



Compassion, Hope, Reverence, Wisdom

Making Complaints about Kent Maintained Schools Policy

Adopted by The Governing Body of Hunton CEP School

Signed:

Date: February 2018

Next Review: October 2019

Policy Statement

1. This policy sets out the school's approach to dealing with parental concerns and complaints.
2. We value good home/school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.
3. We welcome feedback on what parents feel we do well, or not so well, as a school. We will consider carefully all feedback, whether positive or negative, and will review our policies and practices accordingly.
4. We will treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils.
5. All school staff and members of the governing body will receive a copy of this policy and will be familiar with the school's procedures for dealing with parental concerns and complaints, to which they will have access as required. The policy is available on request to parents.
6. The school's procedures will be reviewed regularly and updated as necessary.
7. Staff and governors will receive training in handling parental concerns and complaints as appropriate. This may be on an individual basis, or as a group activity for all staff, or for specific groups, such as the office staff or members of the governing body.
8. Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, use our option to close a complaint before all the stages of the school's procedures have been exhausted, if this appears to be appropriate.
9. The government and the Local Authority (LA) advocate resolution of parental concerns and complaints at school level wherever possible, in the interests of maintaining good home/school relations. The role of the LA in advising parents and schools on the handling of concerns and complaints is set out in the school's procedures below.



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1. Introduction

All schools have a duty to have a complaints procedure and to publicise it to parents and pupils.

At Hunton CE Primary School we use the Kent County Council's guidance for schools on complaints handling.

This complaints procedure should not be used for appeals and referrals that fall under other procedures and legislation and which are covered by other guidance, including:

- · Admissions
- · Exclusions
- · Special Educational Needs
- · Staff Grievances
- · Child Protection
- · Whistleblowing

Extended Services

Hunton CE Primary School will ensure that any third party provider offering community services or facilities on the school premises or using school facilities for any purpose will have their own complaints procedures in place.

2. Guidance on complaints handling

a. Publicity

At Hunton CE Primary school we are committed to ensuring that parents and pupils know how they can raise concerns or lodge a formal complaint. As such, our complaints procedure can be found on the school website, or a hard copy can be obtained from the school office.

New parents will be given a summary of how the school deals with complaints when their children join the school.

b. Procedures should be as speedy as possible consistent and fair to all concerned

Every effort will be made to deal with a complaint as speedily as possible ensuring consistent and fair treatment to all parties. Each stage of the procedure has time limits which are detailed in the procedure. Where it is not possible to meet these, the complainant will be kept informed of progress.

c. Support for complainant

At any stage of the procedure, parents can be accompanied by a friend, relative or representative and ask where they can go for information, advice and advocacy, if required.

d. Support for staff

If the school receives a complaint about a member of staff, they will be treated fairly. Staff will have the opportunity to put their case forward and receive appropriate support; a colleague may accompany them at any stage but it would not be appropriate to involve someone from outside the school from whom confidential pupil information should be withheld. There is a crucial balance to be

maintained between supporting the individual so that his/her rights are maintained and reputation protected, and investigating a complaint thoroughly and impartially.

The complaints procedure is distinct from formal disciplinary proceedings for staff and this will need to be made clear to all concerned. However there may be occasions where a complaint leads to a disciplinary procedure which puts the complaints process on hold. If so, the complainant should be informed of this, 3 without going into details, and updated regularly on likely further delay. After the disciplinary process is completed it will be necessary to decide what further response to the complainant is required.

e. Confidentiality

All concerns and complaints will be handled with discretion, Parents must feel confident that their complaint will not penalise their child. However, a complainant will need to be aware that some information will have to be shared with those involved in order that the complaint can be investigated.

f. Anonymous complaints

Anonymous complaints will not be automatically disregarded. They may relate to a serious issue which may subsequently resurface. It will be at the Headteacher's or Governing Body's discretion as to whether the gravity of an anonymous complaint warrants an investigation. A copy of every anonymous complaint and note of the decision will be retained on file.

g. Remedy

h. Staff Awareness and Training

All staff will be made aware of the complaints procedure, as potentially many will be involved with handling complaints, especially at the informal level. Staff will receive clear information about the procedures, reassurances that senior staff are committed to the procedures and some basic training in dealing with people who are upset or angry (see Appendix B). All staff will also have clear information about individual staff roles and responsibilities so that parents do not get continually passed from one to another.

