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Complaints Policy	Issued: July 2020
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APPROVAL BY	FULL GOVERNING BODY

Complaints Policy

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This Policy has been adopted by Alfred Street Junior School from the Northamptonshire County Council Children Families and Education

1. Purpose

Schools need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

The underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. **The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally.**

In most cases the class teacher will receive the first approach. It is helpful when staff are able to resolve issues on the spot. This may include offering a clear explanation; in some cases accepting that a situation could have been handled better; in other cases an apology may be appropriate.

2. Introduction

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. Alfred Street Junior School (ASJS) is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint, you may wish or be asked to follow the school's formal complaints procedure. For the school to be able to investigate a complaint, it needs to be made within one year of the incident occurring. If a complaint is older than a year it will not be investigated.

The prime aim of the school's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by the school.

For the purposes of this policy, reference to 'parents' includes all adults who have a caring responsibility for a child or children in the school. This may include parents, step-parents, grandparents and other relatives, foster carers and adoptive parents as well as other adults who have a legal responsibility for a child.

The following details outline the stages that can be used to resolve complaints.

The ASJS Complaints Policy has four main stages.

Summary:

- Stage 1: A concern is raised informally with a staff member
- Stage 2: Formal complaint is heard by a Senior Member of Staff
- Stage 3: Complaint is heard by the Head Teacher
- Stage 4: Complaint is heard by Governing Body's Complaints Panel

Stage 1 – Raising a concern

Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern.

The school requests that parents make their first contact with their child's class teacher. On some occasions the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within a day or two.

If the Head Teacher is the first recipient of a complaint, they will decide whether to delegate consideration to another member of staff under Stage 1/2 or to proceed to Stage 3.

The majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at Stage 1, please write to or call the school within 10 working days and request what you would like to school to do. The school will then look at taking your complaint to the next stage.

Stage 2 – Complaint heard by a Senior Staff Member

Formal complaints must be put in writing and addressed to Mrs Kelly O'Connor – Head Teacher. The complaint will be logged, including the date it was received. The school will normally acknowledge receipt of the complaint within 2 school working days of receipt. In many cases this response will also report on the action the school has taken to resolve the issue. Alternatively, a meeting may be convened to discuss the matter further. This meeting will normally take place within 10 school working days.

The aim will be to resolve the matter as speedily as possible. However, if you are not satisfied with the result please write to the school within 10 school working days of receiving our response. You will need to explain the reasons why you are still not satisfied and what you are requesting the school to do.

Stage 3 – Complaint heard by the Head Teacher

If the matter has not been resolved at Stage 2, the Head Teacher will arrange for further investigation into the matter. Following the investigation, the Head Teacher will normally give a written response within 10 school working days.

If you are dissatisfied with the result at Stage 3, you should let the school know, in writing, within 10 school working days of getting the response.

Stage 4 – Complaint heard by the Governing Body’s Complaints Appeal Panel

If the matter has still not been resolved at Stage 3, then you should write to the Chair of Governors giving details of the complaint. The Chair or a nominated Governor will convene a Complaints Committee. The membership of the Complaints Committee will be checked before each hearing to ensure that no member of the Committee has had perceived or actual involvement in the matter. Care will be taken that no Committee member has any personal links with either the complainant or the person against whom the complaint has been made. If there is any doubt about a person’s ability to act impartially or fairly or there may be a conflict or potential conflict of interest, the Governing Body has final decision whether that person should be a member of the Committee or any appeal Committee. Substitute members may be appointed as necessary. The hearing will normally take place within 10 school working days of the receipt of the written request for Stage 4 investigation.

The aim of the Appeal Panel hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. All parties will be notified of the Panel’s decision in writing within three school working days after the date of the hearing. The letter will also contain information about what you need to do if you wish to take the matter further.

3. If the complaint concerns the Head Teacher

If the complaint is about the Head Teacher, the person first receiving it should refer it to the Chair of Governors. The Chair may choose to investigate the complaint themselves or delegate investigation of the complaint to the Vice Chair or other designated Governor. Whichever Governor carries out the investigation they will not then be a member of the Complaints Committee.

The Chair, or investigating Governor, will acknowledge receipt of the complaint in writing, within 5 school working days. After investigation, the Chair or investigating Governor will give a written response within 10 working school days. If the Complainant is not happy with the outcome then they will be advised to write to the Vice Chair – if the Chair carried out the investigation, or the Chair – if the Vice Chair or another delegated Governor carried out the investigation, who will refer the matter to the Chair of the Complaints Committee for consideration in accordance with Stage 4.

4. If the complaint concerns the Chair of Governors

Any complaints against the Chair of Governors should be sent in writing to the Vice Chair who should immediately inform the Head Teacher and the Local Education Authority (LEA).

The Vice Chair of Governors may choose to investigate the complaint themselves or delegate investigation to another designated Governor. Alternatively, the Vice Chair may refer the matter directly to the Complaints Committee. The Chair of the Complaints Committee will then proceed to Stage 4.

5. If the complaint concerns the Chair and Vice Chair of Governors

Any complaints against the Chair and Vice Chair of Governors should be sent in writing to the Clerk of the Governing Body, who will refer the matter directly to the Complaints Committee. The Chair of the Complaints Committee will then proceed to Stage 4.

6. If the complaint concerns the Head Teacher and the Chair of Governors

Any complaints against the Head Teacher and Chair of Governors should be sent in writing to the Vice Chair who should immediately inform the LEA. The Vice Chair of Governors may choose to investigate the complaint themselves or delegate investigation to another designated Governor. Alternatively, the Vice Chair may refer the matter directly to the Complaints Committee. The Chair of the Complaints Committee will then proceed to Stage 4.

7. If the complaint concerns a Governor (including the Vice Chair) or a Group of Governors

Any complaints against the Governor or a group of Governors should be sent in writing to the Chair of Governors who will deal with it in the same way as if the complaint had been made against the Head Teacher.

If the Chair is involved as part of the group being complained about, the complaint should be sent to the Vice Chair who will deal with it in the same way as if the complaint had been made against the Head Teacher.

If the Chair and Vice Chair are both involved as part of the group being complained about, the complaint should be given to the Clerk to the Governing Body. The Clerk will forward the complaint to the Chair of the Complaints Committee for action under Stage 4. If the number of Governors who are subject of the complaint result in there being too few Governors to form a Complaints Committee, then the procedure for complaints against a whole Governing Body (below) will be used.

8. If the complaint concerns the Whole Governing Body

Any complaint against the actions of a whole Governing Body should be sent to the Clerk of the Governing Body who will immediately inform the Head Teacher, Chair and the LEA.

The LEA will then consider whether the matter is causing such concern that it can issue a warning notice to the Governing Body in accordance with its powers of intervention. If this is not necessary, then the LEA will seek the agreement of the Governing Body to have the complaint heard by a specially constituted and independent committee.

If the LEA decide not to take any action, they will ask the Clerk to inform the Complainant that the matter will be raised at the next meeting of the Governing Body. The Chair may arrange a Special Meeting to consider the matter if the next meeting is some time away. The Governing Body may look at evidence and arrive at a decision in the same way that its Complaints Committee would. The Clerk will then, send in writing, the decision and an explanation of the reasons for the decision to the Complainant.

9. Unreasonable Complaints

ASJS 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, however, 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.

ASJS 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'*. In this instance they will be referred to HR, NCC and perhaps legal services.

10. Handling Information

All complaints will be kept confidential, with only those involved in investigating and making a decision being made aware of the details of the complaint. The person who is being complained about will also be entitled to know the substance of the complaint against them. The Governing Body has discretion to withhold information when there is sufficient reason, such as where there is a need to protect a source, where there is a legal reason why the information should not be released or to meet Data Protection [1] requirements.

There are separate and established procedures already in existence for some complaints. This procedure should NOT be used for complaints relating to Whistleblowing [2], Admissions [3] or Safeguarding [4].

11. Contact Details

School	01933 353762
Head Teacher	head@alfredstreet.northants.sch.uk
Chair of Governors	chair@alfredstreet.northants.sch.uk
Vice-Chair of Governors	vice-chair@alfredstreet.northants.sch.uk
Clerk of Governors	linda@syzygyleisure.co.uk

12. References

- [1] legislation.gov.uk, "Data Protection Act 1998," [Online]. Available: <https://www.legislation.gov.uk/ukpga/1998/29/contents>. [Accessed 1 July 2020].
- [2] Alfred Street Junior School, "Whistleblowing Policy," 2020.
- [3] Alfred Street Junior School, "Admissions Arrangements Policy," 2020.
- [4] Alfred Street Junior School, "Child Protection and Safeguarding Policy," 2020.