



COMPLAINTS and COMPLIMENTS PROCEDURES

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Stages of the Procedure

It is in everyone's interest that complaints are resolved at the earliest possible stage. A complaint or a compliment may be made in person, by telephone or in writing via letter or email, but it may also be logged on the standard form or in the Governor's Comments Book.

Stage 1: *Complaint heard by staff member*

Parents and carers should raise concerns and complaints with members of staff either in person, by telephone or in writing as outlined above. You should be given an opportunity for discussion of your concerns informally with the appropriate member of staff. The views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff should be respected and in these cases, the complainant can be referred to another staff member. Similarly if the member of staff directly involved feels too compromised to deal with a complaint, the complainant may be referred to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial. Where the complaint concerns the Head Teacher, the complainant should be advised to write to the Chair of Governors directly.

Where the first approach is made to a Governor, he or she should refer the complainant to the Head Teacher and advise the parent about the school's procedure. Individual Governors should not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages, in case they are needed to sit on a Panel at a later stage of the procedure. Most complaints will be resolved at this informal stage.

Where no satisfactory solution has been found you should be informed that you can consider making a formal complaint in writing to the Headteacher which will take matters to stage 2 on the complaints procedure.

Stage 2: *Complaint heard by Headteacher*

If you wish to make a complaint about a particular teacher, or another member of staff, you should initially make your complaint to the Head teacher of the school concerned. An appointment may need to be made to discuss these concerns further. A meeting should be arranged to discuss your concerns informally:

- You can bring a friend to any discussion.
- The member of staff dealing with the concern should make sure that you are clear as to what action (if any) or monitoring of the situation has been agreed.
- This stage should be completed speedily and concluded in writing with appropriate detail.

- Where no satisfactory solution has been found, you should be informed that you can consider making a formal complaint in writing to the Headteacher which will take matters to stage 1 on the complaints procedure.

The Head Teacher's influence will already have shaped the way complaints are handled in the school. At this point, however, as well as pursuing their initial complaint, the complainant may be dissatisfied with the way the complaint was handled at Stage 1. The Head may delegate the task of collating the information to another staff member, but not the decision on the action to be taken. The Head should investigate the complaint, review all the information and discuss the findings, together with any recommendations or apology, with the complainant. Reconciliation should be achieved at this stage. If the complaint relates to the alleged conduct or capability of a member of staff, which could result in disciplinary action, the complaints process should be replaced by appropriate line management and disciplinary procedures. **As almost all complaints concern the day to day management of the school, few matters should need to go further.**

* Any complaint brought to the attention of the Headteacher that suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual interference or neglect may be referred without further notice to Hackney Social Services and/or to the social services authority for the area in which the child lives. If a social services authority decides to investigate a situation this may postpone or supersede investigation by the Headteacher or governing body.

Stage Three: *Complaint Heard by Governing Body's Complaints Appeal Panel*

If the complainant remains dissatisfied, he/she should write to the Chair of Governors giving details of the complaint. Sometimes the Chair will be able to diffuse the situation at this point, by speaking with or writing to the complainant and reassuring him or her that the school has taken the complaint seriously. This may be sufficient to satisfy the complainant. Should, however, this prove not to be the case, the Chair, or a nominated Governor, will convene a Governing Body (GB) Complaints Appeal Panel. The Panel can be drawn from the nominated members and may consist of three or five Governors. If the Chair has heard the complaint informally as described above, the Chair must not, of course participate in the Panel Hearing. The Panel may choose its own chair. Individual complaints should never be heard by the whole GB 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 Governors' appeal hearing is the last school-based stage of the complaints process, and is not convened merely to rubber stamp previous decisions. The procedure adopted by the Panel for hearing appeals would be part of the school's complaints procedure and is set out at Appendix 2.

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.

There are several points which any Governor sitting on a Complaints Appeal Panel needs to remember:

(a) It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the Panel if he or she has had a 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 comprises a cross-section of the categories of Governor and is sensitive to issues of race, gender and religious affiliation.

(b) The aim of the hearing, which should be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome, if the hearing does not find in his/her favour. It may, however, be possible to establish the facts and make recommendations, which will satisfy the complainant that his or her complaint has been taken seriously.

(c) An effective Panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The Panel Chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting appears appropriate and not adversarial.

(d) The Governors sitting on the Panel need to be aware of the entire complaints procedure.

Roles and Responsibilities

The Role of the Clerk

The Complaints Appeal Panel should be clerked. The clerk would be the contact point for the complainant at the third stage and be required 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 all of 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 Role of the Chair of the Governing Body or the Nominated Governor

- check that the complaints procedure has been correctly followed to this point;
- if a hearing is appropriate, notify the clerk to arrange the Panel.

The Role of the Chair of the Panel

Ensure that:

- 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;
- the remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the issues are addressed;
- key findings of fact are made;
- the hearing is conducted in an informal, although structured, manner, with each party treating the other with respect and courtesy;
- 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 all parties should be given the opportunity to consider and comment on it;
- the Panel is seen to be open minded and acting independently.

Notification of the Panel's Decision

The Chair of the Panel should ensure that the complainant and the Head Teacher are notified of the Panel's decision, in writing, within a set deadline, which is publicised in the procedure. The letter needs to explain that any further appeal should be addressed to the Secretary of State.

Complaint Form

Please complete and return to the main office who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Post Code:

Day time telephone number:

Evening telephone number:

Please give details of your complaint:

**What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response?)**

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 acknowledgement sent:

By who:

Complaint referred to:

Date:

Actions taken:

Final outcomes.

Checklist for a Panel Hearing

The Panel needs to take the following points into account:

- The hearing, while structured, is conducted as informally as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, 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 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 may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Head Teacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the Panel decides on the issues.
- The Chair explains that both parties will hear from the Panel within a set timescale.