

**St Ippolyts C.E. (VA) Primary School**



# **Complaints Policy**

Based on HfL Guidance

**February 2017**



## **1. Purpose of this policy**

This policy outlines how parents or carers of children attending St Ippolyts School can complain to the school, and the way in which the school will respond. It also gives details of how parents or carers can complain, in some circumstances, to the local authority or the Department for Education if they are unsatisfied with the school's response.

## **2. General principles of complaints**

St Ippolyts School's complaints procedure aims to:

- encourage resolution of problems by **informal** means wherever possible;
- be easily **accessible** and **publicised**;
- be **simple** to understand and use;
- 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**;
- address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
- provide **information** to the school's Senior Management Team so that services can be improved.

## **3. An overview of the complaints system**

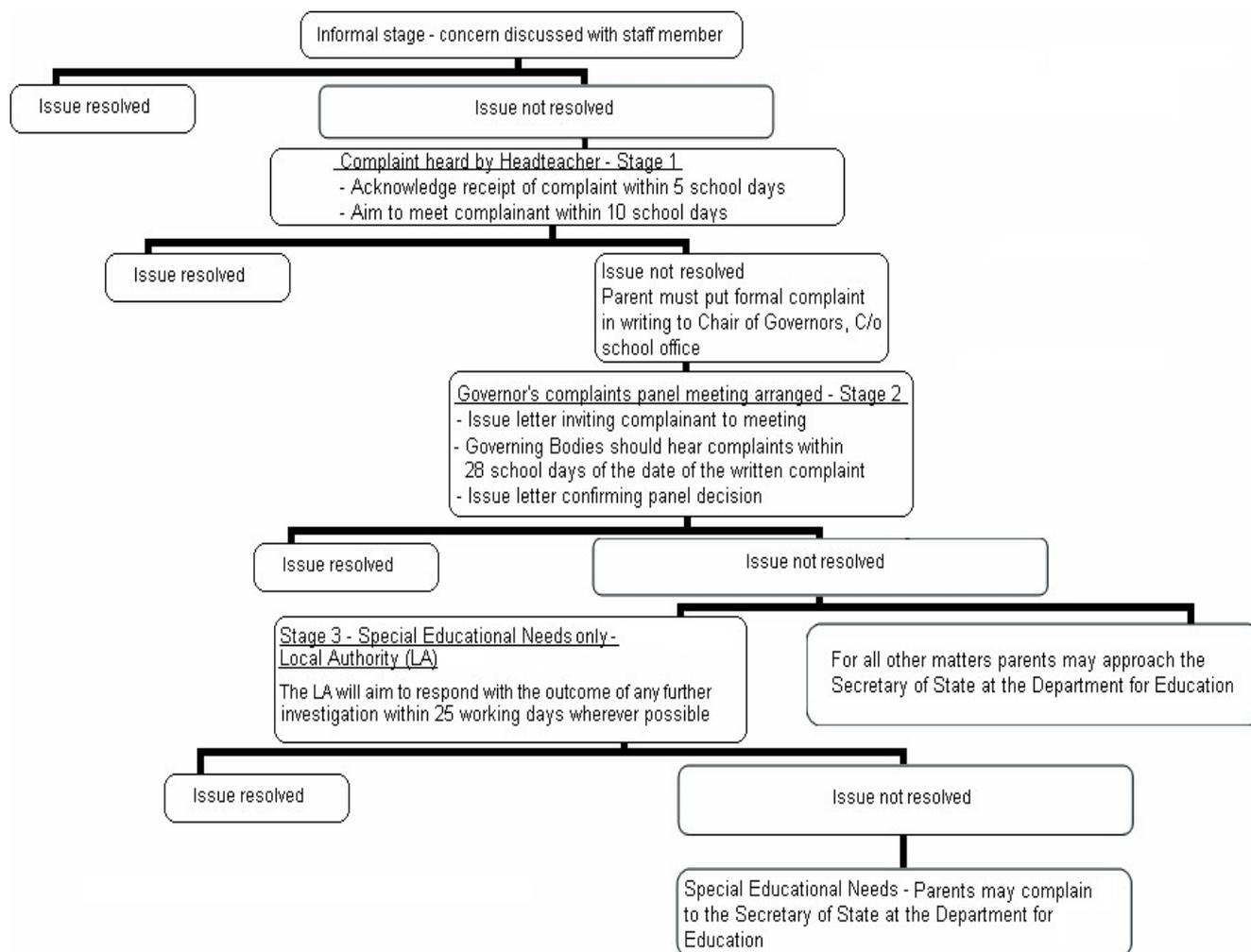
3.1 St Ippolyts School's underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. In most cases the class teacher or the Special Educational Needs Coordinator (SENCo), will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

