

**Bosmere Junior School**  
**South Street**  
**Havant**



# Complaints Policy

Date:	October 2018
Review Date:	October 2021
Responsibility:	Headteacher
STATUTORY	✓
Checked against Equality Policy	✓

Chair of Governors:	Date:
Headteacher:	Date:

## **AIM OF THE POLICY**

We aim to make Bosmere a happy, safe and caring place so that pupils may benefit from the best possible education. All our staff, both teaching and non-teaching, are dedicated to this aim.

If you think that we are not living up to your expectations of us, we want to know about it so we may have the opportunity to put things right. We would also like to hear about the things you think we do well.

Most parents have positive relationships with school but sometimes things do go wrong.

When this happens we will always listen and try to understand the issue. All complaints are taken seriously and this complaints procedure guides our best practice.

## **PRINCIPLES**

At Bosmere Junior School, our procedure for dealing with complaints will...

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be non-adversarial, allow swift handling with established time-limits for action and keeping people informed of the progress;
- address all the points at issue and provide an effective response and appropriate redress, where necessary.

## **DEFINITIONS**

It is important to make the distinction between a concern and a complaint. At initial stages a concern may be dealt with informally before it is necessary for the more formal complaints process to begin. **In all circumstances a written record will be kept.**

## **TIMESCALES**

Complaints will be resolved as quickly and efficiently as possible at all times. We have set out our target response times at each stage of the procedure. Where further investigations are necessary, new time limits may be set and the complainant will be sent details of a new deadline and an explanation for the delay.

## **THE STAGES OF THE COMPLAINTS PROCEDURE**

### **Stage 1 (informal): Speak to your child's class teacher**

If you have a concern or a complaint, please speak to your child's class teacher in the first instance. He/she will be able to listen to your concerns and hopefully resolve the matter swiftly. If the complaint cannot be resolved immediately, then he/she can agree with you what action will be taken with a view to resolving the matter. **Your child's class teacher will be happy to speak with you as soon as possible, ideally on the same day but if not, every attempt will be made to ensure this happens within 1-2 working school days.**

If you are not happy with the outcome of this informal stage then you can proceed to stage 2 to raise a formal complaint by contacting the Headteacher (see below). You may proceed straight to stage 2 if you are not a parent of a child at the school, or if the class teacher is the subject of the complaint.

### **Stage 2 (formal): Complain to the Headteacher**

You can set out your complaint in writing (letter/email) if you prefer. **The Headteacher will aim to see you to discuss your complaint within 3-5 working school days.** The Headteacher will listen to your complaint, take notes and agree what action she will take next. This will often include looking onto the matter in more detail and gathering information from other staff within the school.

Once the investigation is complete, **the Headteacher will contact you in writing, usually within 3-5 working school days,** to let you know what action has been and/or will be taken.

### **Stage 3 (formal): Complain to the Chair of Governors**

If you are not satisfied with the response of the Headteacher or the complaint is about the Headteacher, in order for the Chair of Governors to fully consider your complaint, please complete the complaints form (a sample of which can be found in **Appendix 1** of this procedure and copies of which are available from the school office, or to download as part of this policy from the school's website). You should return the completed form to the school office in an envelope addressed for the attention of the Chair of Governors.

Receipt of the complaint will be acknowledged within **10 working school days** of its arrival in the school, and explain what action will be taken.

This will involve an investigation into how the complaint has been handled during the early stages and focus on whether the correct procedures were followed. Having investigated the complaint the Chair will respond in writing giving their view of the situation and outlining any recommendations they have **within 20 working school days of receipt of the complaint.**

If you are unhappy with the response of the Chair of Governors and wish to appeal, your complaint can be referred to a Complaints Appeal Panel as follows.

#### **Stage 4 (formal): Governing Body Complaints Appeal Panel**

If you wish to invoke this stage of the procedure, you should write to the Clerk of the Governing Body, c/o the school, within **10 working school days** providing a clear explanation as to why they wish to lodge an appeal. The Clerk will convene a Governing Body complaints panel, made up of 3 members of the governing body who have not previously been involved in the complaint, one of whom will then become the Chair of the Complaints Panel.

The governors' appeal hearing is the last of the school –based stage of the complaints process and is not convened merely to rubber-stamp previous decisions.

Individual complaints would not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The Governing Body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

See **Appendix 2** – remit of the Governing Body Appeal Panel, terms of Reference and Roles and responsibilities.

#### **Notification of the panel's decision**

The Chair of the Panel will notify you in writing of the panel's decision, (including the reasons for the decision) normally within 7 days of the panel hearing.

#### **Complaining to the Secretary of State for Education**

If you are unhappy with the outcome of the appeal hearing, the final stage of appeal is to the Secretary of State for Education.

