

GODWIN JUNIOR SCHOOL



COMPLAINTS POLICY

Agreed by Governors	Summer 2014
Review date	Spring 2016
Review date	Spring 2018
Next Review	Spring 2020

Linked Documents
Staff Handbook
Safeguarding Policy
Health & Safety Policy

1. INTRODUCTION

This policy is based on Newham Partnership Working's (NPW) Advice to Schools and Nurseries regarding Managing School Complaints.

From time to time parents/carers, and others connected with the school, will become aware of matters which cause them concern. To encourage resolution of such situations the Governing Board has adopted this Complaints Procedure.

The procedure is devised with the intention that it will:

- Usually be possible to resolve problems by informal means
- Be simple to use and understand
- Be non-adversarial
- Provide confidentiality
- Allow problems to be handled swiftly
- Address all the points at issue
- Inform future practice so that the problem is unlikely to recur.

2. WHO CAN MAKE A COMPLAINT?

Any person, including members of the public, may make a complainant about any provision of facilities or services that we provide, unless statutory procedures apply (such as exclusions or admissions). We do not limit complaints to parents or carers of children who are registered at our school. However, anonymous complaints will be dealt with under a different procedure.

3. THE PROCESS

The majority of issues raised are concerns rather than complaints. Godwin Junior School is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint, the complainant may wish, or be asked, to follow the school's formal complaints procedure.

For the school to be able to investigate a complaint, it needs to be made within one year of the incident occurring. If a complaint is older than a year it will be at the school's discretion whether to conduct an investigation.

Investigating complaints

We ensure that at each stage, the person investigating the complaint:

- Establishes what has happened so far
- Identifies who has been involved
- Understands the nature of the concern or complaint
- Knows what issues remain unresolved
- Has contacted the complainant to establish and clarify information
- Has spoken to or interviewed those involved as required
- Conducts meetings with an open mind and is prepared to persist with questioning and finding the answer
- Keeps accurate records of the complaint including notes of any meetings, discussions and, if required, arranges for a minute/note taker

Resolving complaints

We acknowledge and register complaints from complainants. The possible outcomes of a complaint will be one or more of the following (this list is not exhaustive):

- An apology
- An explanation of what actually happened, clarification of the facts
- An admission that the situation could have been handled differently or more appropriately
- An assurance that the event complained of will not re-occur
- 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

Dealing with vexatious complaints

On occasions, despite all stages of the procedures having been followed, the complainant continues to be dissatisfied. If the complainant tries to re-open the same issue, the Chair of our Governing Board is able to 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.

It is important to note however that, should a complainant raise a new, separate complaint, it must be responded to in accordance with the school complaints procedure.

4. THE STAGES OF OUR COMPLAINTS PROCEDURE

Stage 1 (informal) – A concern is raised informally with a member of staff

Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern. The school requests that complainants make their first contact to the child's Class Teacher. This may be by letter, telephone conversation or in person by appointment. On some occasions the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within a day or two. The majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at stage 1, please write to or call the school within 10 school working days and state what you would like the school to do. The school will then look at your complaint at the next stage.

Stage 2 (formal) - The complaint is heard by the Head Teacher or another senior member of staff.

If the complainant is dissatisfied with the response from the member of staff at Stage 1 they should be advised to put their complaint in writing to the Head Teacher. The complaint will be logged, including the date it was received.

(Where the Head Teacher is the subject of the complaint, the complainant should be advised to address it to the Chair of Governors. If the complaint is being dealt with by the Chair of Governors this will bypass Stage 2 and go to Stage 3 of the formal procedure and heard by the Chair of Governors or other appropriate person.)

The complainant must ensure that they include details of why they are still dissatisfied and what action they would like to resolve the complaint. They can also attach any evidence to support their concerns.

The Head Teacher must acknowledge the complaint within 5 school days by writing to the complainant. The acknowledgement should state a further communication will follow, within 20 school days that will set out the actions taken to investigate the complaint and the findings.

The Head Teacher can delegate another senior member of staff to carry out the investigation and report their findings to them. The Head Teacher will then reach a conclusion based on the investigation. All notes relating to the investigation will be kept on file. The investigating officer may feel it necessary to meet with the complainant. If this happens, then notes should be produced of the meeting and a copy given to the complainant.