3.2 Formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

3.3 St Ippolyts School's formal complaints procedure allows a complaint to the Headteacher and, if parents are unsatisfied with the response, a complaint to the Governing Body. Parents unsatisfied with the Governing Body's response may

complain to the local authority if the complaint is about special educational needs; if unsatisfied with the local authority's response, or the Governing Body's response concerning other matters, parents may complain to the Secretary of State.

### Flowchart - Summary of Dealing with Complaints



## 4. Dealing with complaints in school

4.1 In the first instance, parents should raise concerns with their child's class teacher, or the SENCo if the issue relates to special educational needs or disability. Parents may do this via the school office. The class teacher or SENCo will acknowledge parents' concerns within 5 school days and if necessary, arrange to meet them within 10 school days.

4.2 If parents are not satisfied with the way in which the concern has been dealt with by the class teacher or SENCo, they may complain to the Headteacher, who they can contact via the school office.

The Headteacher will acknowledge parents' concerns within 5 school days and if necessary, arrange to meet them within 10 school days.

4.3 If parents are not satisfied with the way in which the complaint has been dealt with by the Headteacher, they may make a formal complaint to the Governing Body by writing to the Chair of Governors, via the school office. A complaints form is available at the end of this policy, which parents may choose to use to make a formal complaint. The complaint will then be dealt with as follows:

(a) The Chair of Governors will acknowledge receipt of the complaint within 10 school days.

(b) The Chair of Governors will arrange for the complaint to be investigated and considered under the arrangements approved by the governors for this purpose within 28 school days of the written complaint being received. If this is not possible Parents need to be given the reasons for the delay and to be kept informed of progress. This will usually involve a panel of governors appointed to act on behalf of the Governing Body.

(c) In the case of special educational needs complaints, the Chair of Governors will inform the local authority's Complaints Manager.

(d) If the Chair of Governors, or other governors, have been involved in earlier discussions to try and help settle the disagreement, then arrangements will be made for another Governor with no prior involvement to take charge of the investigation and consideration of the complaint.

(e) Parents will be provided with full details of how the Governors Complaint Panel will conduct the further investigation. A formal hearing will usually be arranged as this is the best way for, parents, the Headteacher and staff to be satisfied they have had a proper opportunity to be listened to by governors.

(f) Parents may be offered an opportunity to talk a Governor who does not sit on the panel about the complaint in the course of the investigation, prior to the complaint hearing. This might clarify the outstanding matters of complaint which remain unresolved and what outcome is sought by the complainant.

(g) At any meeting parents may be accompanied by a friend or representative who may speak on their behalf. Parents may also bring an interpreter.

