

DURDAN'S PARK PRIMARY SCHOOL POLICY AND PROCEDURES FOR DEALING WITH PARENTAL COMPLAINTS

Reviewed: Jan 2010

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1.0 Introduction

1.1 This document establishes the framework within which complaints by parents will be addressed and the philosophy underpinning the framework.

2.0 Definition of a complaint

2.1 A complaint is an expression of significant dissatisfaction, however made, by a person or persons with a legitimate interest in the school but not employed in the school about the conduct, actions or omissions of members of staff employed at the school or about the standard of teaching of members of the teaching staff.

2.2 Complaints may be written or verbal. It is not always appropriate to ask for complaints to be put in writing as this might unnecessarily formalise the situation, resulting in the involved parties taking more defensive or entrenched positions thus making the conflict more difficult to resolve.

2.3 When an anonymous complaint is made it will be left to the Head Teacher's discretion to decide whether the gravity of the complaint warrants any further action.

3.0 Responsibility of the School

3.1 The Articles of Government for all county schools state that "the conduct of the school shall be under the discretion of the Governing Body" and that "the Head Teacher is responsible for the internal organisation and management of the school."

Complaints Procedures

This makes the Head Teacher responsible for investigating complaints in the first instance and, if appropriate, referring complaints to members of staff to deal with.

- 3.2 While emphasis is placed upon the informal resolution of complaints, the *Governing Body* may be called upon to consider, resolve or adjudicate if complaints are referred to them by the Head Teacher or by a complainant who is not satisfied with the result of the informal process.

4.0 Values underpinning the process

- 4.1 Children learn best if there is an effective partnership between school staff and parents.
- 4.2 All members of the school community are entitled to have their point of view heard.
- 4.3 Unresolved complaints might result in unhealthy conflict.

5.0 Aims

- 5.1 To enhance the school mission by giving due consideration to the complaints of parents.
- 5.2 To ensure that all complaints are considered fully, fairly, carefully and confidentially.
- 5.3 To resolve complaints to the satisfaction of the complainant or to issue a clear decision which will enable the complainant, the Head Teacher or the *Governing Body* to consider how, if at all, the matter should be taken further.

THE PROCESS

6.0 Introduction

- 6.1 It is important to bear in mind that every expression of concern is not a complaint. Discretion needs to be applied in determining

Complaints Procedures

whether action, over and above the normal day by day discussions on parental concerns, is needed. All senior members of staff are expected to exercise such discretion before referring matters to the Head Teacher.

- 6.2 Problems and expressions of concern should be dealt with, as far as possible, at the point of first contact. Continued dissatisfaction on the part of the parent/carer, indicates a need for upward referral.

7.0 Informal Stage

- 7.1 Complaints will be dealt with promptly, thoroughly and, in the first instance, on an informal basis.
- 7.2 Complaints should be dealt with at the most appropriate level. This will be determined by the nature and seriousness of the complaint. Under no circumstances should teachers below the level of team leader become involved in a discussion about the professional performance of a colleague. Where a member of staff feels that there should be upward referral of complaints the referral structure is given below. In the event of a complaint being made to a member of the Chair of Governors so that an attempt can be made to resolve the matter informally. Governors must not prejudice themselves by discussing the complaint as this would prevent them participating in a panel at a later stage.

Referral structure:

Class Teacher
Team Leader
Deputy Head Teacher
Head Teacher

- 7.3 On occasions it will be appropriate to by-pass levels in the referral structure.
- 7.4 When a complaint is made to Head Teacher, she may decide to deal with it or to refer it to an appropriate level in the structure. When the Head has asked a colleague to deal with a complaint, feedback should be given to the Head Teacher.

- 7.5 When a teacher other than the Head Teacher receives a complaint (as opposed to an expression of concern) and deals with it, the Head Teacher should be notified of the complaint and how it was resolved.
- 7.6 If a matter remains unresolved despite the involvement of the Head Teacher, the Head Teacher will ask the Chair of Governors to act as a facilitator who may seek the advice of appropriate officers of the LEA before initiating formal procedures.
- 7.7 If informal channels have been exhausted and there is still dissatisfaction, the complainant should be made aware of how formal procedures can be initiated.

