

<b>KIRKBY MALZEARD C.E. PRIMARY SCHOOL COMPLAINTS PROCEDURE</b>
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**Rationale & Aims:**

It is inevitable that in any school, from time to time, complaints will arise. Such complaints need to be satisfactorily resolved in a timely manner. In order to achieve this in an open and professional way, consistent handling procedures must be followed. Such procedures will be made explicit to all governors and staff. Parents/carers will be made aware via the school prospectus.

**Complaints Procedure:****Informal Stage**

- Parents/carers should in the first instance, feel free to raise their concerns with the class teacher either in person, by telephone or in writing.
- The school is committed to responding as quickly as possible to any issues raised. Staff will listen to parents' concerns and seek to reach a speedy and satisfactory resolution,
- Complainants will, where possible, receive a response to their concern within TWO school days. If it is not possible to meet this deadline they will be informed of when a response will be made
- If, after attempting to resolve the issue informally, a complainant remains dissatisfied with the outcome they will be provided with information about the school's formal complaints procedure (Formal Stage 1)
- Exceptions - Any complaint which involves a claim for compensation or an allegation of misconduct about a particular member of staff should be put in writing to the Headteacher. A complaint about the conduct of the Headteacher should be made in writing to the Chair of Governors which will be dealt with as Formal Stage 1.

## Formal Stage 1: Headteacher/Chair of Governors

- The complaint should be put in writing to the Headteacher.
- Receipt of the complaint will be acknowledged within 2 school days and will specify how the complaint will be investigated, by whom and the timescale within which a full response will be made.
- The Headteacher will ensure that a full response is made within 5 school days. If the timescale needs to be extended, parents will be informed.
- During the investigation the Headteacher may contact the complainant to clarify the details of the complaint and speak to other persons as necessary.
- A complainant will be allowed the opportunity to meet with the investigating officer and to be accompanied by a friend or relative to speak on their behalf or help them make their case.
- The Headteacher, will interview relevant witnesses and take statements from those involved, which statements will be agreed by the parties involved and signed by them at the conclusion of the meeting.
- If the complaint involves a pupil, he/she should also be interviewed, normally with a parent/carer present. In some cases this might not be possible and a member of staff with whom the pupil feels comfortable should attend the interview.
- The Headteacher should keep written records of all meetings and telephone conversations undertaken as part of the investigation together with any other relevant documentation
- A full written response will be made to the complainant who may be offered a further meeting to explain how the investigation was carried out and how decisions were reached.
- The complainant will be advised that if they are dissatisfied with the outcome they may refer the matter to the Governing Body (Formal Stage 2). This should be done by writing to the Chair of Governors within **10** school days of receipt of the letter from the Headteacher.

## Formal Stage 2: Appeal to Panel of Governors

- If the complainant is dissatisfied with the outcome of Formal Stage 1 there will be a further and final right of appeal to a specially convened panel of governors who have had no prior involvement in Formal Stage 1.
- Appeals should be lodged with the Chair of Governors within **10** schools days of receipt of the Stage 1 decision.
- The panel will meet within **20** schools days of receiving the complaint and the complainant and the Headteacher will be informed of the date, time and venue of the hearing.
- The panel will comprise at least 3 governors who have had no previous knowledge of or involvement in the case. The panel should not include teaching or staff governors
- The panel will appoint its own chair, normally the Chair or Vice-chair of Governors. The chair of the panel will ensure that the appeal hearing is minuted.
- The panel will consider the way the complaint has been investigated and handled by the school. The panel will carry out a review of the investigation carried out at Formal Stage 1. It will hear the report of the Headteacher at Formal Stage 1 and any submissions on that report by the complainant. The review should not entail a re-hearing of the case.
- It will be open to the governors to uphold the complaint and/or direct a different remedy to that decided upon by the Headteacher at Formal Stage 1.
- The complainant may be accompanied by a friend or relative to speak on their behalf or help present their case.
- The decision of the panel is final and will be communicated in writing to the complainant and the Headteacher within 3 school days
- If the complainant believes that the matter has not been dealt with fairly they may ask NYCC LEA to examine the process which has been followed.
- NYCC LEA does not have power to set aside the decision of the Governors' Panel. It may only comment on the fairness of the process.
- A further stage of appeal can be taken to the Secretary of State for Education & Skills, but only on the grounds that the governing body or NYCC LEA is acting or proposing to act unreasonably or illegally.

Adopted by the Governing Body (Date) .....

Review Date .....

## Checklist for a 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 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.
- 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.
- 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.

## Example of a 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:**