

**FEDERATION OF WINKLEBURY INFANT AND JUNIOR SCHOOLS**

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**Head of Federation : Mrs S Mathlin**

**Complaints Policy**

**Status: Review of final policy**

**Ratified by the governing body: September 2018**

**Record of last review: September 2018**

**Date of next review (every three years): September 2021**

## COMPLAINTS POLICY

### Rationale

The intention of this policy is to direct how the Federation of Winklebury Infant and Junior Schools will deal with general complaints. The Federation believes that parents / complainants should be able to express their views in the full knowledge that they will be dealt with appropriately and in a fair manner.

The Complaints Policy is not intended to encompass those aspects of school life where the law sets specific complaints' procedures i.e. admissions, exclusions, complaints about the delivery of the National Curriculum and the provision of collective worship and religious education. Parents / complainants who are not satisfied with an LA's decision about special educational needs assessments may appeal to the SEN tribunal. The LA's duty to consider complaints about the curriculum, sex education and religious worship in maintained schools has been removed and these complaints, if they are not resolved by the school, should be addressed to the secretary of State for Education.

Further details about these procedures are available in other documents.

### Aims

- To provide an accessible and easy to understand procedure for complaints
- To encourage parents and the community to express their views at the earliest opportunity, using appropriate channels
- To assist communication between parents, the community and school
- To guarantee that whether a complaint is made formally or informally, all parties ensure details are only known by those involved in investigating the complaint
- To ensure parents feel assured that making a complaint will not adversely affect their child

### Guidelines

Stage one: The First Contact – Dealing with Concerns and Complaints Informally

- 1.1 The majority of concerns and complaints can usually be resolved informally. There are many occasions where concerns are resolved straight away through discussion with the classteacher, members of the leadership team, the admin team, or Chair of Governors, depending on the nature of the complaint.
- 1.2 If the person first contacted cannot deal with the matter immediately, they make a clear written record of the date, name, contact address or telephone number and the nature of the complaint.
- 1.3 Any member of staff will know how to refer, if necessary, to the person with responsibility for the particular complaint raised by the parent. They will later check that the referral has been successful. Complaints made informally to governors will be referred to the relevant member of staff or the Chair of Governors where appropriate.
- 1.4 On certain major issues, the Head of Federation may decide to deal with concerns directly at this stage.
- 1.5 If the complaint relates to the Head of Federation, the parent / complainant is advised to contact the Chair of Governors in writing.
- 1.6 The person dealing with the complaint makes sure that the parent / complainant is clear what action, if any, or monitoring of the situation has been agreed, putting this in writing if this seems the best way of clarifying the matter.
- 1.7 Where no satisfactory solution has been found, parents / complainants are asked if they wish their concern to be considered further. If so, they are provided with clear information, both orally and in writing, about how to make a formal complaint and about any independent advice available to them.

## Stage 2: The Formal Complaint to the Head of Federation

- 2.1 When a formal written complaint is made, it will be acknowledged in writing within 3 working days.
- 2.2 The Head of Federation (or designate) acknowledges the complaint orally and in writing within 3 working days of receiving the written complaint. The acknowledgement gives a brief description of the school's complaints procedure and a target date for providing a response to the complainant. This should normally be within 10 working days. If it is not possible a letter is sent explaining the reason for the delay and giving a revised target date.
- 2.3 The Head of Federation(or designate) provides an opportunity for the parent to meet with them to supplement any information provided previously. It is made clear to the parent / complainant that if they wish they may be accompanied to any meeting by a friend, relative, representative or advocate who can speak on their behalf. The parent / complainant will also be asked if they have any special requirements of which the school needs to be aware, for example wheelchair access or signing.
- 2.4 If necessary the Head of Federation (or designate) should interview witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil should also be interviewed. Pupils may be interviewed with parents / guardians present. In some situations, circumstances may prevent this. In such circumstances another member of staff with whom the pupil feels comfortable should be asked to attend. If a member of staff is complained against, the needs of that person should be considered.
- 2.5 The Head of Federation (or designate) keeps written records of meetings, telephone conversations and other documentation.
- 2.5 Once all the relevant facts have been established, the Head of Federation(or designate) should produce a written response to the parent / complainant or may wish to meet the parent / complainant to discuss / resolve the matter directly. This response should include a full explanation of the decisions made and the reason for those decisions. The parent / complainant is advised that should they wish to take the complaint further they should notify the Chair of Governors within 5 weeks of receiving the outcome letter.
- 2.7 If the complaint is against the action of the Head of Federation (or designate) or the Head of Federation has been very closely involved in Stage 1, the Governors' Complaints Panel should carry out all the Stage 2 procedures.