The investigating officer will then compile a report detailing their findings. Any recommendations or actions proposed must be considered by the Head Teacher.

Once satisfied that the investigation has been concluded and a decision has been reached, the Head Teacher must notify the complainant in writing of the conclusion and any actions that will be taken as a result. The decision can be communicated by the Head Teacher to the complainant in writing or, if they may feel it appropriate, meet with them first to communicate their findings and then confirm in writing afterwards.

Model letters are attached at the end of this policy.

The complainant must also be informed if they are still dissatisfied with the outcome they can write to the Chair of Governors, within 10 school working days, outlining why they are still unhappy.

Stage 3 (Formal) - The complaint is heard by the Chair (or Vice Chair) of Governors.

If the complainant is dissatisfied with the response from the Head Teacher at Stage 2 they should be advised to put their complaint in writing to the Chair of Governors for consideration at Stage 3 of the procedure.

The complainant must ensure that they include details of why they are still dissatisfied with the decision, the recommendations and actions of the Stage 2 complaint and what they require to resolve the matter. They may also attach any evidence to support their concerns that can be additional to that submitted at Stages 1 and 2.

The Chair of Governors must write to the complainant within 5 working days of receipt of the complaint to acknowledge this. The letter should state that another letter will follow within 20 school days setting out the actions taken to investigate the complaint and the findings.

The Chair of Governors will look at all the information pertaining to the complaint submitted by the complainant and the investigatory evidence by the school at Stages 1 and 2. The Chair may want to talk with the complainant or investigating staff members to establish facts and obtain further information.

Model letters are attached at the end of this policy.

Once satisfied that the investigation has been concluded and a decision has been reached on the complaint, the Chair of Governors will notify the complainant in writing of the conclusion.

The conclusion could be:

- The evidence indicates that the complaint was substantiated and therefore upheld
- The complaint was substantiated in part and what action will be taken
- The complaint is not substantiated by the evidence and therefore not upheld

The complainant is also informed if they are still dissatisfied they can write to the Governing Board directly via the school or, Governor Services or School Management Support at Newham Partnership Working outlining why they feel the complaint is unresolved.

Stage 4 (Formal) - The complaint is heard by the Governing Board's Complaints Appeal Panel

This is the final stage of the process.

If the complainant is dissatisfied with the response from the Chair of Governors (or Vice-Chair) at Stage 3 they should be advised that the next stage is to put their complaint in writing to the School Governing Board at Stage 4.

The complainant must ensure that they include details of why they are still dissatisfied with the decision of the Chair, recommendations and actions of the Stage 3 complaint and what they feel would resolve the matter. They can also attach any evidence to support their concerns in addition to that submitted at Stages 1, 2 and 3.

The complaint is considered by a panel of Governors who form an independent Complaints Appeal Panel. The aim of the Appeal Panel hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. The hearing will normally take place within 10 school working days of the receipt of the written request for Stage 3 investigation.

No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. The panel must have a cross-section of categories of governors and sensitive to the issues of race, gender and religious affiliation. If appropriate, the panel can be made up of governors from another school. Complaints should not be shared with the whole governing body, except in very general terms

The panel must convene a meeting to discuss the complaint and all the investigation evidence to make a final decision on how to progress. A clerk should be appointed to take notes of the meeting and records must be kept. A checklist for a panel hearing is attached at the end of this policy.

The panel can decide:

- To convene a meeting with the complainant. If a meeting is to be convened, the person chairing the meeting either the Chair or Vice-chair (whomever did not deal with the complaint at Stage 3), will write to the complainant to acknowledge the complaint within 10 school days. The letter would also include the date, time and venue of the convened meeting to hear the complaint.
- On the appropriate action to be taken to resolve the complaint
- For non-complex complaints, not to meet with the complainant, but to use all the information available to them and make a decision on the complaint as there is enough information to allow for a decision to be made.

Possible outcomes for the Panel

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Recommend changes to school systems or procedures to ensure that similar do not occur

An outcome letter will be sent to the complainant within 20 school days of the meeting. A model response letter is attached at the end of this policy.

The Governors Complaints Appeal Panel hearing is the last school-based stage of the complaints process.

