


ORCHARD LEA JUNIOR SCHOOL

COMPLAINTS PROCEDURE

POLICY



This policy applies to all staff at Orchard Lea Junior School

Date of Policy Review	June 2022
Name of Headteacher	Mr S. Summerton
Signature of Headteacher	

Orchard Lea Junior School

COMPLAINTS PROCEDURE

Guidance Document for Parents – What to do when things go wrong

Orchard Lea Junior School is committed to encouraging the involvement of parents in the community of the school and in their children's education. One aspect of this commitment is reflected by recognising that, from time to time, things may occur which cause parents concern and that it is important that parents or children know what steps to take in order to ensure that any problems are resolved. These notes are intended to provide guidance to help parents with this process.

This procedure does not apply to complaints about:

- Admissions to school
- Statutory assessments of Special Educational Needs (SEN)
- School re-organisation proposals
- Matters likely to require a Child Protection investigation
- Exclusion of children from school
- Whistleblowing
- Staff grievance and disciplinary procedures
- Complaints about services provided by other providers who may use the school's premises or facilities

Preliminary Stage

Who should I talk to?

Most concerns can be dealt with quickly and effectively through informal discussion with members of staff at school.

You are always welcome in to school by appointment to discuss any concerns or problems that have arisen. In the first instance, please meet with your child's class teacher to discuss any matters. The teacher, having the knowledge of both your child and events in school, is often the person best placed to help.

You can expect that matters raised will be treated in confidence, but parents also need to understand that to resolve problems and find the best way forward, the teacher, or other appropriate member of staff, may have to make further enquiries. When this is the case you can expect that this will be done with care and that teachers will be sensitive to how such circumstances may affect your child. This is true for any investigation underway by the school at any time.

Sometimes you may feel that approaching your child's teacher could be awkward, especially if the matter you wish to discuss may affect a member of staff. If this is

the case then you may choose to speak to another appropriate member of staff, e.g. the head teacher or the deputy head teacher.

The chair of governors reserves the right to refer complaints that are taken straight to them back to the appropriate member of staff if it does not warrant the governing body's involvement at that point.

If your complaint is about the headteacher, you should contact the chair of governors via the school.

If your complaint is about the chair of governors or a member of the governing body, you should contact the clerk to the governing body via the school.

If your complaint is about the entire governing body or the majority of the governing body, you should contact the clerk to the governing body via the school. The clerk will organise for a committee of independent governors to review the complaint.

All staff will do their best to ensure your concerns are dealt with appropriately and efficiently, but if an agreement cannot be reached, or if you are dissatisfied with the outcome, you can make a formal complaint to the headteacher.

Formal Complaints

In order to ensure complaints are dealt with efficiently and effectively, Orchard Lea Junior School deals with formal complaints in three stages.

Stage 1 – Complaint heard by the Headteacher

If talking to your child's class teacher or other appropriate member of staff on a previous occasion does not seem to have resolved a particular problem then you should contact the head teacher. This can either be in writing or by making an appointment to speak to them. The head teacher has the responsibility for the day to day running of the school and will recognise situations like this can be difficult and sensitive. You can expect the head teacher to acknowledge your complaint within **5 school days** and to take the appropriate steps to follow up your concerns. They will keep a written record of their investigation and might also invite you in for a meeting to discuss your concerns further and to add any other relevant information. After they have completed their investigations you will be informed of the outcome, with an explanation of their decision and the actions that needed to be taken to resolve your complaint, within **10 school days**.

If a delay is anticipated the school should keep you informed of its progress and of when you are likely to receive details of the outcome of the investigation.

Stage 2 – Complaint heard by the Chair of Governors

If you are not satisfied that matters have been resolved, you should contact the Chair of Governors through the school, giving full and clear details of your

complaint. The Chair will investigate after speaking to the head teacher and might request a meeting with both parties. They will try to resolve the complaint and you should expect the outcome of their investigation to be communicated to you within **10 school days**.

The chair of governors may invite you to attend a meeting to discuss your complaint and possible solutions, or to explain what has happened or will happen as a result of your complaint.

The chair of governors will explain that the governing body has strategic role, and is responsible for the school's strategic framework and the headteacher is responsible for the school's management and control of the school and for advising on and implementing the governors' policies. The headteacher is solely responsible for making day to day decisions.

This stage offers an opportunity for achieving conciliation between all parties and discussions between the chair of governors and headteacher will be key to resolving the complaint and agreeing a way forward. If the chair of governors has decided not to take any further action, they will explain what they have decided and how they reached the decision. You will also be advised of your right to take the matter further if you are not satisfied with the chair of governor's response.