Record Keeping

Complaints will be recorded and monitored regularly by staff and governors. Recording will begin at the point when an initial concern or complaint cannot be resolved immediately but needs some investigation and/or consultation with others in school and a subsequent report back to the parent.

Records will include the date, name of parent and general nature of the complaint. All complaints are kept centrally in chronological order in the school office.

3. A Staged Approach

There should be two stages to the complaints procedure. While it is good practice to encourage an open culture where parents feel able to raise concerns informally with a teacher, you should not introduce this as a third stage into the process.

The First Contact

There needs to be clarity as to the difference between a concern and a complaint. Taking informal concerns seriously at an early stage and addressing them promptly will reduce the number that develop into formal

complaints. There are many occasions where concerns are resolved straight away through the class teacher, headteacher or administrative staff, depending on who is approached first. Parents must feel able to raise concerns with members of staff without formality, either in person, over the telephone or in writing. On occasion it may be appropriate for someone to act on behalf of a parent and this must be taken into consideration.

It may be unclear at first whether a parent is asking a question or expressing an opinion rather than making a complaint. A parent may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further. Ultimately, parents have a statutory right to complain and if they wish an issue to be handled as a complaint then this is the approach that has to be taken. Staff views as to the seriousness of the issue should not be a deciding factor. Where there is uncertainty, the parent should be asked if they want the issue treated as a formal complaint.

Stage 1: Referral to the Headteacher

Once it is clear that the concern is a definite complaint it should be investigated according to school guidelines (see model procedure attached at Appendix A) to ensure consistency and to make sure that nothing happens which could make it difficult for later stages to proceed smoothly.

In some cases the headteacher may already have been involved in looking at the matter; in other cases it may be his/her first involvement and in a large school it may be appropriate to delegate the investigation at this stage to another member of staff. What is important is that a staged procedure exists which reassures complainants that their complaint will be heard by more than one person, and that headteachers ensure that their involvement will not predominate at every stage.

It should be noted that in some cases headteachers will have been involved in the matter informally or the complaint may be against them, in which cases Stage 1 should be carried out by the Chair of Governors. In other cases the Headteacher is advised to become involved in complaints at Stage 1.

Stage 2: Review by the Governing Body

Most complaints are resolved at the first stage but it is important that there is a robust mechanism at the second stage and that governing bodies are well prepared to deal with them. KCC Leadership and Governance provide training for Chairs and Clerks. At this stage schools may wish to seek advice from the Local Authority or diocese as appropriate.

It is important that this review is not only independent and impartial but that it is seen to be so. Complaints should always be considered by a panel, not by the full governing body. Some governors may have previous knowledge of the problem which led to the complaint and would be unable to give fair, unbiased consideration to the issue, whilst if a complaint resulted in disciplinary action against a member of staff it would be necessary for there to be sufficient governors with no prior involvement to form a staff dismissal committee and possibly a staff dismissal appeal committee.

The panel hearing should not be adversarial but should aim to provide a non- threatening environment in which resolution can be reached. In deciding the agenda, who should attend, the number of attendees, and in taking questions from attendees, the Chair should carefully take into consideration the need to avoid any attendee feeling intimidated by the proceedings. The Chair may wish to set time limits for presentations. In exceptional circumstances the Chair may decide that the panel should hear the complainant or a particular witness separately. For example if the complaint is about bullying, the Chair may decide to give the pupil the opportunity to put their case to the panel before others are admitted to the meeting to avoid a confrontational and distressing situation. In such cases the panel will need to ensure that allegations made are shared with the other parties so that they are able to respond.



