Governor's investigation they should write to the Clerk of the school's Governing Body within 10 school days of the receipt of the outcome at the previous stage, at Blackpool Council Governor Services (01253 477477) stating why and request that their complaint be referred to the Complaints Panel of the Governing Body.

A meeting of the Complaints Panel will be convened within 10 school days of the request.

The Complaints Panel will comprise three Governors who have not previously been involved in the complaint and/or do not have a personal or pecuniary interest. It may also be inappropriate for the Complaints Panel to include teacher or staff Governors.

The Authority will be available to assist the Committee and to offer advice as required through a representative of the Human Resources Team. In the case of aided school's Diocesan Officers will also be able to offer advice.

At least 5 school days before the meeting, members of the Complaints Panel should receive papers about the complaint which should include as appropriate:

- A copy of the original complaint.
- An outline of any investigation carried out by the Investigation Officer Informal Stage
- A copy of the letter sent to the complainant about the outcome at Informal Stage
- A copy of the letter from the complainant expressing their dissatisfaction with the outcome at Informal Stage
- A copy of the letter to the Investigation Officer requesting an investigation at Formal Stage
- An outline of any investigation carried out by the Investigation Officer at Formal Stage
- A copy of the letter sent to the complainant about the outcome at Formal Stage
- A copy of the letter from the complainant expressing their dissatisfaction with the outcome at Formal Stage
- A copy of the letter requesting that the complaint is heard by the Governors Complaints Committee.
- A copy of the Schools current adopted Complaints Procedure

The Committee will:

- Consider the written materials;
- Consider the complaint and the Headteacher's (or Chair's) action;
- Invite the Headteacher or Chair of Governors (as appropriate) and the complainant to the meeting
- Seek advice and support as necessary

At the end of their consideration the Committee 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.

and will:

- Advise the complainant of the Complaints Panel's decisions in writing within 5 school days.

- Advise the complainant of any further action they may wish to take if they remain dissatisfied.

The Panel will have an opportunity to question the complainant, Headteacher and/or Chair of Governors/delegated investigating person when they have stated their cases. When the Complaints Panel is satisfied that it has all the information it needs it will consider all the evidence and decide an outcome.

***N.B.** In the event that further information is needed and it is not available at the time the meeting may be adjourned and reconvened at a mutually convenient time. This should be as quickly as possible and wherever practicable within 5 school days.*

The decision of the Complaints Panel is final.

4.4 Withdrawal of a Complaint

If the complainant wishes to withdraw their complaint, they will be asked to confirm this in writing/email. The individual of whom the complaint refers will be informed that the complaint has been withdrawn.

4.5 Complaints Record

Layton Primary School will maintain a written record of all formal complaints, how they were dealt with and the outcome in a complaints register.

4.6 Complaints About a Governor, the Chair of Governors or the Governing Body

Complaints about a governor should be referred to the Chair of Governors who will investigate and respond to the complainant.

Any appeal against the Chair's response would be dealt with by the Complaints Appeals Committee.

Complaints about the Chair of Governors must be referred to the Clerk to Governors who would arrange for the complaint to be considered by the Complaints Appeals Committee of the Governing Body.