The School Complaints Unit (SCU) at:

Department for Education  
2<sup>nd</sup> Floor, Piccadilly Gate  
Manchester, M1 2WD.

#### **Investigating Complaints**

At each stage the person investigating the complaint will:

- establish the nature of the complaint and what has been unresolved
- establish what has happened so far and who has been involved
- meet with the complainant
- speak with the parties involved
- conduct all conversations with an open mind

- keep written notes of any meeting/conversation ( it may be necessary to have an additional person present to take notes)

### **Resolving Complaints**

Complaints can be resolved in a number of ways including:

- acknowledging, listening to and investigating the complaint
- offering an explanation/clarifying the school's perspective
- explaining what steps have been taken to address the concern to prevent any reoccurrence
- an undertaking to review school policies in the light of the complaint
- making an apology on behalf of the school or an admission that things could have been handled differently or better

### **Anonymous Complaints**

The Governing Body will not consider anonymous complaints.

### **Vexatious Complaints**

There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue the Chair of Governors will inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school to respond.

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# Appendix 1 – Complaint Form

Please complete and return to the Chair of Governors who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name ( if relevant):</b>
<b>Your relationship to the pupil ( if relevant):</b>
<b>Address:</b>  <b>Postcode:</b> <b>Day time telephone number:</b> <b>Evening telephone number:</b>
<b>Please give details of your complaint.</b>
<b>What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?</b>

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

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

Signature:

Date:

Official use

Date acknowledgment sent:

By who:

Complaint referred to:

Date:

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## **Appendix 2 – Governing Bodies Complaints Appeal Panel**

### **Terms of Reference**

#### **Membership**

- The Complaints Appeal Panel shall consist of not less than 3 governors, excluding the head teacher and Chair of Governors and any other governor who might have had prior involvement in the complaint or in the circumstances surrounding it.
- In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender, and religious affiliation.
- The panel may choose their own Chair.

#### **The remit of The Complaints Appeal Panel**

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

#### **Meetings**

As and when the complainant requests that the complaint is put before an appeal panel a meeting will be convened by the Clerk to the Governors. The meeting(s) will be clerked by the Clerk to the Governors (or, in his/her absence, a nominated governor).

#### **Proposed Format for a Complaints Meeting**

- The hearing will be as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence
- The Complainant and the head teacher will enter the room where the hearing is taking place together.
- A Chair for the Committee meeting will be appointed whom will introduce the panel members and the Clerk as well as outline the process for the meeting.



- The complainant is invited to explain their complaint, and be followed by their witnesses.
- The head teacher may question both the complainant and the witnesses after each has spoken.
- The panel will question the complainant.
- The head teacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the head teacher and the witnesses after each has spoken.
- The panel will question the head teacher.
- The complainant is invited to sum up their complaint.
- The head teacher is invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the Committee decides on the issues.
- The Chair of the Committee explains that both parties will hear from the Committee within a set time scale.
- The Clerk will remain to clarify any issues.

## **Roles and responsibilities**

### **The role of the Clerk**

The clerk is the contact point for the complainant and he /she will need to:

- Set the date, time and venue of the hearing, ensuring 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 (recommended at least 5 working school days in advance);
- Meet and welcome the parties as they arrive at the hearing;
- Record the proceedings;
- Notify all the parties of the panel's decision.

### **The role of the Chair of Governors**

- Check that the correct procedure has been followed;
- If a hearing is requested, notify the Clerk to arrange the panel.

### **The role of the Chair of the Panel**

The Chair of the Panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner each party treating each other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

The Chair of the Panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response (including the reasons for the decision) within 5 school working days. This letter will explain if there are any further rights of appeal and, if so, to whom they should be addressed.

## Appendix 3

Flow chart demonstrating Bosmere Junior Schools Complaints Procedure

Stage 1	Complaint raised and received and heard by staff member ( informally and as soon as possible)
Issue resolved	Issue not resolved
Stage 2	<b>Complaint heard by head teacher</b> <ul style="list-style-type: none"> <li>• Acknowledge receipt of complaint.</li> <li>• Write to complainant with outcome of investigation.</li> </ul>
Issue resolved	Issue not resolved
Stage 3	<b>Complaint received by Chair of Governors</b> <ul style="list-style-type: none"> <li>• Acknowledge receipt of complaint.</li> <li>• Write to complainant with outcome of investigation.</li> </ul>
Issue resolved	Issue not resolved
Stage 4	<b>Complaint heard by Governing Body Complaints Appeal Panel</b> <ul style="list-style-type: none"> <li>• Issue letter inviting complainant to meeting.</li> <li>• Issue letter confirming panel decision.</li> </ul> <b>*END OF PROCESS FOR SCHOOL*</b>
Issue resolved	Issue not resolved
	Complainant may complain to the Secretary of State for Education.