

Complaints Procedure 2018-2019



TORRIDON PRIMARY SCHOOL

COMPLAINTS PROCEDURE

INTRODUCTION

At Torridon Primary School we are committed to providing the best education for the pupils in our care and in doing so we recognise the importance of establishing and maintaining good relationships with parents, carers and the wider community. We are aware that there may be occasions where people have concerns or complaints and we would ask that any such issues are brought to our attention in order to be addressed as quickly as possible.

Not all concerns are complaints. A concern is an issue raised by a parent, pupil or other person that is resolved quickly and informally. Most concerns can be resolved by the person to whom the concern is addressed in an informal manner.

We would encourage any parent / carer who has not received a satisfactory response at this point to ask for an appointment with the Headteacher. Ideally, no concern should become a formal complaint.

Occasionally, a concern may be too serious to be handled in this way, perhaps needing greater investigation; or the person concerned may feel that the answers provided have not been acceptable or adequate. In such circumstances the concern may become a complaint. This document outlines the procedure that should be followed in such cases.

GENERAL PRINCIPLES

To allow for a proper investigation, complaints should be brought to the attention of the school as soon as possible. In general any matter raised more than 3 months after the event being complained of will not be considered.

An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances.

PROCEDURES

There are four potential stages to the complaints procedure:

Stage 1	Informal complaint heard by staff member or Headteacher
Stage 2	Formal complaint heard by Headteacher
Stage 3	Formal complaint heard by Chair of Governors
Stage 4	Formal complaint heard by Governing Body's complaints appeal panel

1) Informal Stage

The complainant is normally expected to communicate directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment. Many issues can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage.

It may be appropriate for serious concerns to be addressed to the Headteacher. In these cases every effort will be made to resolve the situation informally. Any unreasonable refusal to attempt an informal resolution may result in the procedure being terminated forthwith.

2) Formal Stage by Headteacher

If the complaint is not resolved at the informal stage the complainant must put the complaint in writing and pass it to the Headteacher, who will be responsible for its investigation. The complainant should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents.

Where the school receives a formal complaint, it should be acknowledged within 24 hours and a commitment made that the complaint will be investigated and the outcome of the investigation notified to the complainant within a week.

The member of staff against whom the complaint has been received, should be notified that a complaint has been received if appropriate, provided with a copy of the complaint and be informed that an investigation will be carried out.

It is essential that there is a clear understanding of the complaint. Where necessary, the Headteacher may meet with the complainant to clarify the complaint, the complainant may wish to be accompanied by a friend at this meeting. It might also be possible for the complaint to be resolved at this time.

The Headteacher will collect such other evidence as is deemed necessary. Where this involves an interview with a member of staff, who is the subject of the complaint, that member of staff may be accompanied by a friend or a professional body representative if they wish.

Where children are potential witnesses, discretion should be exercised over their involvement. Pupils should only be interviewed when the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available. Only in extreme circumstances will younger pupils be interviewed.

The investigation will begin as soon as possible and when it has been concluded, the complainant, and the member of staff concerned, will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- The concern is not substantiated by the evidence
- The concern was substantiated in part or in full. Some details may then be given of action the school may be taking to review procedures etc. but details of the investigation or of any disciplinary procedures will not be released
- The matter has been fully investigated and that appropriate procedures are being followed, which are strictly confidential (e.g. where staff disciplinary procedures are being followed).

The complainant will be told that consideration of their complaint by the Headteacher is now concluded.

3) Formal Stage by Chair of Governors

If the complainant is not satisfied with the response of the Headteacher or the complaint is about the Headteacher, the complainant should write to the Chair of Governors to request that their complaint be considered further. Such a request must be made in writing within 2 weeks of receiving notice of the outcome from the Headteacher, and include a statement specifying any perceived failures to follow the procedure.

If the complainant considers that the decision of the Headteacher is perverse, or that the Headteacher has acted unreasonably in considering the complaint, then the complainant may bring a complaint against the Headteacher. This will provide an opportunity for the evidence to support such a complaint to be investigated. The Chair of Governors will acknowledge receipt of the complaint within 24 hours and notify the complainant within 2 weeks of the outcome.

The complainant should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, copies of relevant documents etc. In addition the complainant will be invited to meet with the Chair to present oral evidence or to clarify the complaint. The complainant may wish to be accompanied by a friend at this meeting.

The Chair will collect such other evidence as is deemed necessary. This may include the interviewing of witnesses and others who may provide relevant information.

The Headteacher will be provided with a copy of the complaint and any additional evidence presented by the complainant or collected by the Chair. Once there has been an opportunity for this to be considered, the Headteacher will be invited to meet separately with the Chair, in order to present written and oral evidence in response. The Headteacher may be accompanied at this meeting by a friend or professional body representative.

When the investigation has been concluded, the complainant and the Headteacher will be informed in writing of the outcome. The complainant will not be informed of any disciplinary/capability action.

The complainant will be told that consideration of their complaint by the Chair is now concluded.

4) Formal Stage by Governing Body's Complaint Appeal Panel

If the complainant is not satisfied with the manner in which the process has been followed, or considers that the decision of the Chair is perverse, or that the Chair has acted unreasonably in considering the complaint, then the complainant may request that the Governing Body review the handling of the complaint by the Chair. Any such request must be made in writing to the Clerk of Governors within 2 weeks of receiving notice of the outcome from the Chair, and include a statement specifying any perceived failures.

Any review of the process followed by the Headteacher or the Chair shall be conducted by a panel of 3 members of the Governing Body.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

The panel will first receive written evidence from the complainant.

The panel will then invite the Headteacher or the Chair, as appropriate, to make a response to the complaint. The panel may also have access to the records kept of the process followed.

The complainant, and the Headteacher or the Chair, as appropriate, will be informed in writing of the outcome.

This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- The concern is not substantiated by the evidence
- The concern was substantiated in part or in full but that the procedural failure did not affect the outcome significantly so the matter is now closed
- The concern was substantiated in part or in full and the Governing Body will take steps to prevent a recurrence or to rectify the situation (where this is practicable).

NOTES

The complainant is not entitled to access to any details of the investigation except for any statements that may have been provided by their child. Any information relating to the application of disciplinary procedures is strictly confidential.

If a complainant believes that the Governing Body has acted illegally or arbitrarily in handling the complaint, then the complainant may make representations to the Secretary of State for Education.

Policy Date: Updated September 2018
Review Date: October 2019