5. FURTHER INFORMATION

The outcome letter from the School Complaints Panel exhausts the four stage procedures. If the complainant is dissatisfied with the process, they are able to contact
Department for Education,
The School Complaints Unit (SCU)
2nd Floor, Piccadilly Gate
Manchester, M1 2WD

The SCU will examine if the school complaints policy and any other relevant processes were followed. The SCU will also examine policies to determine if they adhere to education legislation. However, the SCU will not re-investigate the substance of the complaint and will only overturn a school's decision about a complaint in exceptional circumstances where it is clear that a school has acted unreasonably or unlawfully.

Godwin Junior School Complaint Form



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

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Daytime 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 as 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:



Godwin Junior School
Cranmer Road
London E7 OJW
Telephone: 020 8534 7601
Fax: 020 8534 3592
Email: info@godwin.newham.sch.uk
Website: www.godwin.newham.sch.uk

Model letter - Complaint not heard

Dear ,

Following receipt of your communications and careful consideration of the same, I regret that I am unable to deal with this matter under the School's Complaints Procedure. The reason for this is that:

- You have not identified any specific actions of which you might complain
- Your concerns are presented as conclusions rather than specific actions of which you complain.
- The concerns that you identify relate to historical actions and any evidence which might have enabled an objective investigation of your complaint is no longer available.
- The substance of your complaint has been addressed under this procedure already.
- The concerns that you raise do not fall within the scope of this procedure.
- You have not identified any potential sources of evidence which might allow the matter to be investigated.
- The school offered to resolve the matter informally and in my judgement you refused unreasonably to take advantage of this.

If you wish my decision to be reviewed then you may take advantage of (Stage 3 / Stage 4) of the procedure by writing to the Clerk to the Governing Board, care of the school.

Yours sincerely,

Head Teacher
or Chair of Governing Board



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Cranmer Road
London E7 OJW
Telephone: 020 8534 7601
Fax: 020 8534 3592
Email: info@godwin.newham.sch.uk
Website: www.godwin.newham.sch.uk

Model letter – Decision notification

Dear ,

Following receipt of your complaint and careful consideration of all the available relevant evidence, I have concluded that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld. If you are able to provide additional evidence forthwith I/we will reconsider this decision.

OR

- The concern is not substantiated by the evidence in that

OR

- The concern was substantiated in part/in full, as The school will review its practices/procedures..... with the intention of avoiding any reoccurrence. Parents/carers will be informed in due course of any policy changes.

OR

- In order to address fully the matters investigated, the school has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, that the circumstances that gave rise to your complaint should not recur.

I hope that we may now put this matter behind us and work together for the benefit of your child's progress.

Yours sincerely,

Head Teacher / Chair of Governors



Godwin Junior School

Cranmer Road

London E7 OJW

Telephone: 020 8534 7601

Fax: 020 8534 3592

Email: info@godwin.newham.sch.uk

Website: www.godwin.newham.sch.uk

Model letter – Review outcome

Dear ,

Having carefully considered your representations in the context of the relevant evidence, the School's Complaints Appeal Panel has concluded that the Complaints Procedure was followed appropriately in respect of your complaint in that

Therefore, the matter is now closed as far as the school is concerned.

Or

Having carefully considered your representations in the context of the relevant evidence, the School's Complaints Appeal Panel has concluded that the Head Teacher followed the Complaints Procedure except

Therefore, the following action will be taken

Once this action has been completed the school will consider the matter to be closed.

Or

Having carefully considered your representations in the context of the relevant evidence, the School's Complaints Appeal Panel has concluded that the Head Teacher followed the General Complaints Procedure except that

We have determined that this procedural failure did not affect the outcome of the consideration of your complaint so, while we regret this error, we will now consider this matter to be closed as far as the school is concerned.

Yours sincerely,

Chair of Complaints Committee
c.c. Head Teacher



Checklist for a Complaints Appeal Panel hearing

The Panel needs to take the following points into account:

- 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 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 action 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 time scale.

The process set out above is based on the Head Teacher and complainant being present at the same time. There are occasions where this is not the appropriate arrangement in order to ensure a fair and full consideration of the case. In such cases it is likely that the complaint will be seen first and the Head Teacher at a later stage. At the separate meeting with the complainant, the principles set out above should be followed.