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It is recommended that the panel appoint a clerk to minute the meeting. The clerk would be the contact point for the complainant and be required to:

- Set the date, time and venue of the hearing and ensure that the dates are convenient to all parties and that the venue and proceedings are accessible.
- Collate any written material and send it to the parties in advance of the hearing
Meet and welcome the parties as they arrive at the hearing
Record the proceedings
Notify all parties of the panel's decision

The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations that will satisfy the complainant that their complaint has at least been taken seriously.

Two or more schools may wish to consider coming to an arrangement to hold joint Governor panels to hear complaints. This has been tried and tested at a number of Kent schools and proved to be successful. Written guidance can be found on KELSI, and KCC Leadership and Governance can also provide advice on how to go about setting up joint panels.

What if the complaint is about a governor?

The Chair of Governors can still address the complaint. If the complaint is about the Chair of Governors it should be referred to a member of the governing body. If you receive a complaint about the governing body as a whole, you should contact the Area Education Officer at Kent County Council or Governors' Support for advice. The Local Government Ombudsman is also available for advice at any stage of the process.

Stage 3: Review by the Secretary of State for Education

From 1 August 2012 parents in Kent can complain to the Secretary of State for Education if they have exhausted the school's own procedure and feel at their complaint remains unresolved.

Appendix A Complaints Procedure

In order to investigate your complaint as fully as possible the governing body has staged process. Most issues are sorted out informally and we would recommend that you try this approach first. However, if you feel that there is nothing to be gained and you wish to make a formal complaint you have the right to go straight to stage 1 of the complaints procedure.

Resolving concerns informally

1.1 Parents are always welcome to discuss any concerns with the appropriate member of staff, who will clarify with the parent the nature of the concern and reassure them that the school wants to hear about it. Parents should be advised from the outset that there is a complaints procedure that they can use if the matter cannot be resolved. The member of staff may explain to the parent how the situation happened. It can be helpful at this point to identify what sort of outcome the parent is looking for.

1.2 If the member of staff first contacted cannot immediately deal with the matter, s/he will make a clear note of the date, name and contact address or phone number.



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1.3 All members of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. S/he will check later to make sure the referral has been dealt with.

1.4 If the matter is brought to the attention of the Headteacher s/he may decide to deal with the complaint. If the complaint is against the Headteacher the parent will be advised to contact the Chair of the Governing Body.

1.5 The member of staff dealing with the concern will make sure the parent is clear what action (if any) or monitoring of the situation has been agreed, putting it in writing if appropriate.

1.6 Whilst it is often a helpful way to resolve problems more quickly, a parent or pupil is not required to pursue informal ways to address complaints but has the right to make a formal complaint at any time.

Complaints Procedure Stage 1: investigation by the Headteacher

2.1 Complaints at this stage will be recorded in writing. A complainant may wish to write in themselves. Complainants may also make their complaint verbally and can expect help to put their complaint in writing.

2.2 The Headteacher (or designated person) will acknowledge the complaint in writing within **three working days** of receiving the written complaint. The acknowledgement will include a copy of the complaints procedure. and a target date for providing a response to the complaint. This should normally be within ten working days. If this proves impossible, a letter will be sent explaining the reason for the delay and giving a revised target date. This will be within a maximum of 20 working days unless it is a particularly complex issue.

2.3 The Headteacher will provide an opportunity for the complainant to meet them to supplement any information provided previously or to record the complaint in writing if it has been made verbally. It will be made clear to the complainant that if s/he wishes s/he might be accompanied to any meeting by a friend, relative, representative or advocate who can speak on his/her behalf or to provide support.

2.4 If necessary the Headteacher will interview other parties and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed unless this is judged not to be in the interests of the pupil's welfare. Pupils should normally be interviewed with parents/guardians present, but if this would seriously delay the investigation of a serious/urgent complaint or if the pupil has specifically said that s/he would prefer that parents/guardians were not involved, another member of staff with whom the pupil feels comfortable should be present. If a member of staff is complained against, they must have the opportunity to present their case.

2.5 The Headteacher will keep written records of meetings, telephone conversations and other documentation.

2.6 Once all the relevant facts have been established as far as possible, the Headteacher will then produce a written response to the complainant, including a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint. The complainant will be advised that should s/he wish to take the complaint further s/he should notify the Chair of Governors within 20 working days of receiving the letter.

2.7 If the complaint is against the Headteacher, or if the Headteacher has been closely involved in the issue, the Chair of the Governing Body will carry out Stage 1 procedures.

Stage 2: Review by the Governing Body

3.1 The Chair of the Governing Body will write to the complainant to acknowledge receipt of the written request for the governing body to review the complaint. The acknowledgement will inform the complainant that three members of the school's governing body will hear the complaint **within 20 working days** of receiving the complaint. The letter will also explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be sent to the three members.

3.2 A meeting of the Governors' Complaints Panel will be convened. No governors with prior involvement in the issues complained about will be included on the panel and it may be necessary to use reserves (previously agreed by the Governing Body) to ensure the Panel can meet within the set time. Governors should bear in mind the advantages of having a parent governor on the panel, and will also be sensitive to issues of race and gender. The Headteacher will not sit on the Panel. An experienced governor will chair the panel meeting.

3.3 The Chair of the panel will ensure the Panel hears the complaint within 20 working days of receiving the letter. All relevant correspondence relating to the complaint will be given to each Panel member as soon as the composition of the panel is confirmed. If the correspondence is extensive, the Chair may prepare a thorough summary for sending to Panel members.

3.4 The Chair or clerk will write and inform the complainant, Headteacher, any relevant witnesses and members of the Panel at least five working days in advance of the date, time and place of the meeting. The notification will also inform the complainant of his/her right to be accompanied to the meeting by a friend/advocate/interpreter and explain how the meeting will be conducted and the complainant's right to submit further written evidence to the Panel.

3.5 The Headteacher will be invited to attend the Panel meeting and will be asked to prepare a written report for the Panel in response to the complaint. All attendees including the complainant should receive a set of the relevant documents including the Headteacher's report and the agenda, at least five working days prior to the meeting.

3.6 Submission of additional documents or requests for additional attendees will be at the discretion of the Chair of the panel.

At the panel hearing:

- The complainant will have the opportunity to present their complaint.
- The Headteacher will explain the school's position.
- Those present will have the opportunity to ask questions.
- Panel members will have the opportunity to ask questions of the complainant and the Headteacher.
- The Headteacher will be given the opportunity to make a final statement to the panel.
- The complainant will be given the opportunity to make a final statement to the panel.
- The chair will ask the complainant if he or she feels they have had a fair hearing.

The Chair of the Panel has responsibility to ensure that the meeting is properly minuted.



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The Chair of the Panel will explain to the complainant and Headteacher that the Panel will consider its decision and that a written decision will be sent to both parties within **15 working days**. The complainant, Headteacher, other members of staff and witnesses will then leave.

3.9 The Panel will then consider the complaint and all the evidence presented and

- · Agree a decision on the complaint;
- · Decide upon the appropriate action to be taken to resolve the complaint; and
- · Where appropriate, suggest recommended changes to the school's systems or

procedures to ensure that problems of a similar nature do not recur.

3.10 A written statement clearly setting out the decision of the Panel must be sent to the complainant and Headteacher. The letter to the complainant should also advise how to take the complaint further.

