

Procedures for dealing with general concerns and complaints

SUMMARY FOR STAFF AND PARENTS

In line with the guidance from Essex County Council regarding handling of complaints, we recognise there is a difference between 'concerns' and 'complaints' and will initially treat complaints as concerns that can, and should, be resolved informally. The concern *may* be deemed to become a complaint when:

- It is not possible to resolve it informally
- It involves a serious matter
- It is put into writing

The Chair of Governors is the designated governor for parental complaints who will be involved if the complaint is against the Headteacher or where informal methods of resolution have proved unsuccessful. The designated governor may be involved at a formal or informal level.

The majority of concerns from parents, carers and others are handled under the following general procedures.

The procedure is divided into four stages:

Stage 1: Aims to resolve the concern through informal contact at the appropriate level in school.

Stage 2: Is the first formal stage at which written complaints are considered by the Senior Leadership Group.

Stage 3: Is the second formal stage when written complaints are considered by the Chair of Governors.

Stage 4: Is the next stage once Stage 3 has been worked through. It involves a complaints review panel of governors.

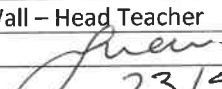
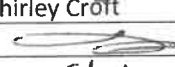
Other sources of information and advice

If your concern is about an aspect of **special needs provision**, which might include information about relevant voluntary organisations and support groups in Essex, you might like to talk to the **SEND information advice and support service helpline**:

SEND information advice and support service helpline

Email: SEND.IASS@essex.gov.uk

Tel: 03330 138913

Reviewing staff member:	Simon Wall – Head Teacher
Approved by reviewing staff member:	
Date Approved:	23/5/23
Reviewing governor:	Shirley Croft
Approved by reviewing governor:	
Date Approved:	6/6/2023
Next review date:	Summer 2025

Complainants do of course have the right to seek legal advice from a solicitor or from such organisations as the Corams Children's Legal Centre.

Head Office: Coram Children's Legal Centre, Riverside Office Centre, Century House North, North Station Road, Colchester, CO1 1RE. Tel: 01206 714 650 Fax: 01206 714 660 E-mail: info@coramclc.org.uk

PLEASE NOTE THAT THIS NUMBER IS NOT ABLE TO PROVIDE LEGAL ADVICE OR PROVIDE A REFERRAL TO THE CHILD LAW ADVICE SERVICE.

PLEASE FOLLOW THE LINK BELOW FOR THIS SERVICE

<https://childlawadvice.org.uk/>

Stage 1 – Your initial contact with the school

Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's class teacher. They will see you, or contact you by telephone or in writing, as soon as possible after your concern is made known to us. All members of staff know how to refer, if necessary, to the appropriate person with responsibility for particular issues raised by you. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.

1. We will ensure that you are clear what action or monitoring of the situation, if any, has been agreed. We will confirm this in writing to you.
2. We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into your concern.
3. We will discuss with you (usually within ten working days) the progress of our enquiries. You will have the opportunity of asking for the matter to be considered further, once we have responded to your concern.
4. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

Stage 2 - Formal consideration of your complaint

This stage in our procedures deals with written complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined under Stage 1 above.

1. Normally, your written complaint should be addressed to the Senior Leadership Group. If, however, your complaint concerns the Headteacher personally, it should be sent to the school marked "For the attention of the Chair of Governors who is the designated governor for complaints.
2. We will acknowledge your complaint in writing as soon as possible after receiving it. This will be within three working days.
3. We will enclose a copy of these procedures with the acknowledgement.
4. Normally we would expect to respond in full within **ten working days** but if this is not possible, we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
5. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
6. The relevant member of the Senior Leadership Group, or designated governor may also be accompanied by a suitable person if they wish.
7. Following the meeting, the relevant member of the Senior Leadership Group or governor will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, where appropriate, we will talk to the pupil concerned and, if necessary, others present at the time of the incident in question.
8. Where appropriate we will talk to pupils with a parent or carer present unless this would delay the investigation of a serious or urgent complaint. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.

9. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
10. The relevant member of the Senior Leadership Group or designated governor will keep written/typed, signed, and dated records of all meetings and telephone conversations, and other related documentation.
11. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give a full explanation of the relevant member of the Senior Leadership Group's / designated governor's decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.
12. The person investigating your complaint may decide that we have done all we can to resolve the complaint, in which case we may use our discretion to close the complaint at this point. Please see the next page for further information about this process.
13. If we do not close the complaint after Stage 2, you may wish to proceed to Stage 3, as described below.

Closure of complaints

- Very occasionally, a school and/or the LA will feel that it needs, regretfully, to close a complaint even though the complainant is still dissatisfied.
- We, and the LA, will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree" and moving on from there.
- If a complainant persists in making representations to the school – the relevant member of the Senior Leadership Group, designated governor, or anyone else – or to the LA, this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care. For this reason, **we reserve the right to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint.**
- The LA will support us in this position, and especially where the complainant's action is causing distress to staff and/or pupils.
- In exceptional circumstances, closure may occur before a complaint has reached Stage 3 of the procedures described in this document. This is because a complaints panel takes considerable time and effort to set up and we must be confident that it is likely to assist the process of investigating the complaint.
- The Chair of Governors may decide, therefore, that every reasonable action has been undertaken to resolve the complaint and that a complaints review panel would not help to move things forward.
- This does not, of course, prevent you from referring your complaint to the LA for a review of the way it has been handled.

Stage 3 - Consideration by a complaints review panel

- If your concern has already been through Stages 1 and 2 and you are not happy with the outcome, we may agree to set up a complaints review panel to consider it. This is a formal process, and your ultimate recourse at school level. The Chair of Governors has discretion to agree to this form of meeting where he or she feels it would be helpful in resolving the complaint.

The purpose of this arrangement is to give your complaint a hearing in front of a panel of governors who have **no prior knowledge of the details of the complaint** and who can, therefore, consider it without prejudice.

- The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations, which will reassure you that we have taken your complaint seriously.

The **complaints review panel** operates according to the following formal procedures:

1. The clerk to the governing body will aim to arrange for the panel meeting to take place within **20 working days**.
2. The clerk 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 relevant member of the Senior Leadership Group 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 clerk will inform you, the relevant member of the Senior Leadership Group, 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 clerk 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 will explain what will happen at the panel meeting and the clerk 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 relevant member of the Senior Leadership Group 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 to 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 relevant member of the Senior Leadership Group;
 - You to question the relevant member of the Senior Leadership Group about the complaint;
 - You to be questioned by the relevant member of the Senior Leadership Group about the complaint;
 - The panel members to be able to question you and the relevant member of the Senior Leadership Group;
 - 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 relevant member of the Senior Leadership Group 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 head teacher and yourself **within two weeks**. 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. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