5.0 FURTHER RECOURSE FOR COMPLAINANTS

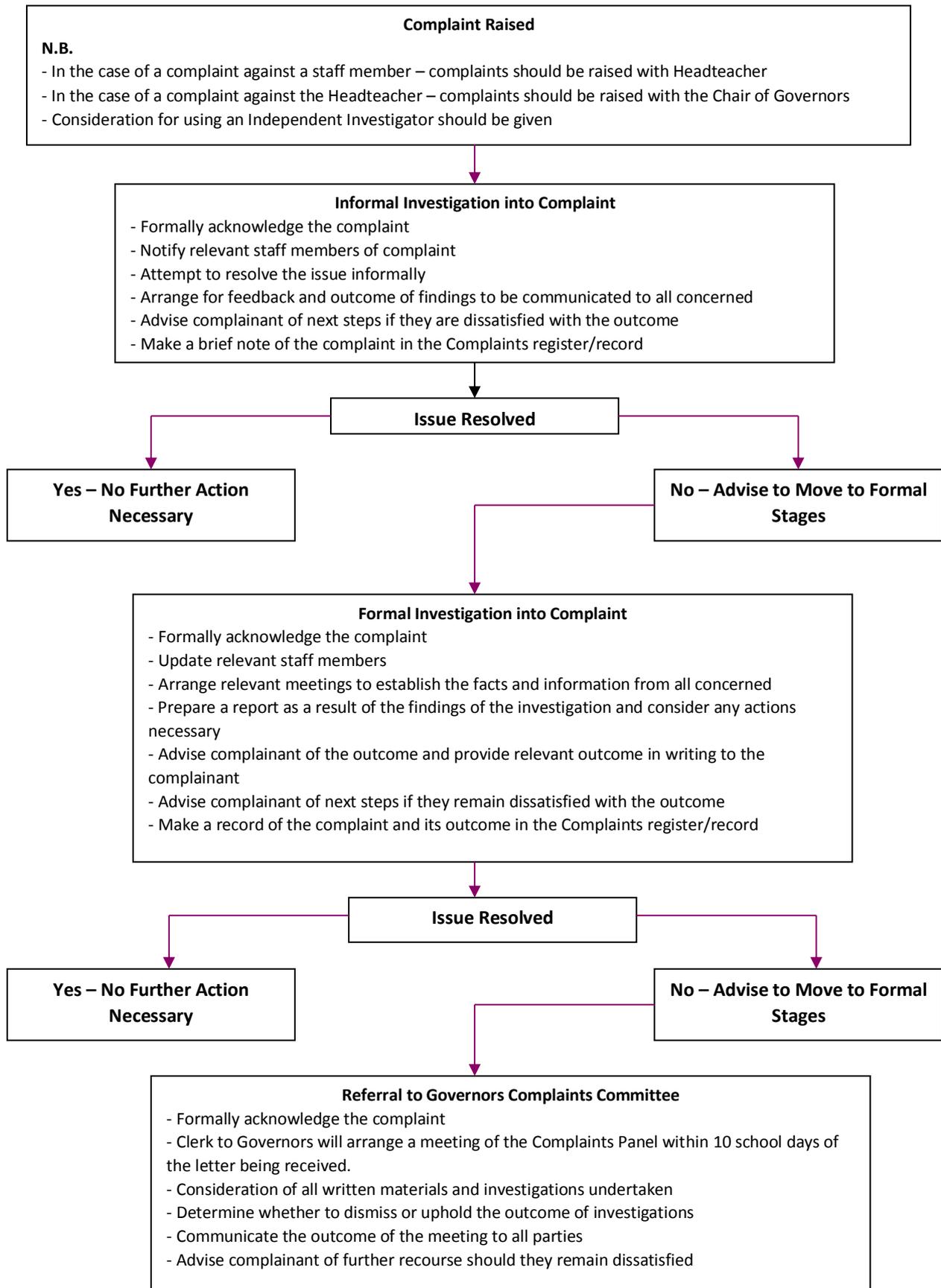
5.1 To the Secretary of State for Education (Schools Only)

With effect from 1st August 2012, Blackpool Councils Education Services has no statutory role in resolving external complaints about the actions of School staff. However, where a complainant feels that a complaint which has not been resolved by the school, in line with Section 45 of the Education Act (2011) the complaint should be addressed to the Secretary of State for Education.

Complaints should be sent to The Secretary of State, Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT. The form to be completed can be accessed at:

<https://www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form>

APPENDIX 1 – COMPLAINTS FLOWCHART



STRICTLY PRIVATE & CONFIDENTIAL

Name
Address

Please ask for:
Telephone No:
Our Ref:
Date:

Dear

Acknowledgment of Complaint Letter

Further to your letter / Pro-forma dated DATE at which you have highlighted some concerns regarding NAME which states XXX (enter brief details of complaint - bullet point if necessary).

In line with section XX paragraph XX, I confirm that the Informal / Formal process (Delete as appropriate) of the Schools Model Policy Complaints Procedure (copy of which is enclosed) will now take place and that NAME will be the Investigating Officer in this matter.

In order to effectively look to resolving your concerns, I would like the opportunity to meet with you to discuss further, therefore, I will be in touch at the soonest opportunity to arrange a mutually convenient time.

Please be reassured that every effort will be made to resolve this situation at the soonest opportunity, however, please do not hesitate to contact should you have a questions.

Yours sincerely

STRICTLY PRIVATE & CONFIDENTIAL

Name
Address

Please ask for:
Telephone No:
Our Ref:
Date:

Dear

Notification of Complaint to Staff Member

I have received a letter of complaint from **NAME** dated **DATE** which highlights concerns about you. Please find enclosed a copy of the letter for your information.