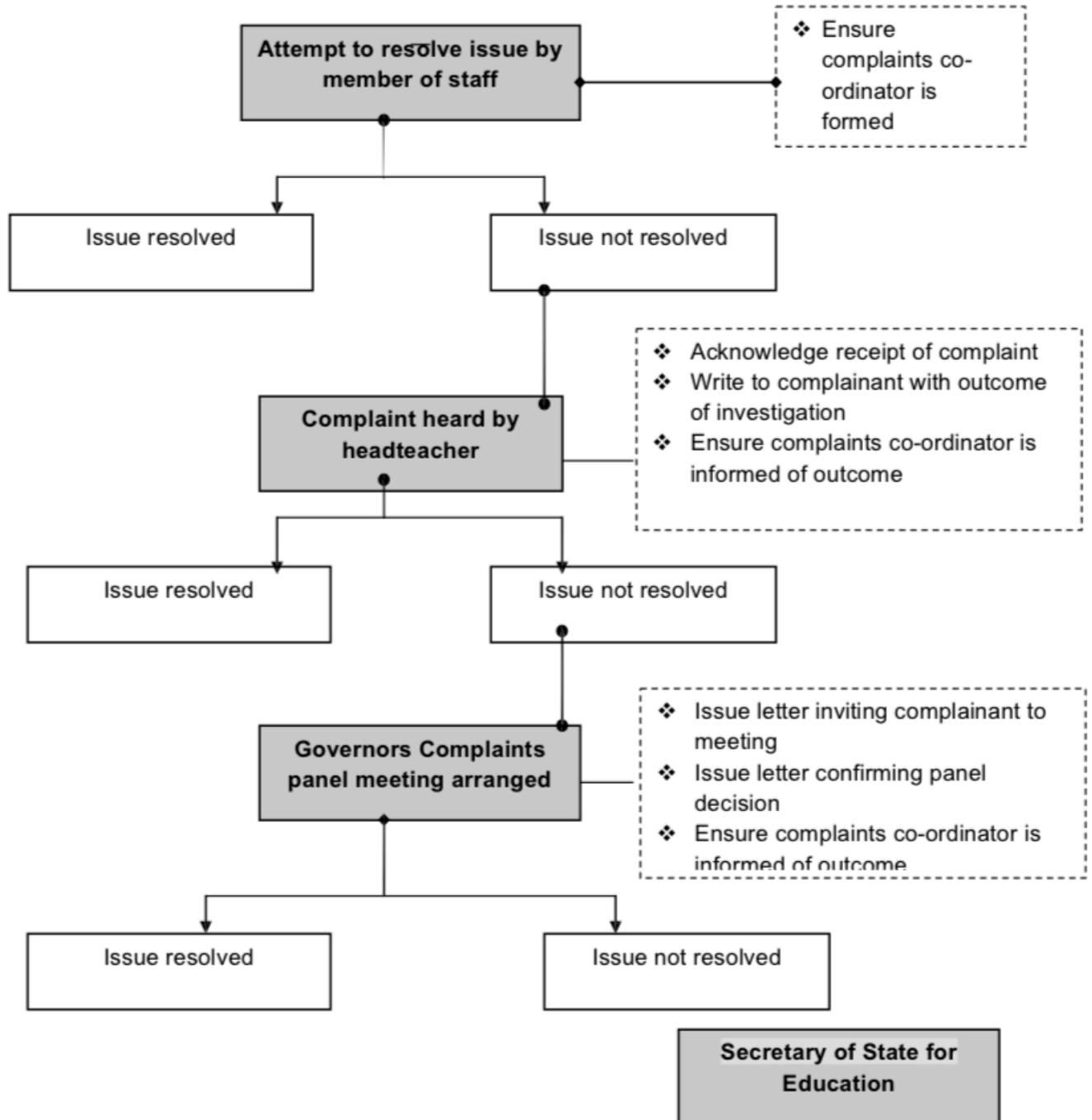
3.11 The school should ensure that a copy of all correspondence and notes are kept on file in the school's records. These records should be kept separately from the pupil's personal records.

Stage 3 The Secretary of State

4.1 If a complainant wishes to go beyond the governors' complaints panel, they should be advised to contact the Secretary of State for Education. More information is available at www.education.gov.uk/schoolcomplaints.

Appendix B

Flowchart of complaints



Appendix C- How to Listen to Complaints

When you realise that you are listening to a complaint, try to remember these points:

