



## **THE CLARE SCHOOL**

# **PARENTAL COMPLAINTS PROCEDURE**

### **1. Introduction**

From time to time parents and members of the public may express concern or make a complaint either orally or in writing, about some aspect of the conduct/operation of the School, the conduct of the Headteacher, an individual member of staff, the Governing Body or an individual governor. The School will always give serious consideration to concerns and complaints that are brought to its attention. However, anonymous complaints will not normally be considered. In considering concerns or complaints, the School will ensure they are dealt with effectively and with fairness to all parties.

### **2. Listening to your concerns and responding to your complaints**

#### **We care about what you think**

At school we make many decisions every day. We try hard to do our best for all our pupils. Your views help us plan for the future. We like to know when things are going well. We also want parents to tell us about their worries, concerns or complaints as soon as possible. It is much easier for us to sort out a recent problem than something that happened some time ago.

If you are unhappy with the way your child is being treated, or any of our actions or lack of action, please feel able to tell us your concern. We know it can be difficult to question what a school is doing but if you do not tell us what is worrying you, we cannot explain our actions or put things right. Our support and respect for you and your child will not lessen in any way.

### **Our promise to you:**

- We will deal with your concern or complaint honestly and politely
- It will be look into thoroughly, fairly and as quickly as possible.
- We will keep you up-to-date with what we are doing.
- We will apologise if we have made a mistake.
- We will tell you what we are going to do to put things right.

### **3. What to do first**

If you have a concern about anything we do you can tell us by telephone, in person or in writing. If any of these are difficult for you, a friend or adviser can speak to us on your behalf. Most concerns or complaints will be sorted out quickly, either by putting things right or by explaining the school's actions to you.

Try to go to the member of staff involved or your child's form tutor or a member of the Leadership Team who will either deal with your issue or pass you on to someone who is more able to help.

Please remember the beginning or end of the school day can be a very busy time. If you talk to a teacher at these times, for practical reasons, it may not be possible to sort things out there and then. Be ready for the teacher to say she or he will see you or ring you as soon as possible. This is because we want to give your worries the attention they deserve. You should not be asked to wait more than a week and often she or he will discuss things with you much sooner. We hope this will be enough to put things right.

Sometimes the teacher will send you a brief note after the phone call or meeting with details of what we are doing about your concern.

### **4. Making a Complaint**

If you have already told us about a concern but are not satisfied with how we have responded, you may wish to make a complaint.

Our aim is to resolve complaints as quickly and as effectively as possible.

This complaints procedure will tell you exactly what will happen and how long it should all take.

## **5. Stage One - Informal Resolution**

It is hoped that most complaints and concerns will be resolved quickly and informally.

If you have a complaint you should straight away contact your child's Form Tutor/Class Teacher. In many cases, the matter will be resolved straight away by this means, to your satisfaction. If the Form Tutor/Class Teacher cannot resolve the matter alone, it may be necessary for him/her to consult with their Phase Leader who is a member of the Senior Management Team.

Complaints made directly to the Leaders will usually be referred to the relevant Form Tutor/Class Teacher unless the Leader deems it appropriate for him/her to deal with the matter personally.

The Form Tutor/Class Teacher will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within 10 working days or in the event that the Form Tutor/Class Teacher and yourself fail to reach a satisfactory resolution then you will be advised to proceed with your complaint in accordance with Stage Two of this procedure.

If your concern/complaint involves the Head Teacher, you should put your complaint to the Chair of Governors via the school.

## **6. Stage Two - Formal Resolution**

We hope very much that your complaint will be resolved at this informal stage, but if you are still not satisfied, you can complain formally to the Head Teacher. Please try to do this not more than 20 school days after getting a note explaining the teacher's response to your complaint. If we have not heard from you by then, we will assume that you do not want to take things any further. If the Head Teacher has already been involved you can complain formally to the Chair of Governors.

At the formal stage, the Head Teacher (or Chair of Governors, if appropriate) will fully investigate if necessary and arrange to discuss your complaint with you, and then send you a letter with an explanation of the actions the School will take.

In most cases the Head Teacher will speak to the parents concerned to discuss the matter, normally within 48 hours of receiving the complaint. If possible, a resolution will be reached at this stage.

It may be necessary for the Head Teacher to carry out further investigations.

The Head Teacher will keep written records of all meetings and interviews held in relation to the complaint.

Once the Head Teacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Head Teacher will also give reasons for his decision.

Generally complaints are sorted out at the informal or formal stages, but occasionally complainants still feel dissatisfied and if so, have a right to appeal against the outcome of the formal stage to the Complaints Appeals Committee of the Governing Body (Stage 3).