In line with Section 4 (4.1) of the School Model Policy Complaints Procedures (A copy of which is enclosed), as Investigating Officer I will need to meet with you to discuss the concerns raised to establish the facts.

I will contact you at the soonest opportunity in order to arrange a mutually convenient time to meet with you. Please be advised that at any meetings during this process, you have the right to be represented by a colleague or Union official.

Please be aware that all details relating to this situation must be kept confidential. You may discuss the details only with me, Human Resources, your Union Representative or your immediate family.

I appreciate that you may find this situation difficult and therefore I would like to reassure that the Employee Assistant Program (EAP), which offers a confidential advice service, are available for you to contact on 0800 030 5182 . You may also find your Union to be a source of support for you at this time.

Please be reassured that every effort will be made to resolve this situation at the soonest opportunity, however, please do not hesitate to contact should you have a questions.

Yours sincerely

STRICTLY PRIVATE & CONFIDENTIAL

Name
Address

Please ask for:
Telephone No:
Our Ref:
Date:

Dear

Invite to Interview Letter – Informal and Formal Stages

Further to my recent correspondence to you **DATED** in relation to concerns relating to **NAME**.

I can confirm that the details of the concerns outlined in your letter are:

(Give details of the concerns raised – these may be bullet points if necessary)

In line with the procedures, I would like to arrange a meeting with me to discuss this matter further. The meeting will take place on **DATE** at **TIME** at **VENUE**.

Please be aware that I have requested **NAME WHERE APPROPRIATE** to support this meeting and you have the right to bring with you a friend or a Union representative for support. **(Delete Union Representation for external complainant)**

I would be grateful if you could contact me on **TEL NUMBER** to confirm your attendance.

Yours sincerely

STRICTLY PRIVATE & CONFIDENTIAL

Name
Address

Please ask for:
Telephone No:
Our Ref:
Date:

Dear

Letter to Complainant to Invite to Outcome / Feedback of Investigations / Findings

Further to your letter of complaint against **NAME**, **POST TITLE** at **SCHOOL** dated **DATE** and the subsequent investigation that has been carried out by **NAME** supported by **NAME**, **ROLE**, I am now able to provide an outcome for your complaint.

I would like the opportunity to meet with you to discuss this in full and would therefore be grateful if you could contact me at your earliest convenience to arrange a mutually convenient time.

I would like to thank you for your patience during this time and look forward to hearing from you.

Yours sincerely

STRICTLY PRIVATE & CONFIDENTIAL

Name
Address

Please ask for:
Telephone No:
Our Ref:
Date:

Dear

Outcome Confirmation – Informal Stage

Further to our recent meeting and the complaint letter dated DATE, I can confirm the outcome of my investigations.

INSERT KEY DETAILS/POINTS OF FINDINGS

I can confirm therefore that no further action will be taken in this matter
or

I can confirm that appropriate action has been taken in this matter
(DELETE AS NECESSARY)

I do hope that this draws a closure to the matter, however, should you continue to be dissatisfied with this outcome, please be advised that you may bring your concerns to the attention of the Chair of Governors in line with the Formal Stage of the procedure in writing via the Clerk to Governors (**insert Clerks contact details**) within 10 school days of receipt of this letter.

I would like to thank you for your patience during these investigations and for bringing this matter to my attention.

Yours sincerely

STRICTLY PRIVATE & CONFIDENTIAL

Name
Address

Please ask for:
Telephone No:
Our Ref:
Date:

Dear

Outcome Confirmation – Formal Stage

Further to our recent meeting and the complaint letter dated **DATE** and in line with the Formal Stage of the Schools/Academies Model Policy Complaints Procedure, I can confirm the outcome of my formal investigations and have enclosed for your information a copy of the report of findings of my investigations.

I can confirm therefore that no further action will be taken in this matter
or

I can confirm that appropriate action has been taken in this matter
(DELETE AS NECESSARY)

I hope that this draws closure to the matter for you, however, should you continue to be dissatisfied with this outcome, please be advised that you may bring your concerns to the attention of the Governors Complaints Committee in line with the Formal Stages of the procedure in writing via the Clerk to Governors (insert Clerks contact details) within 10 school days of receipt of this letter.

I would like to thank you for your patience during these investigations and for bringing this matter to my attention.