Don't pass the buck	Try not to keep transferring an angry person from one place to another. Take the responsibility to ensure the right person deals with it if you cannot deal with it yourself.
Don't be flippant	First impressions count. You and the school may be judged on your immediate reaction.
Treat all complaints seriously	However small or trivial it may seem to you, the complaint will be an important problem for anyone who takes the trouble to complain. Access to the procedure is a right, which should not be restricted by a judgement as to the seriousness of the issue.
Treat every complaint individually	Even if you have already received several similar complaints the same day, it is probably the person's first chance to have their say.
Be courteous and patient	Be sympathetic and helpful, but do not blame other colleagues.
Say who you are	If you are unknown to the other person, introduce yourself.
Ask for their name and use it	Anonymous complaints are acceptable only where there are special circumstances.
Take time to find out exactly what the problem is	It is easy for someone to forget to tell you an important detail, particularly if they are upset or annoyed. Asking what outcome the person seeks is a good way to find out what it is really all about and will help you to know if you can resolve it.
Don't take the complaint personally	To an angry or upset person, YOU are the school, and the only one they can put their feelings to right now.
Stay cool and calm	Do not argue - be polite and try to find out exactly what the person thinks is going wrong, or has gone wrong.
Check you are being understood	Make sure that the person understands what you are saying. Don't use jargon - it can cause confusion and annoyance to someone 'not in the know'.
Don't rush	Take your time. Let people have their say, and let off steam if they need to. Listen carefully and sympathetically to their problems before replying and attempting to find a solution or offer a next step.



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Appendix D

How to raise concerns or to make a complaint about the school

If you have a concern or complaint

we would like you to tell us about it. We welcome suggestions for improving our work in school. Be assured that no matter what the problem is, our support and respect for you and your child in school will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate properly an incident or problem that happened some time ago.

What to do first

Most concerns and complaints can be sorted out quickly by speaking with your child's class teacher.

If you have a complaint that you feel should be looked at by the Headteacher in the first instance you can contact him/her straightaway if you prefer. It is usually best to discuss the problem face to face. You may need an appointment to do this, and can make one by ringing or calling into the school office. You can take a friend or relation to the appointment with you if you would like to.

All staff will make every effort to resolve your problem informally. They will make sure that they understand what you feel went wrong, and they will explain their own actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case they will come round to your point of view but it will help both you and the school to understand both sides of the question. It may also help to prevent a similar problem arising again.

What to do next

If you are dissatisfied with the initial response, or if you do not want to discuss the matter informally, you can make a complaint to the Headteacher. This will need to be in writing. Contact the school office if you would like some help putting your complaint in writing.

If your complaint is about an action of the Headteacher personally, then you should refer it to the Chair of Governors now. Contact details can be obtained from the school office.

You will be offered a meeting to discuss the problem. You may bring a friend or someone else for support. The Headteacher will conduct a full investigation of the complaint and may interview any members of staff or pupils involved. You will receive a written response to your complaint.



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If you are still unhappy

The problem will normally be solved at this stage. However, if you are still not satisfied you may wish to contact the Chair of the Governing Body to ask for a referral of your complaint to a Governors' Complaints Panel. It will then be heard by a group of three governors who have no previous knowledge of the problem and so will be given a fresh assessment. You will be invited to attend and speak to the panel at a meeting that the Headteacher will also attend. The Complaints Procedure sets out in more detail how these meetings operate.

Further Action

Complaints about school problems are almost always settled within schools but if they remain unresolved they can be referred to the Secretary of State for Education. The Department for Education will expect the complaint to have been considered by the school governors first. There is more detail in the full Complaints Procedure, on the school's website or on the Department for Education website (www.education.gov.uk/schoolcomplaints).

Making a Complaint to the Department of Education

Department for Education Castle View House
East Lane
Runcorn

Cheshire WA7 2GJ

Telephone 0370 000 2288

Typetalk:18001 0370 000 2288 **Fax:** 01928 738248



Complaints form

Appendix E

Please complete and return to
who will acknowledge receipt and explain what action will be taken

Your Name

Pupil's Name

Your relationship to the Pupil

Address

Postcode

Daytime Tel Number

Evening Tel Number

Please give details of your
complaint here

What actions, if any have you
taken to try and resolve your complaint

What actions do you feel
might resolve the problem?

Are you attaching any paperwork?

Signature

Date

For Office Use only

Date acknowledgement sent

By Whom

Complaint referred to:

Date:



Persistent Complaints

Hunton CE Primary School (The School) is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The School defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

A complaint may be regarded as unreasonable when the person making the complaint:-

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses • concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email 12 and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-



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- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the School.