8.0 Possible outcomes at the informal stage

- 8.1 When informal procedures have been exhausted, complainants should be informed clearly by the Head Teacher that:
- 1) the matter about which they complained has been dealt with appropriately by staff within the context of school policies and procedures.
 - 2) the complaint has been found by the Head Teacher to be valid and that the Head Teacher:
 - 1) within her responsibility for overall internal management of the school will take appropriate action.
 - 2) will refer the matter to the Governing Body for their consideration.

9.0 Complaints made to the Governing Body

- 9.1 In the event of a complaint being received directly by the Governing Body from a parent or another, governors should have regard to the following:
- 9.2 Any complaint to the Governing Body or a member thereof should be passed to the Head Teacher for investigation. The Head Teacher, if she has not already done so, should follow the informal procedure outlined above to attempt to resolve the matter and report the

Complaints Procedures

outcome to the complainant and details of action taken to the Chair of Governors.

- 9.3 If the Chair of the Governing Body is satisfied that the informal procedures have been exhausted and the complaint is still not resolved, s/he may, after further discussion with the Head Teacher, decide to initiate the formal procedure.
- 9.4 In the event of the complaint being about the Head Teacher, the Chair of the Governing Body will inform the Head Teacher of the complaint and then attempt through an informal approach to resolve the matter.
- 9.5 The complainant will be advised of the Chair's conclusions as is appropriate in the spirit of Section 8 above.

10.0 The formal procedure

- 10.1 If informal attempts to settle the complaint have failed to satisfy the complainant, s/he should set out the complaint fully in writing and submit this to the Chair of the Governing Body. Where this is not possible because of literacy or second language considerations, the complaint should be made verbally and, where necessary, arrangements for interpretation should be made.
- 10.2 Receipt of complaint will be acknowledged in writing by the Chair of the Governing Body, the Vice Chair if the Chair is not available or the Clerk.

A copy of the complaints procedure will be enclosed with the acknowledgement.
- 10.3 The Governing Body will arrange for the complaint to be heard by a panel of three Governors who have not had involvement with the matter at an earlier stage. This panel should be set up at a properly convened meeting of the full Governing Body. The panel will, where possible, reflect a cross section of Governors, who have no direct interest or involvement in the case.
- 10.4 The Panel will be provided with copies of the complaint and all other

Complaints Procedures

relevant documentation.

- 10.5 At least five working days notice of the hearing by the panel will be given to all concerned.
- 10.6 All parties involved in the dispute may be accompanied, if desired, by a friend, representative or an interpreter and may call witnesses.
- 10.7 The Head Teacher (or the Chair of Governors if the complaint is against the Head Teacher) will explain what has already been done to attempt to resolve the complaint and the outcome of any investigation. Then:-
 - 1) The complainant will present his or her case and call any witnesses;
 - 2) The panel and Head Teacher will have an opportunity to question the complainant and witnesses;
 - 3) The Head Teacher will have the opportunity to respond to the complainant and to call witnesses if appropriate;
 - 4) The panel and the complainant will have the opportunity to question the Head Teacher and witnesses;
 - 5) Both the complainant and the Head Teacher will summarise their positions;
 - 6) All but the members of the panel will withdraw while a panel decision is reached.
- 10.8 When the evidence has been fully considered and a decision made, the Panel will notify in writing the complainant and the Head Teacher of the outcome, giving an explanation of the conclusions, the reason for it, and any action taken, including details of any request made of those complained against to take particular actions in respect of the complaint. This will be done as quickly as possible but within a maximum of five working days.
- 10.9 The Governing Body should be informed at their next meeting that a complaint has been received and dealt with. Details should not be

Complaints Procedures

divulged to the full Governing Body as to do so would violate confidentiality.

11.0 Appeals

- 11.1 If the complainant is not satisfied by the outcome of the Governing Body Panel investigation and the complaint is covered by section 23 of the Education Reform Act 1988, they should be advised of their right to appeal to the LEA. Otherwise appeals will not be considered.