## **7. Stage Three - Panel Hearing**

If you are not happy with the outcome of the formal stage you must let us know not more than 20 school days after getting a letter from the Head Teacher explaining the school's response to your complaint, that you wish to go to the next stage. If the Clerk of Governors has not heard from you by then, we will assume that you do not want to take things any further.

Arrangements for a meeting of the Complaints Appeals Committee will be made by the Clerk to the Governors.

The matter will then be referred to the Complaints Panel for consideration (advice on running the meeting is attached - Annex A). The panel will consist of at least three people not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the school. Each of the Panel members shall be appointed by the board of Governors on behalf of the Panel. The Convenor will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 28 days. Copies of the complaint should be provided by the parents via the Clerk of the Governing Body at the school to all members of the sub-committee, the Head Teacher and the Senior Education Officer dealing with complaints at County Hall seven days in advance of the meeting. The sub-committee

should not include the Chair of Governors if he/she has been involved at earlier attempts to resolve the complaint but obviously they can contribute to the meeting as a “key” person. (see Annex A).

If the panel deems it necessary it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than five days prior to the hearing.

The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend or if they feel necessary, legal representation.

If possible the Panel will resolve the parents’ complaint immediately without the need for further investigation.

Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within 14 days of the Hearing. The Panel will write to the parents informing them of its decision and the reasons for it. The Panel’s findings and, if any, recommendations will be sent in writing to the parents, the Head Teacher, the Governors and, where relevant, the individual/s concerned in the complaint.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by paragraph 6(2)(j) of the Education (Independent School Standards) (England) Regulations 2003; by the Secretary of State for Education or where disclosure is required in the course of the school’s inspection or under other legal authority.

## **8. Further Stages**

This complaints procedure does not include a further appeal to the Local Authority, but complainants who remain unsatisfied with the outcome may refer the complaint to the Secretary of State for Education. Parents may refer certain complaints to Her Majesty’s Chief Inspector of Schools.

9. We keep copies of all correspondence about concerns and complaints. These will be treated with the utmost confidence. You and your child have a legal right to have a copy of your child’s school records.

10. All formal complaints are reported in general terms to the School's Governing Body to enable the School to learn from them.

**11. Withdrawal of a complaint**

If the complainant wishes to withdraw their complaint, they will be asked to confirm this in writing.

**Footnotes to Complaints Procedure**

In the event that a complaint involves or relates to a teacher, then the teacher will be kept fully informed in writing of the procedure being adopted in relation to the management of the complaint and supplied with copies of all documentation.

In the event of a panel hearing, the teacher will have the right to make representation to the panel.

The Governor with responsibility for the Safeguarding Children procedures will, as a matter of course, produce an annual report on the school's effectiveness and compliance with child protection issues and such issues will be an item on the agenda of a formal Governors' meeting.

**Parental Complaints Procedure  
Guidance Notes for Parents**

**1. What is a concern or complaint?**

A concern or complaint is defined as an expression of dissatisfaction about the conduct/operation of the School, the conduct of, actions or lack of actions by a member of staff/the Governing Body/an individual governor, unacceptable delay in dealing with a matter or the unreasonable treatment of a pupil or other person.

Concerns or complaints relating to any of the following are not covered by these procedure, as separate procedures apply.

Child protection  
Collective worship  
Freedom of Information  
Functions of the County Council

Curriculum  
Pupil Exclusions  
School Admissions  
Services provided by other organisations on the school site or through the school  
Sex Education  
Staff grievance  
Special Education Need and/or Disability  
Whistle blowing by an employee

Serious complaints or allegations relating to the abuse of children, assault, criminal or financial matters are also subject to separate procedures.

### **Making complaints**

If you have a concern about anything we do you can tell us by telephone, in person or in writing. Most concerns or complaints will be sorted out quickly, either by putting things right or by explaining the school's actions to you. Try to go to the member of staff involved who will either deal with your issue or pass you onto someone else who is more able to help.

If you have already told us about a concern but are not satisfied with how we have responded, you may wish to make a complaint.

If the complaint is about:

- something that has happened or failed to happen in school - contact the Head Teacher;
- the actions of the Head Teacher - 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 the Governors via the school;
- the actions of the Governing Body - contact the Clerk to the Governors via the school.

The school, as required by law, has a complaints procedure which will be followed in all cases. A copy will be provided, if you make a request to The School Office.

The School and Governing Body would, in most cases, hope to resolve concerns and complaints at an informal stage, but the procedures allow for formal consideration of a complaint and an appeal stage if matters cannot be resolved.

The school is committed to dealing with complaints as speedily as possible and would plan to complete each stage in 20 school days. From time to time, it may not be possible to complete the process in that timescale. Where that is not possible you will be informed of any delays in responding.