- (h) Any member of staff required by governors to attend any meeting or the hearing will have the opportunity to be accompanied or represented.
- (i) A member of staff named by parents in the complaint may also choose to attend even if not required to do so by governors and may be represented.
- (j) The Chair of the Panel may invite to the meeting any person who may help establish the facts of the complaint.
- (k) Everyone will be informed in advance of the order of proceedings for complaint hearings, who is expected to attend and whether they expect to be represented.
- (l) Everyone attending the hearing should make available to the Panel, in advance, any written information they intend to use in the formal hearing.
- (m) When the complaint has been fully investigated and any hearing has taken place, parents will be notified of the findings in writing by the Chair of the Panel hearing the complaint or the Governor responsible for the investigation within 5 school days of the hearing date.
- (n) The report, with findings, will, at the same time, be published to the Governing Body as a confidential item and will, in addition, include any recommendations. A meeting of the Governing Body must accept the findings but can accept, reject or reject in part, the recommendations. Personal details will not be disclosed, but an outline of the complaint hearing and findings will be given.
- (o) The Chair of Governors will write to the Parents to confirm any actions agreed by the Governing Body. Any agreed actions must be implemented by whoever it applies to - this could be the Governing Body as well as the Headteacher. Parents will also be informed whether and how they can take their complaint further.
- (p) A copy of the report will be sent to the Headteacher and the local authority's Complaints Manager in the case of a Special Educational Needs complaint, where there is a right in law to a third stage of complaint to the County Council.

## **5. Dealing with complaints outside of school**

5.1 It parents remain dissatisfied following the outcome of the consideration of the complaint by the relevant panel of governors, and wish to take their complaint

further, they must do so within 28 days of receiving the written outcome of the hearing. After 28 days, neither the school nor the Local Authority (where appropriate) are under any obligation to investigate or progress the complaint any further.

5.2 Complaints about the way that St Ippolyts School provides for a child's special educational needs may be made in writing to the local authority's Complaints Manager as follows:

Complaints Manager, Children's Services  
Customer Service Team, Room 164  
Hertfordshire County Council  
County Hall, Pegs Lane  
Hertford  
SG13 8DF  
[cs.complaints@hertfordshire.gov.uk](mailto:cs.complaints@hertfordshire.gov.uk)  
Telephone: 01992 588542

5.3 The Complaints Manager will acknowledge the letter and will notify the Chair of Governors and the Headteacher. The Complaints Manager will arrange for the complaint to be investigated. The investigator will seek the comments of the Governing Body and any other information or advice as necessary.

5.4 When the complaint has been fully investigated and considered the Complaints Manager will notify Parents of the outcome in writing, giving the reasons for it, any action or proposed action to be taken and the further recourse available. A copy of this will be sent to the Headteacher, the Chair of Governors and to anyone else concerned in the investigation.

5.5 Parents who remain dissatisfied following further investigation of their special educational needs complaint by the Local Authority have the right to complain to the Secretary of State who may decide to conduct an additional investigation.

5.6 Parents have the right to complain to the Secretary of State at the Department for Education (under the Education Act 1996), if they believe that the Governing Body or the local authority is acting or proposing to act unreasonably (section 496), or is failing to carry out a statutory duty (section 497). This means that the local authority or the Governing Body is acting outside its powers, or misusing them.

The Secretary of State will then contact the Governing Body or local authority for information. The contact details for the Secretary of State are as follows:

The Secretary of State  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT  
Telephone: 0870 000 2288

## **6. Investigating complaints**

At each stage, a person investigating a complaint within the school will make sure that they:

- establish **what** has happened so far, and **who** has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interviews with an open mind and be prepared to persist in the questioning;
- keep notes of the interviews.

## **7. Resolving Complaints**

7.1 A person investigating a complaint within the school will identify areas of agreement between the parties and will try to clarify any misunderstandings that might have occurred.

7.2 Concerns and complaints can be addressed or resolved in a number of different ways. It might be appropriate to offer one or more of the following:

- an acknowledgement that the complaint is valid in whole or in part.
- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

7.3 Parents will be encouraged to state what actions they feel might resolve the problem at any stage.

7.4 An admission that the school could have handled the situation better is not the same as an admission of liability.

7.5 There is an entirely separate procedure for schools to follow in dealing with staff disciplinary matters. Therefore, if in the course of considering a complaint the Governing Body or local authority concludes that disciplinary procedures should be initiated, they will take separate action.