Yours sincerely

APPENDIX 8 – OUTCOME CONFIRMATION TO STAFF MEMBER – INFORMAL AND FORMAL STAGE – NO FURTHER ACTION

STRICTLY PRIVATE & CONFIDENTIAL

Name
Address

Please ask for:
Telephone No:
Our Ref:
Date:

Dear

Outcome Confirmation for Staff – Informal/Formal Stage

Further to our recent meeting and the complaint letter dated **DATE** and in line with the Informal/Formal Stage of the Schools/ Academies Model Policy Complaints Procedure, I can confirm the outcome of my investigations and have enclosed for your information a copy of the report of findings of my investigations.

I am writing to confirm that the investigation has been completed and that the outcome of my investigations has shown that there is no evidence to substantiate the complaint against you. I can therefore confirm that there will be no formal action taken against you.

I hope that this draws closure to the matter for you and I would like to thank you for your patience during these investigations and for bringing this matter to my attention.

Yours sincerely

STRICTLY PRIVATE & CONFIDENTIAL

Name
Address

Please ask for:
Telephone No:
Our Ref:
Date:

Dear

Acknowledgement Letter for Governors Complaints Committee

Further to your letter dated **DATE** at which you have expressed dissatisfaction of the recent investigations carried out by **NAME, POST TITLE** at **SCHOOL**.

In line with section 4 (4.3) of Schools/ Academies Model Policy Complaints Procedure, I confirm that the Governors Complaints Committee Process will now take place.

In order to effectively look to resolving your concerns, a meeting will be arranged and you will receive notification of this in due course.

Please be reassured that every effort will be made to resolve this situation at the soonest opportunity, however, please do not hesitate to contact me should you have any concerns.

Yours sincerely

Clerk to Governors

STRICTLY PRIVATE & CONFIDENTIAL

Name
Address

Please ask for:
Telephone No:
Our Ref:
Date:

Dear

Invite to Meeting Letter – Governors Complaint Committee Stage

Further to the recent correspondence **DATED** in relation to your continued concerns relating to the investigations carried out by **NAME, POST TITLE** at **SCHOOL**.

In line with Section 4 (4.3) of the Schools/ Academies Model Policy Complaints Procedure, I would like to invite to a meeting with the Governors Complaint Committee on **DATE** at **TIME** at **VENUE**.

Please be aware that the Governors supporting this meeting are:
PLEASE LIST GOVS NAMES AND ROLE AS GOVERNORS

Please be aware that I have requested **NAME WHERE APPROPRIATE** to support this meeting and you have the right to bring with you a friend for support.

I would be grateful if you could contact me on **TEL NUMBER** by **DATE** to confirm your attendance. Please be aware however, that should you fail to attend the meeting without first informing me of any reasons, the members of the Governors Complaint Committee will consider whether to proceed with the meeting in your absence.

Yours sincerely

Clerk to Governors

STRICTLY PRIVATE & CONFIDENTIAL

Name
Address

Please ask for:
Telephone No:
Our Ref:
Date:

Dear

Invite to Meeting Letter – Governors Complaint Committee Stage

Further to the recent correspondence from **NAME, DATED** in relation to the continued concerns relating to the investigations carried out by you in relation to the complaint against **NAME**.

In line with Section 4 (4.3) of the Schools/ Academies Model Policy Complaints Procedure, I would like to invite to a meeting with the Governors Complaint Committee on **DATE** at **TIME** at **VENUE**.

Please be aware that the Governors supporting this meeting are:
PLEASE LIST GOVS NAMES AND ROLE AS GOVERNORS

Please be aware that I have requested **NAME WHERE APPROPRIATE** to support this meeting and you have the right to bring with you a friend or a Union representative for support.

I would be grateful if you could contact me on **TEL NUMBER** to confirm your attendance.

Yours sincerely

Clerk to Governors

STRICTLY PRIVATE & CONFIDENTIAL

Name
Address

Please ask for:
Telephone No:
Our Ref:
Date:

Dear

Outcome Confirmation – Governors Complaints Committee Stage

Further to the recent meeting held on **DATE** and in line with Section 4 (4.3) of the Schools / Academies Model Policy Complaints Procedure, I can confirm the outcome of Governors Complaints Committee.

