

NORTH NIBLEY SCHOOL

COMPLAINTS PROCEDURE

It is a STATUTORY REQUIREMENT to have a complaints policy.

Policy developed by: North Nibley staff and governors

Date of policy: March 2018

Approval: Leadership and Management Committee

Review date: March 2021

***“Our vision is to inspire and celebrate learning, achievement, faith and fun.*”**

Ours is a school that works in partnership with the community to enable and equip each child to live life to the full, reflecting the Christian values of our foundation.”

This policy supports the school’s vision by providing clear information about the ways in which we will work in partnership with our community in the event of a complaint being made.

The school’s Christian values of Service, Respect, Justice, Generosity and Forgiveness are demonstrated in this policy in the following ways;

- Service – We recognise that the school is here to serve the needs of the pupils, and this consideration should be paramount in the panel’s thinking, if appropriate to the nature of the complaint.
- Respect – The procedure requires that all parties are allowed a voice in the process. They will be listened to and acknowledged respectfully.
- Justice – The panel must seek to be impartial and fair in their deliberations.
- Generosity – Where school is able to make reasonable adaptations to accommodate different positions or points of view, this flexibility should be explored.
- Forgiveness – the procedure will always seek to resolve the complaint and achieve reconciliation between the school and the complainant.

PREAMBLE

Staff and Governors should distinguish between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

Concerns should be handled, if at all possible, without the need for formal procedures. The statutory requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual staff member specifically concerned will receive the first approach. Staff should endeavour, whenever possible, to resolve issues on the spot, including apologising where necessary.

FORMAL COMPLAINTS PROCEDURE

The formal procedures will be invoked only when initial attempts to resolve the issue informally have proved unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

The North Nibley School Complaints Procedure is laid out in the attached flowchart, Annex A. Three stages are identified.

Stage 1

In the first stage, a complaint may be heard by another teacher, appointed by the Head Teacher. (This stage may be omitted at the Head Teacher's discretion.) If the complaint cannot be resolved at Stage 1, it will be referred to the Head Teacher (Stage 2).

Stage 2

For most complaints, the Head teacher must follow the guidance notes below. In exceptional circumstances, for example if a complaint has been raised against the Head Teacher or Chair of Governors, the Complaints Co-ordinator may feel that a complaint is best heard by an independent body (or their appointed representative). The resulting independent written report belongs to the Governing Body. The report will normally be discussed by an appropriate person with the parties to the complaint, with the aim of resolving the complaint. If this is not possible, the independent report can be made available to an appeals panel as might be required.

Stage 3

If the complaint cannot be resolved by the Head Teacher it proceeds to Stage 3, which is a hearing by a panel of school governors. For Stage 3, the Head Teacher may delegate the task of collating information, but may not delegate the decision on action to be taken.

The Head Teacher (or nominee) will act as the school's Complaints Co-ordinator.

If the complaint is against the Head Teacher, her (or his) role will be taken by the Chair of Governors.

If the Governing Body cannot resolve complaint, the complaint may be referred to the Local Authority (LA). However, the LA's role is advisory, and it cannot overturn the decision of the Governing Body.

If a complainant tries to re-open an issue which has been through all three stages of this procedure, the Chair of Governors may inform him or her in writing that the procedure has been exhausted and that the matter is now closed.

GUIDANCE NOTES (STAGE 2)

Investigating Complaints

At each stage, the person dealing with the complaint makes sure that they:

- respect the views of the complainant
- 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 if further information is necessary);
- clarify what steps the complainant feels are needed to put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open and impartial mind and be prepared to persist in the questioning;
- keep notes of the interview(s);
- advise the parties concerned, including the school complaints co-ordinator, of the outcome.

Resolving Complaints

At each stage in the procedure, the school wishes to keep in mind ways in which the complaint can be resolved. If appropriate, the school should acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- 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.

Time-Limits

Complaints should be considered and resolved as quickly and efficiently as possible. The complainant will be advised of the timescales at each stage of the procedure.

Recording Complaints

The Head Teacher will be responsible for holding records of complaints, and reporting them periodically (without naming individuals) to the Governing Body.

Publicising the Procedure

There is a legal requirement for the Complaints Procedures to be publicised. The availability of the Complaints Procedures should be mentioned in:

- the school's online prospectus;
- the information given to new parents when their children join the school;
- the information given to the children themselves;
- documents supplied to community users including course information or letting agreements;

Awareness of Procedure

All staff and governors should be aware of the complaints procedure.

If the first approach is made to a governor, the governor should refer the complainant to the appropriate person and advise them about this procedure. Governors should not act unilaterally on an individual complaint outside the formal procedure nor be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

STAGE 3:

COMPLAINT HEARD BY GOVERNING BODY'S COMPLAINTS APPEAL PANEL

The governors' appeal hearing is the last school-based stage of the complaints process. It must take an independent and impartial view of the complaint, irrespective of the outcome of previous stages.

The complainant should write to, or meet, the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will check that the correct procedure has been followed, and then convene a Governing Body Complaints Appeal Panel.

The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant.

Composition of Panel

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 panel will be assembled on an ad hoc basis. It can be drawn from the full membership of the Governing Body and may consist of three or five people. The panel may choose its own chair.

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 they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, the Chair of Governors (or nominee) should aim to include a cross-section of the categories of governor and should be sensitive to the issues of race, gender and religious affiliation.

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.

Conduct of the Appeal to the Panel

The Chair of Governors, on appointing panel members, will confirm that they are each suitable, and understand the required procedure. The Chair of Governors will also appoint a Secretary to the Panel who will act as the contact point for the complainant 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 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 Hearing

The Hearing should be held in private.

