



## FLIXTON PRIMARY SCHOOL

### GENERAL COMPLAINTS PROCEDURE

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#### **Introduction**

##### **General Principles: The Right Approach**

It is important that schools and parents work together to resolve any issues or concerns. It is always in the best interests of the children that these things are resolved speedily and in a pleasant manner. Most of the time complaints can be dealt with quickly and sensitively. The accessibility of key staff is part of Flixton Primary School's approach; e.g. the Headteacher and Deputy Headteachers are available in order that parents can share their concerns easily and feel that their views are listened to. The school has a fairly "Open Door" policy. Parents are welcome to come in to talk to senior staff and share their concerns; sometimes booking an appointment may be better to allow time to discuss freely.

Parents and pupils are encouraged to express their views on what goes on within Flixton Primary School so that we receive an early warning of potential difficulties. We aim to ensure that procedures are always consistent and that everyone involved is dealt with fairly. Care is always taken not to drag things out unnecessarily. Our complaints procedure is accessible via our school website and upon request in school. School staff should be familiar with the procedures so that they can advise parents about their operation.

##### **Confidentiality**

It is very important to treat conversations and correspondence with discretion. It is vital for parents to feel confident that their complaint will not penalise their child. All parties to a complaint will need to be aware that some information may have to be shared with others involved in the operation of the complaints procedure.

##### **Redress**

If the outcome of the complaint procedure shows the school is at fault, it is often sufficient to provide redress in the form of an acknowledgement that the complaint is valid. Alternatively, it may be appropriate to offer one or more of an apology, an explanation, a promise that the event complained about will not recur or an undertaking to review school policies or practices in the light of the complaint. It is equally fair to expect that the complainant may also be required to do the same. Advice should be taken from the LA if litigation could be possible.

##### **The School's Complaints Procedures**

1. Specific procedures are laid down by the LA for complaints about the performance of the LA or the Board of Governors in meeting their statutory duties (admissions, curriculum, exclusions, SEN etc). When the school receives a complaint for which specific procedures are laid down, the complainant will be given appropriate information and advice on how to proceed.

2. This procedure will be applied to all other complaints received by the school from parents, guardians, pupils or members of the public. Anonymous complaints will not be dealt with unless of a serious nature (child abuse, criminal activity etc).

3. Every complaint will receive fair and proper consideration and a timely response but in order for the school to fairly and properly investigate a complaint, it needs to be made within 3 months of the incident/issue occurring. If a complaint is about an event older than 3 months it will not normally be investigated.

4. All complaints will be dealt with confidentially and be given fair consideration with a view to resolving the concerns of the complainant and to establishing whether the school needs to take any action following investigation.

### **Informal Stage**

5. All complaints will initially be dealt with in an informal way. Complaints may well arise from misunderstanding or lack of information and a full explanation of the circumstances will usually resolve such situations. Parents and carers should initially discuss their concerns with the appropriate class teacher, whilst all other complainants (members of the public etc) should address their concerns to the Headteacher.

6. The teacher receiving the complaint may consider that another member of staff or the Headteacher will be better able to deal with it and will refer the complaint to the appropriate person.

7. A parent or guardian can raise more serious complaints or concerns by making an appointment to speak directly to the Headteacher.

8. It is considered that the majority of concerns /complaints can be resolved by informal discussion and parents/carers are encouraged to express their concerns as part of an ongoing dialogue between school and parents. School will take note of all concerns and take appropriate action when necessary.

### **Formal Stage**

9. If the issue cannot be resolved by informal discussion, the complainant will be advised to put the complaint in writing addressed to the Headteacher, giving as much detail as possible. A form for registering a complaint is available from school if required. If insufficient detail or information is given, the Headteacher may meet with the complainant to seek clarification.

10. The Headteacher will acknowledge receipt of the complaint in writing within 3 working days, give a target date for the issue of a substantive reply, and offer an opportunity to the complainant to verbally supplement the information already given. At any such meeting, the complainant can be accompanied by a friend.

11. The Headteacher will carry out a thorough investigation of the circumstances leading to the complaint, and will interview all persons involved.

12. A member of staff who is the subject of a complaint has the right to be accompanied by a friend or representative when being interviewed. Where the complaint centres on a pupil, the pupil should be interviewed in the presence of a parent / guardian, or where this cannot be arranged, by a member of staff of the pupil's own choice.