Having considered all the points raised by both yourself and the Headteacher during the meeting and all available information to the meeting, the Governors Complaints Committee have decided that:

Option 1

- 1 - The investigation(s) were conducted properly and reasonably within this procedure
- 2 - The outcome of the investigations was reasonable and appropriate and therefore there is no further action to take and the complaint is upheld

Option 2

- 1 - The investigation(s) were not conducted properly and reasonably within this procedure
- 2 - The outcome of the investigations was not reasonable and appropriate and therefore the Governors have decided to..... INSERT DETAILS

(DELETE AS NECESSARY)

Please be advised that in line with Section 4 (4.3) the decision of the Complaints Panel is Final. However, should you feel this complaint has not been resolved by the school, then you will find details of the further recourse for complaints within section 5 of the procedures.

I would like to thank you for your patience during these investigations and for bringing this matter to our attention.

Yours sincerely

The recommended procedure for hearing the complaint is as follows:

- The complainant and the Headteacher may each be accompanied by a friend or representative from a professional association or trade union. It is not appropriate for Solicitors or representatives of similarly professional environments who are not linked to a Professional Trade Union, to be present at any formal meetings.
- The member of staff against whom the complaint was made, and/or his or her friend or representative, shall be entitled to attend as an observer and will not normally be called as a witness/es.
- The complainant and the Headteacher may request witnesses to be called to provide evidence. Witnesses may be allowed at the discretion of the Committee. Careful consideration must be given to any suggestion that pupils be called to give evidence.
- The Headteacher shall present his/her report, together with any supporting documents, to the Committee on the investigation and any action taken to resolve the complaint.
- The complainant or his/her representative shall be entitled to question the Headteacher and any witnesses.
- The complainant or his/her representative shall be entitled to present his / her case and may submit any supporting documents to the Committee 5 School days before the hearing date.
- The Headteacher or his/her representative shall be entitled to question the complainant and any witnesses.
- At any stage during the hearing the members of the Committee shall be entitled to question the Headteacher, the complainant and any witnesses.
- Any reasonable request for an adjournment should be allowed at the discretion of the Committee Chairman.
- The Headteacher followed by the complainant or his/her representative, shall be allowed to make a closing statement.
- In conclusion, the Headteacher, the member of staff (if present), the complainant and any representatives shall withdraw from the meeting and the Committee shall reach a decision, in private. Advice given by Human Resources, and, in the case of aided schools, by the Diocesan representative, shall be available to the Committee for their consideration.

Governors sitting on the Complaints Panel need to be aware, and have a copy, of the Complaints Procedure.

The Complaints 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.

The Complaints Panel should:

- Consider the complaint in an independent and impartial way and must be seen to do so.
- Consider the complaint in private and confidentially.
- Seek to resolve the complaint and achieve reconciliation between the school and the complainant.
- Recognise the complainant might not be satisfied with the outcome if it does not find in their favour.
- Establish the facts and make recommendations which will satisfy the complainant that the complaint has been taken seriously.
- Acknowledge that a complainant may feel nervous and inhibited in a formal setting. Also that parents often feel emotional when discussing an issue that affects their child.
- Ensure that the proceedings are as welcoming as possible and that the layout of the room will ensure the setting is informal and not adversarial.
- Take extra care when the complainant is a child, so the child does not feel intimidated.
- Give the views of children equal consideration to those of adults.
- Give the parent(s) of a child the opportunity to say which parts of the hearing, if any, their child needs to attend.

At least 5 School days before the meeting members of the Complaints Panel, the Complainant, Headteacher and supporting representatives should receive the following information:

- A copy of the original complaint
- an outline of any investigation carried out by the Investigation Officer at the Informal Stage
- A copy of the letter sent to the complainant about the outcome at the Informal Stage
- A copy of the letter from the complainant expressing their dissatisfaction with the outcome at Informal Stage
- A copy of the letter to the Chair of Governors or nominated investigating person requesting an investigation at Formal Stage
- An outline of any investigation carried out by the Investigation Officer at Formal Stage
- A copy of the letter sent to the complainant about the outcome at Formal Stage
- A copy of the letter from the complainant expressing their dissatisfaction with the outcome at Formal Stage
- A copy of the letter requesting that the complaint is heard by the Governors Complaints Committee.
- A copy of the Schools current adopted Complaints Procedure

APPENDIX 16 – COMPLAINTS PROFORMA

Please complete and return to (Complaints Co-ordinator) who will acknowledge receipt and explain what action will be taken.

Your Name:
Pupil's Name:
Your Relationship to the Pupil:
Address:
Post Code:
Daytime 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: