



Borden Church of England Primary School

Part of the UNITAS Collaboration

School Lane Borden Sittingbourne Kent ME9 8JS

COMPLAINTS PROCEDURE POLICY 2016

Reviewed	Ratified	Next review
<i>Spring 2016</i>		<i>Spring 2018</i>

<i>Chair of Governors</i>		<i>Executive headteacher</i>	
<i>Signed</i>	<i>date</i>	<i>signed</i>	<i>date</i>

Introduction

This document sets out the school's procedure for addressing complaints. It should be used only when informal attempts to resolve problems have been unsuccessful. If you have any concerns about the school or the education provided, you are encouraged to discuss the matter first with the Executive head teacher at the earliest opportunity. The school considers any concerns very seriously and most problems can be resolved at this stage.

Please note that this procedure does not apply to issues concerning the curriculum, collective worship, admissions, exclusion appeals, decisions about your child's special educational needs or grievances by or against staff. These are the subject of separate procedures, copies of which can be obtained from the school.

Borden CE Primary School is proud of its Christian ethos and its excellent care, guidance and support for children. Our aim is to work alongside parents and carers to maintain good relationships with them. The school has an 'open' policy of communication where parents and carers can arrange to speak with a member of staff and/or the Executive head teacher either at the school gate, or by making an appointment if needed.

All other complaints are handled by the school according to the arrangements set out below.

Aims and Objectives

The school will give careful consideration to all complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

Our Procedure Aims to

- be easily accessible and publicised
- be simple to use and understand
- be impartial
- be non-adversarial

- allow swift handling with established time-limits for action and keeping people informed of the progress
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality, wherever possible (some information sharing may be necessary to carry out a thorough investigation)
- 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 with the Class Teacher, and you wish to have the matter formally investigated, this process begins with the completion of a complaints form, which you will find at the end of this pack. If you would like help completing the form, the school will be happy to provide the assistance of someone unconnected with the complaint. The completed form should be returned to (a) The Executive head teacher if the concern/complaint is under the Executive head teacher's responsibility or (b) The Chair of Governors if the concern/complaint is under the Governing Body's responsibility, (these are indicated below). The complaint form should be returned to the school office, marked Confidential, for the attention of either the Executive head teacher or Chair of Governors as appropriate. The Executive head teacher/Chair of Governors will acknowledge in writing receipt of the complaint form within **three working days** after receiving it and will enclose a copy of the school's complaints procedure with the acknowledgement.

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 Executive head teacher's responsibility and will be investigated by the Executive head teacher. *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 Executive head teacher

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

Stage 2

If the concern/complaint has been investigated by the Executive head teacher, Stage 2 of the formal procedure will begin with the complaint form being passed to the Chairman or nominated complaints governor to review whether the complaint has been properly dealt with (see flow chart D1). If the concern/complaint has been investigated by the Chair, the complaint form passes to the Governing Body (see flow chart D2).

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. You will be notified if this is the case with your complaint, but we will not be able to tell you which procedure or the final outcome.

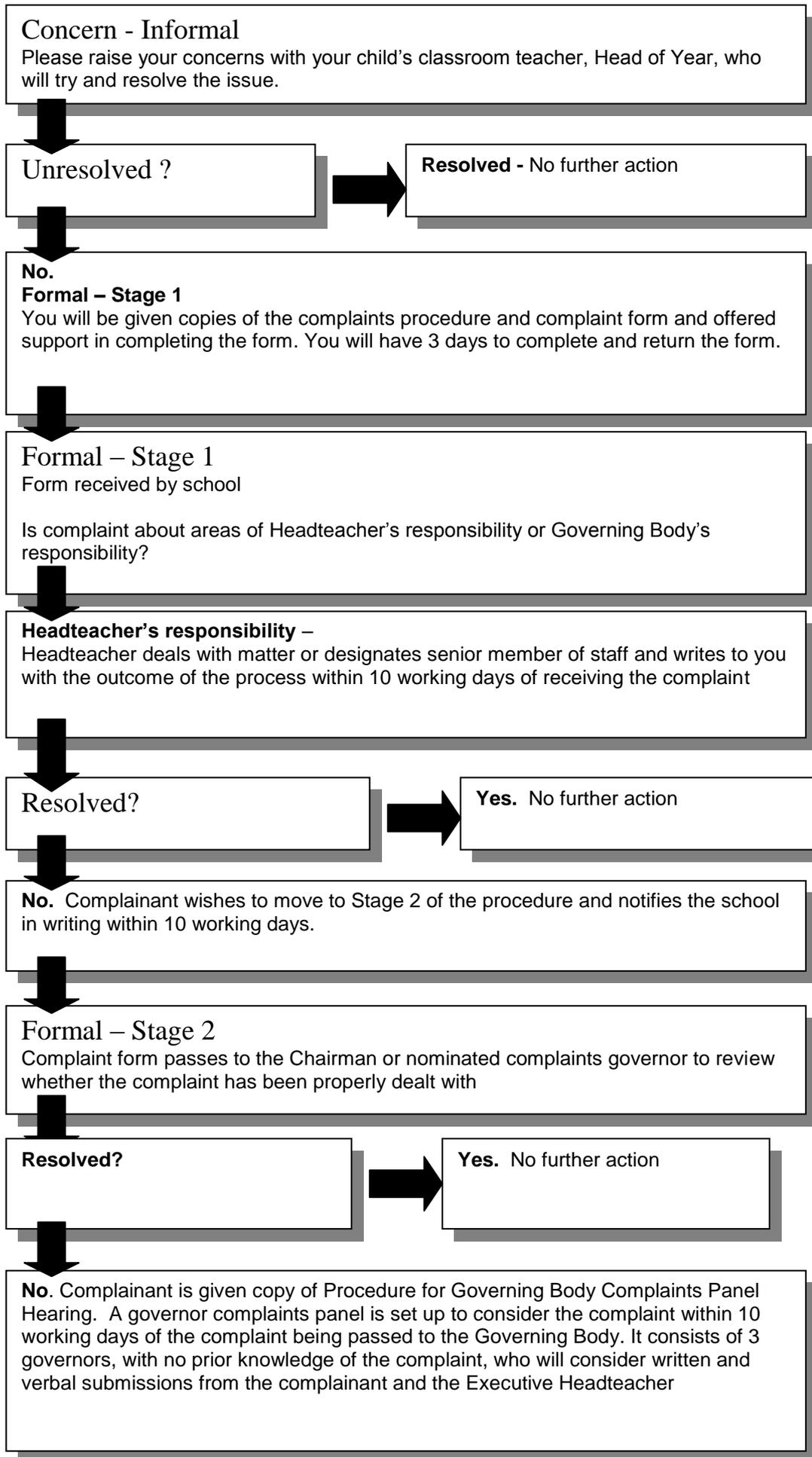
Monitoring and Review

The Governing Body monitors the complaints procedure, in order to ensure that all complaints are handled properly. The Executive head teacher 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 and is also contained on the school's website: www.borden.kent.sch.uk.

D1 Complaint/Concern under Executive head teacher's Responsibility





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

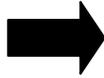
D2 Complaint/Concern under Governing Body's Responsibility

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.

No. Complainant is given copy of the complaint form and offer of support in completing it (See Appendix Two)



Formal – Stage 1

Form received by school

Is complaint about areas of Head Teacher'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)



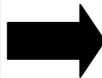
The panel meets to consider the complaint and make a final decision on behalf of the Governing Body.



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

Appendix E

Complaint Form

Please complete the form and return it to the school Office, marked for the confidential attention of the Head of School/Chair of Governors

Your Name

Pupil's Name

Relationship

Address

Postcode

Telephone No.

Please give details of your complaint.

What action if any have already taken to try to resolve your complaint. (Who did you speak to and what was the response)

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

Signature

Date

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

F Model Procedure for conducting 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 Executive 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 Executive head teacher, 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 Executive head teacher may invite members of staff directly involved in matters raised by you to attend the meeting.
8. Witnesses will be invited to the hearing and give statements but withdraw once they have done so.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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 Executive head teacher;
 - you to question the Executive head teacher about the complaint;
 - you to be questioned by the Executive head teacher about the complaint;
 - the panel members to be able to question you and the Executive head teacher;
 - 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 Executive head teacher to make a final statement.
14. 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 Executive head teacher and yourself **within five working days**. All participants other than the panel and the clerk will then leave.
15. The panel will then consider the complaint and all the evidence presented in order to:

- reach 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, policies or procedures to address the issues raised.
16. The Chair of the Panel will send you and the Executive head teacher a written statement outlining the decision of the panel **within five working days**. If you are not satisfied with the outcome you may appeal to the Secretary of State, details of which should be provided in the letter.
17. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.