Stage 3 – Complaint heard by the governing body's complaints panel

I still feel that matters have not been resolved, what should I do?

It is very rare for a complaint to reach this stage but, if it does, the next step of the process will involve an independent and impartial view by a panel from the Governing Body. You should contact a member of the Governing Body, through the school, and request that your complaint proceeds to the next stage. The Clerk will acknowledge receipt of your complaint and will explain that a Panel will meet to review your complaint within **20 school days**. The Panel will consist of three Governors **who have no prior involvement in the matter in question**. All relevant documents relating to the complaint will be provided to the Panel beforehand.

You will receive notification of the date that the Panel will meet 5 days in advance of the meeting. You will also be informed that you have the right to go to the meeting and to be accompanied by a friend, legal representative or interpreter. The Headteacher will also be invited to attend the meeting.

Whilst discussions at the meeting will be documented (usually by the Clerk) the meeting will be as informal as possible with the main aim being to resolve the problem raised and to achieve reconciliation between you and the school. It provides an opportunity for you to explain your complaint and concerns, for the Headteacher to explain the school's response and for all people present to seek clarification through questions and discussion. Once the discussion has ended everyone, apart from the Panel, will leave the meeting and the Panel will review matters and reach a decision.

The Panel will provide a decision on the complaint to you and the school within **15 school days**. The clerk will inform you in writing of the panel's decision. The letter will include a summary of the issues, an outline of the main points of discussion, the reasons for the decision and the proposed actions or outcome. The letter may set out recommendations which will be made to the governing body. The panel's decision is the final stage in the complaints procedure.

If you feel though that the school has acted unreasonably or not followed the the correct procedures you can write to the Secretary of State for Children, Schools and Families using the following details: Department for Education, 2nd Floor, Picadilly Gate, Store Street, Manchester, M1 2WD.

Unreasonable Complaints

Orchard Lea Junior School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. Operating from a position of mutual respect, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour including that which is abusive, offensive or threatening.

Orchard Lea Junior School defines unreasonable complaints as "those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints".

A complaint may be regarded as unreasonable when the person making the complaint:

- is malicious, aggressive, uses threats, violence or abusive, offensive or discriminatory language
- publishes unacceptable information in a variety of media such as social media, websites and newspapers
- refuses to articulate their complaint or specify the grounds of their complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- refuses to accept that certain issues are not within the scope of a complaints procedure
- introduces irrelevant information which the complainant expects to be taken into account and commented on
- makes unjustified comments about staff who are trying to deal with the issues
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into a complaint where the school's complaint procedure has been fully and properly implemented including referral to the Department for Education

- seeks an unrealistic outcome
- makes excessive demands in school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with

Whenever possible, the headteacher or chair of governors will discuss any concerns with the complainant before applying an 'unreasonable' marking. In response to any serious incidents of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the school premises.

Governing body review and monitoring of complaints

The headteacher will report annually to the governing body on the number of formal complaints received and the levels at which they have resolved. No details identifying the complaint or any member of staff will be published.

The governing body will review and evaluate all complaints to ensure similar problems are avoided in the future or to see if they could have been managed more efficiently.

STAGED APPROACH TO HANDLING COMPLAINTS

Complainant's Actions

School's Actions

PRELIMINARY STAGE

Speak with a relevant member of staff. In the first instance, the class teacher.

Informal discussion:

- Listen
- Discuss
- Consider who should deal with the matter
- Record concern
- Resolve

Parent satisfied

Parent not satisfied

Explain procedures and next stage

STAGE ONE

CONTACT HEADTEACHER



- Acknowledge within 5 days
- Investigate
- Agree to meet
- Confirm the outcome within 10 days
- Offer a resolution

Parent satisfied

Not Resolved

Explain procedures and next stage

STAGE TWO

CONTACT THE CHAIR OF GOVERNORS through the school

- Acknowledge within 5 days
- Agree to investigate
- Speak to Headteacher
- Meet with both parties
- Try and resolve
- Confirm outcome within 20 days

Parent satisfied

Parent not satisfied with the outcome

Explain procedures and next stage

STAGE THREE

ASK FOR HEARING BY THE GOVERNORS' COMPLAINTS PANEL

- No statutory timescale
- Good practice is for the clerk to set up the hearing within 20 days
- Three Governors on the Panel to consider written & verbal submissions from all parties
- Decision preferably within 15 days

THIS IS THE FINAL STAGE IN THE SCHOOL'S INTERNAL COMPLAINTS PROCEDURES