It should be minuted and recorded. Care should be taken in identifying a clerk. It may be appropriate for a member of staff such as the school secretary to act as clerk, although consideration should be given to the sensitivity of the particular complaint. It would not be appropriate for a governor to act as clerk. Both the complainant and the headteacher would be entitled to be accompanied by a friend who can speak on their behalf if necessary.

The Chair of the Panel should 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 should therefore ensure that the proceedings are as welcoming as possible. The layout of the room and the general tone should be informal and not adversarial.

Extra care needs to be taken when the complainant is a child. Care must be taken to ensure that the child does not feel intimidated. The panel must be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, he or she should be given the opportunity to say which parts of the hearing, if any, the child needs to attend.

The Chair of the Panel should ensure that:

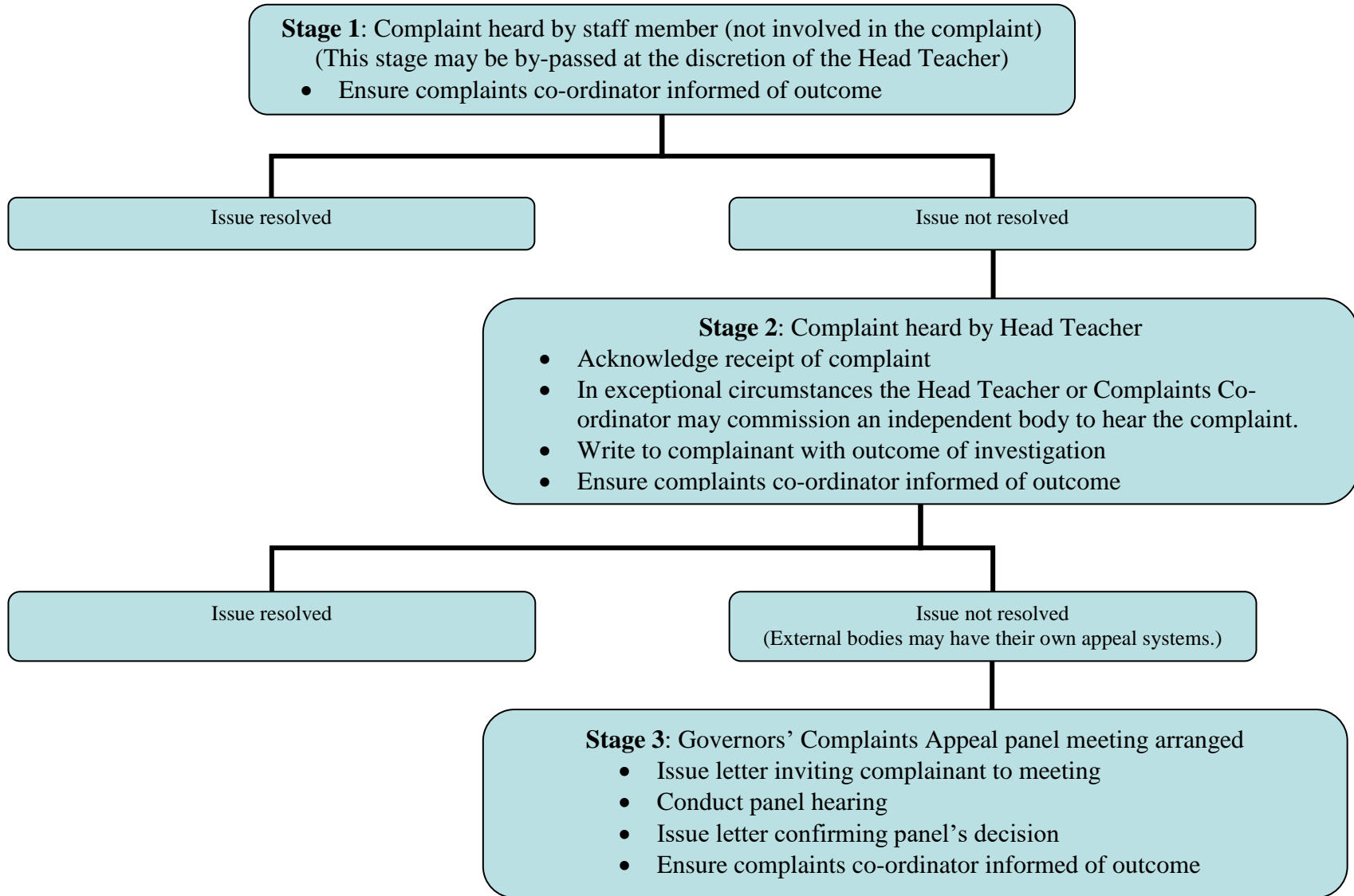
- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- 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 it would be useful to give all parties the opportunity to consider and comment on it.

In conducting the hearing, the panel should take the following into account:

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| <ul style="list-style-type: none"> ● The hearing is as informal 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 headteacher may question both the complainant and the witnesses after each has spoken. ● The headteacher is then invited to explain the school's actions and be followed by the school's witnesses. ● The complainant may question both the headteacher and the witnesses after each has spoken. |
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- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The headteacher is then invited to sum up the school's actions and response to the complaint.
- The chair explains that both parties will hear from the panel within 10 working days .
- Both parties leave together and the panel decides on the issues.

North Nibley School Complaints Procedure



Formal Complaint Form

Please complete and return to(complaints co-ordinator) who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

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: