



St Nicholas C of E (VC) Primary School

They will soar on wings like Eagles. Isaiah 40:31



Complaints Policy

Rationale

St Nicholas CofE VC Primary School fully recognizes that it is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint escalates. To that end, teaching and support staff are made aware of these procedures so that they know what to do if they receive a complaint.

Aims and principles

The aims of this policy are all stages are consistent and transparent and fully understood be all involved.

- Encourage resolution of problems by informal means wherever possible
- Be easily accessible and publicised
- Be simple to understand and use
- Be non-adversarial
- Allow for swift handling within established timelines for action and keeping people informed of the process
- Ensure full and fair investigation by an independent person where necessary
- Respect people's desire for confidentiality
- Address all points at issue and provide effective response and appropriate redress where necessary

Procedures and Actions

In most circumstances the school uses a staged approach to dealing with complaints. Where it will not use this approach is in cases that may relate to a child protection. In this case, complainants are directed to the school's Child Protection Policy and Wiltshire Council's Allegations Against School Staff flow chart (available on the school website or on the school's Child Protection notice board in the staff room).

Stage 1: Complaint heard by staff member

Complainants are usually first directed to the class teacher most able to help.

We respect the views of a complainant if he/she has difficulty discussing a complaint with a particular member of staff. In these cases, complaints are normally directed to the head teacher or other senior member of staff (Ms Joanne Lewis or Mrs Ann Law). If the complaint concerns the head teacher the complainant is referred to the chair of governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the issue will normally be referred to the head teacher or Mrs Ann Law SLT. (The ability to consider the complaint objectively and impartially is crucial.)

Where the first approach is made to a governor, the next step is to refer the complainant to the appropriate person (class teacher or head teacher) and advise the complainant about the procedure. (Governors do not act unilaterally on an individual complaint outside the formal procedure in case they are needed to sit on a panel at a later stage of the procedure.)

Stage 2: Complaint heard by headteacher

If a complaint is not satisfactorily resolved by discussion between the complainant and class teacher the matter is raised with the head teacher. At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The head may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

Stage 3: Complaint heard by Governing Body's Complaints Appeal Panel

The complainant writes to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a Governing Body complaints panel. The governors' appeal hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions. Individual complaints are not heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

Terms of reference

Governing Body Complaints Panel

The governing body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures
- hearing individual appeals
- making recommendations on policy as a result of complaints.

The procedure adopted by the panel for hearing appeals would normally be part of the school's complaints procedure. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.

The Remit of The Complaints Appeal Panel

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

Governors sitting on a complaints panel bear the following in mind:

- It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor sits on the panel if he/she has had prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors try to ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- The aim of the hearing, which needs to be held in private, is to resolve the complaint and achieve reconciliation between the school and the complainant. However, it is recognised the complainant might not be satisfied with the outcome if the hearing does not find in his/her favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- The panel acknowledges that complainants may feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair

ensures that the proceedings are as welcoming as possible. The layout of the room is informal and not adversarial.

- Extra care is taken if the complainant is a child. Careful consideration of the atmosphere and proceedings ensures, as far as possible, that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, he/she is given the opportunity to say which parts of the hearing, if any, the child needs to attend.
- The governors sitting on the panel need are fully aware of the complaints procedure.

Roles and responsibilities

Clerk

Any panel considering complaints is clerked. The clerk is the contact point for the complainant and:

- Sets the date, time and venue of the hearing, ensuring that these are convenient to all parties and that the venue and proceedings are accessible
- Collates any written material and sends it to the parties in advance of the hearing
- Meets and welcomes the parties as they arrive at the hearing
- Records the proceedings
- Notifies all parties of the panel's decision.

Chair of the Governing Body or the Nominated Governor

The nominated governor:

- Checks that the correct procedure has been followed.
- If a hearing is appropriate: notifies the clerk to arrange the panel.

Chair of the Panel

The Chair of the Panel has a key role, and ensures that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption
- The issues are addressed
- Key findings of fact are made
- Parents and others who may not be used to speaking at such a hearing are put at ease
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- The panel is open minded and acts independently
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- Each side is given the opportunity to state their case and ask questions
- Written material is seen by all parties. (If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.)

Notification of the Panel's Decision

The chair of the panel ensures that the complainant is notified of the panel's decision, in writing, with the panel's response within 10 days of the panel meeting. The letter will explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

Date of issue:	September 2022
Review Date	September 2023
To be reviewed	Headteacher and Governors
Authorised by	Headteacher and Governors