## Stage 3: The Formal Complaint to Governors

Upon receipt of a written request by a parent / complainant for the complaint to proceed to Stage 3 the procedures below should be followed:

- 3.1 The Clerk to the Governing Body should write to the parent / complainant to acknowledge receipt of the written complaint. The acknowledgement should inform the parent / complainant that the complaint is to be heard by three members of the school's Governing Body within 20 working days of receiving the complaint. The letter should also explain that the parent / complainant has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be received by the full members.
- 3.2 The Clerk to the Governors should arrange to convene a Governors' Complaints Panel elected from members of the Governing Body.
- 3.3 The Chair / Vice Chair will ensure that the complaint is heard by the Complaints Panel within 20 working days of receiving the letter. All relevant correspondence regarding the complaint should be given to each member of the Complaints Panel as soon as the composition of the Panel is confirmed. If the correspondence is extensive, the Chair of the Panel should prepare a thorough summary for sending to Panel members.
- 3.4 The Chair / Vice will write and inform the parent / complainant, Head of Federation, any relevant witnesses and members of the Panel at least 5 working days in advance, of the date, time and place of the meeting. The notification to the parent / complainant should also inform them of their right to be accompanied to the meeting by a friend / advocate / interpreter. The letter will also explain how the meeting will be conducted and the parent's / complainant's right to submit further evidence to the Panel.

- 3.5 If either party wished to introduce previous undisclosed evidence or witnesses, it is in the interest of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.
- 3.6 The meeting will allow for:
- The parent / complainant to explain their complaint and the Head of Federation to explain the school's response.
  - The Head of Federation to question the parent / complainant about their complaint and the parent / complainant to question the Head of Federation and / or other members about the school's response.
  - Panel members to have the opportunity to question the parent / complainant and the Head of Federation.
  - Any party to have the right to call witnesses (subject to the approval of the Chair) and all parties having the right to question all witnesses.
  - Final statements by the parent / complainant and the Head of Federation.
- 3.7 The Chair of the Panel will explain to the parent / complainant and the Head of Federation that the Panel will now consider its decision, and a written decision will be sent to both parties within 15 working days.
- 3.8 The Panel will then consider the complaint and all the evidence presented and:
- a. Reach a unanimous, or at least a majority, decision on the complaint.
  - b. Decide upon the appropriate action to be taken to resolve the complaint.
  - c. Where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.
- 3.9 A written statement outlining the decision of the Panel must be sent to the parent / complainant and the Head of Federation. The letter to the parent / should explain whether a further appeal can be made and if so, to whom.

<b>Stage One</b> Informal	Expression of concern to a member of staff ↓ Satisfactory outcome reached?  YES →  NO ↓	No further action
<b>Stage Two</b> School investigation	Complainant makes written complaint ↓ Investigation conducted by relevant Line Manager or member of Leadership Team, including Headteacher, and reported to complainant.  Satisfactory outcome reached?  YES →  NO ↓	No further action
<b>Stage Three</b> Governor involvement	Complainant makes formal complaint to Chair of Governors ↓ Satisfactory outcome reached?  Yes →  NO ↓	No further action
This is the final stage in the school's internal complaints procedure. However further advice can be obtained from  The Complaints Advisor Education Department Hampshire County Council The Castle Winchester SO23 8UG		

**Policy reviewed by: Head of Federation**

**Date: 11/9/18**

**Signed: (Chair of Governors)**

**Next review date: September 2021**