Where complaints are made against individual school staff, that person will be informed of the complaint at the earliest opportunity.

## **The Complaints Procedures**

### **Informal Stage**

The school hopes that concerns and complaints can be resolved informally with the member of staff or governor concerned and encourages the complainant to discuss the matters causing them concern. However, if that does not resolve the problem then the matter should be brought to the attention of the Head Teacher (complaints and concerns about Governors should be made to the Chair of Governors).

The Head Teacher (Chair of Governors) will then seek to resolve the matter informally and will:

- acknowledge the complaint;
- make enquiries to establish the facts;
- seek advice as appropriate;
- attempt to resolve the matter informally;
- establish whether or not the complainant is satisfied;
- advise complainants of the next stages if they wish to proceed to a formal consideration of the complaint; and
- make a brief note of the complaint and the outcome.

This stage would normally be expected to be completed in 20 school days. Where the complaint has not been resolved to the satisfaction of the complainant the Head Teacher (or Chair of Governors as appropriate) should be informed within 20 school days that the complainant wishes to proceed to the formal stage.



The informal stage will not be used if the allegations made refer to:

- criminal activity which may require the involvement of the police
- financial or accounting irregularities; or abuse of children

### **Formal Stage**

Where an informal complaint has not been resolved to the satisfaction of the complainant or the complainant has indicated they wish to go straight to the formal stage, the Head Teacher (or Chair of Governors as appropriate) 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;
- if the complaint concerns a member of staff (governor) inform them and provide them with a copy of the complaint;
- arrange for a full investigation 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 20 school days; and
- make a record of the complaint and its outcomes, this should be retained for school records

This stage would normally be expected to take no more than 20 school days. The Governing Body should be informed in general terms of all formal complaints.

### **Appeals Stage**

The Complaints Appeals Committee of the Governing Body will consider complaints where the Head Teacher (or Chair of Governors) has not been able to resolve the complaint to the satisfaction of the complainant and the complainant wishes to appeal. Any appeal must be made in writing to the Clerk to the Governing Body (the school will advise the complainant

of the contact details). The Committee will be convened by the Clerk to the Complaints Appeals Committee (Governing Body) and will:

- consider the written materials;
- consider the complaint and the Head Teacher's (Chair's) action;  
and
- seek advice and support as necessary

At the end of their consideration the Committee will;

- determine whether to dismiss or uphold the appeal in whole or part;
- where upheld, decide on appropriate action;
- advise the complainant and the Headteacher of their decision; and
- advise the complainant of any further action they may wish to take if they remain dissatisfied

The Clerk to the Committee will arrange for the School's Complaints Register to be amended to include a brief summary of the complaint and the Complaints Appeals Committee action and for the matter to be reported to the Governing Body.

This stage would normally be expected to take no more than 20 school days.

This Policy is to be revised Autumn Term 2021

Signed ..... *P. John* ..... Headteacher

Date ..... *19/10/17* .....

Signed ..... *R. M. O'Connell* ..... Deputy Headteacher

Date ..... *19.10.17* .....

**Annex A**  
**Procedure to be adopted by a Governors' Sub-Committee**  
**hearing a complaint**

The meeting is not a Court.

The complainant and any person being complained about should not be present at the same time.

**Agenda**

1. Chairman of Panel welcomes Parent(s) and explains order of the meeting.
2. Parent to present the complaint.
3. Governors to have the opportunity to ask questions of Parent(s) and seek clarification of any points.
4. Parent(s) to have opportunity to add points and make any further comments.
5. Parent leaves meeting.
6. Governors to ask Headteacher and any other "key" persons involved to join meeting.
7. Governors to ask Headteacher and any other "key" persons to comment on the complaint.
8. Governors ask questions and seek clarification of any points.
9. Headteacher or other "key" person given opportunity to add points and make any further comments.
10. Headteacher and other persons to leave meeting.
11. Governors consider and agree response to complaint.

## Annex B

### COMPLAINT FORM

Please complete and return to The Headteacher who will explain what action will be taken

Name:
Address:
Postcode:
Daytime/evening telephone number:
E-mail address:
Pupil's name:
Please give details of your complaint:
What action, if any, have you already taken to try and resolve your complaint?

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

**Annex B**

**COMPLAINT FORM**

Are you attaching any paperwork? If so, please give details

Signature:

Date:

**OFFICIAL USE:**

Date acknowledgement sent:

By:

Complaint referred to:

Date:

**Annex C**

**RESPONSE FORM**

STAFF DEALING WITH COMPLAINT : .....

.....

ACTION TAKEN:

DATE: .....

OUTCOME:

COMPLAINANT SATISFIED: YES/NO

COMPLAINT JUSTIFIED: YES/NO