13. The Headteacher should keep a written record of all meetings, interviews and conversations in relation to the complaint, together with any relevant documents.
14. Once all the relevant facts have been established, the Headteacher should then send a written response **or** meet with the complainant to discuss/resolve the matter directly.
15. The written or verbal response should include an explanation of the decision and the reasons for it, and where appropriate, what action the school will take to resolve the complaint or to prevent a possible recurrence.
16. If the complaint relates to the actions of the Headteacher, it should be addressed to the Chairman of the Board of Governors who will carry out the above procedures for investigating and determining the complaint. Contact details for the Chairman are given in the school's prospectus or are available from the school office.
17. If the investigation of a complaint results in disciplinary action against a member of staff, the complainant should only be notified that action is being taken under the appropriate regulations and procedures. All other information will be treated as strictly confidential.
18. Brief details of complaints which result in changes to the school's policies or procedures should be reported to the Chairman of the Board of Governors. It will be at the discretion of the Chairman to determine whether any issue raised by a complaint should be reported to the Board of Governors.

### **Review by the Board of Governors**

19. In notifying the decision, the Headteacher should inform the complainant of the right to have the decision reviewed by the Board of Governors. Any request for a review should be put in writing, addressed to the Chairman of the Board of Governors and the school office will provide the necessary address or forward the letter as requested.
20. On receipt of such a request, the Chairman should issue a written acknowledgement and inform the complainant that the review will be carried out by a panel of three Governors within 20 working days. The Chairman should arrange to convene a Complaints Panel of three Governors (excluding any Governor who has had prior involvement in the consideration of the complaint).
21. Once arrangements have been made for the panel to meet, each panel member should be supplied with copies of all relevant documents, and the Chairman should write to invite the complainant, the Headteacher, and any relevant witnesses to attend the meeting.
22. The complainant should be informed of (a) how the meeting will be conducted, (b) that he/she has the right to be accompanied by a friend, and (c) that he/she can, if necessary, submit further written information.
23. The Headteacher should be asked to prepare a written report for the panel, detailing the actions taken to resolve the issue, a copy of which should be sent to the complainant.

### **Arrangements for the Panel Meeting**

24. The attendance at the meeting, other than the Headteacher and the complainant (and friend), will be at the discretion of the Chairman of the panel.

25. The Chairman of the panel should ensure that the meeting is conducted in as informal a manner as possible, with the aim of resolving the complaint and achieving reconciliation between the complainant and the school.

26. The meeting should be properly minuted.

27. The meeting should allow for

- (a) the complainant and the Headteacher to explain the issue from their perspective;
- (b) the complainant and the Headteacher to question one another on the issue (the chairman of the panel should ensure that an adversarial situation does not develop);
- (c) the panel members to question the complainant, the Headteacher, and any witnesses.
- (d) final statements by both the complainant and the Headteacher.

28. The panel will then consider all the evidence in private to reach a decision on the complaint, decide upon the appropriate action to be taken to resolve the issue, and where appropriate, to recommend changes to the school's policies or procedures to prevent a recurrence.

29. The decision of the panel should be given in writing by the Chairman of the panel to the complainant and to the Headteacher within 15 working days.

30. All correspondence and documents relating to the complaint should be retained by the Headteacher on a "strictly confidential" file and not on the child's personal records. The panel members should be asked to destroy all other copies.

31. The Chairman of the panel will report verbally to the next meeting of the Board of Governors on the complaint and the outcome.

## **Final Appeal**

32. A complaint can be made to the Secretary of State for Education,

(a) under section 496 of the Education Act 1996 on the grounds that a governing body (or LEA) is acting or proposing to act unreasonably, or

(b) under section 497 of the same Act on the grounds that the governing body (or LA) has failed to discharge its duties under this Act.

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**FLIXTON PRIMARY SCHOOL**  
**COMPLAINT FORM**

(A formal complaint should be put in writing to the Head teacher, but need not be on this form which is provided for your convenience)

Your name.....

Address.....

Telephone No. (Day).....

Relationship with school (parent, guardian)

“ (Evening).....

.....

Pupil's name (if relevant to your complaint).....

Please give concise details of your complaint, including dates, names of witnesses etc.

If there is insufficient space, please continue overleaf or attach a separate sheet.

What action, if any, have you already taken to try to resolve your complaint?  
(i.e. who have you spoken or written to and what was the outcome?)

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

Signature:

Date:

For School Use:

Form received on.....(date) by.....

Acknowledged on..... (date) by.....