## **8. Complaints about individuals or Governing Body decisions**

8.1 Complaints about the class teacher or SENCo should be made to the Headteacher in the first instance.

8.2 Complaints about the Headteacher should be made to the Chair of Governors via the school office. The Chair of Governors will appoint a governor to deal with the complaint informally in the first instance; any appeal will be held by a panel of governors as set out in this procedure, which will not include the governor appointed to deal with the complaint informally.

8.3 Complaints about an individual governor should be made to the Headteacher in the first instance.

8.4 Complaints about decisions made by the Governing Body should be made to the Chair of Governors via the school office.

8.5 Under this complaints procedure any member of school staff who is the subject of a parental complaint will have the opportunity to respond to the complaint during its investigation. They will also be able to see any response sent to the complainant as a result of the investigation.

## **9. Vexatious Complaints**

9.1 There may be occasions when, despite all stages of the procedure having been followed, parents remain dissatisfied.

9.2 If one or more of the following apply, St Ippolyts School may impose proportionate and appropriate restrictions on parents contacting the school regarding the complaint.

- the complaint arises from a historic and irreversible decision or incident;
- contact with the school is frequent, lengthy, complicated and stressful for staff;
- the complainant behaves in an aggressive manner to staff when he/she presents his/her complaint or is verbally abusive or threatening;
- the complainant changes aspects of the complaint partway through the complaint process;
- the complainant makes and breaks contact with the school on an ongoing basis; or
- the complainant persistently approaches the school (and in some cases the Local Authority) through different routes about the same issue in the hope of getting different responses.

9.3 These restrictions may include:

- requesting contact in a particular form (for example, letters only);
- requiring contact to take place with a named member of staff;
- restricting telephone calls to specified days and times;
- asking the complainant to enter into an agreement about his/her future contact with the school; and
- informing the complainant that if he/she still does not follow this advice (as stated above) any further correspondence that does not present significant new matters or new information will not necessarily be acknowledged, although this will.

9.4 If the complainant tries to reopen an issue that has already been examined through the complaints procedure, the Chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

## **10. Time-Limits**

Complaints need to be considered, and resolved, as quickly and efficiently as possible. The time limits in this procedure aim to be realistic, and allow for the first step of action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

## **11. Recording Complaints**

11.1 Staff should make a brief note of meetings and telephone calls, outlining the nature of any concerns/complaints, any key points and any actions the staff member said he or she would take.

11.3 Any written response from parents can be added to the record.

## **12. Governing Body Review**

12.1 The Governing Body can monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole Governing Body will not name individuals.

12.2 The Governing Body's monitoring and review of complaints received by the school can be used to contribute to school improvement by ensuring that underlying issues brought to light by individual complaints are addressed.

## **13. Publicising this procedure**

St Ippolyts School will publicise this complaints policy by:

- including it on the school website;
- the information given to new Parents when their children join the school;
- making it available in the school office; and
- including mention in the school newsletter, from time to time, that it and other policies are available from the website and the school office.

## **14. What this complaints procedure does not cover**

- Child Protection Procedures
- Appeals about admissions
- Appeals to the Governors' Discipline Committee against permanent exclusion from school
- Staff Disciplinary Procedures

**February 2017**

**Date of review February 2018**

## Formal Complaint Form

<b>Name</b>		
<b>Address</b>		
<b>Postcode</b>		
<b>Email address</b>		
<b>Telephone No.</b>	<i>Day</i>	
	<b>Evening</b>	
	<b>Mobile</b>	
<b>What is it you want to complain about?</b>		
<b>Have you complained to the Headteacher?</b>	<b>YES</b>	<b>NO</b>
<b>When did you do this?</b>	<b>Date:</b>	
<b>What happened when you complained to the Headteacher?</b>		

**What would you like us to do to put things right?**

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<b>Signed</b>	
<b>Date</b>	

Please return this form to the Chair of the Governing Body