



SOWE VALLEY PRIMARY SCHOOL

Complaints Policy

Date; February 2020

Review; February 2021

**Coventry Children, Learning and Young People's Directorate
General Complaint Procedure for Sowe Valley Primary School**

The school's nominated Complaints Co-ordinator is Carole Carter

Stage 1 - The first contact: guidelines for dealing with concerns and complaints informally.

Complainants may register their concerns either verbally or in writing by letter. If the member of staff first contacted cannot immediately deal with the matter, he or she must make a clear note of the date, name, contact address and phone number and brief details of the concern. This information must be relayed to the Complaints Co-ordinator at the earliest opportunity, and a check made later to make sure action is being taken and that the complaint has been recorded in the school's complaints log, which is held in the Headteacher's office.

The complainant will be provided with an opportunity to discuss their concern with an appropriate member of staff, who clarifies the nature of the concern, the outcome the complainant is seeking, and gives reassurance that the school will treat it seriously.

The Complaints Co-ordinator will identify the appropriate complaint procedure (see Scope of the General Model Complaint Procedure and Other Specific Complaint Procedures) and either investigate themselves, or nominate an appropriate colleague to do so (see Roles and Responsibilities). The Coordinator will make sure the complainant is clear what action (if any) or monitoring of the situation has been decided on, only putting this in writing if this seems the best way to make things clear.

Where no satisfactory solution has been found within **10 working days** at the latest, the Complaint Co-ordinator will ask the complainant if they wish their concern to be registered formally.

Stage Two - Formal Referral to the head teacher

If the concerns relate to the Head Teacher, or the Head Teacher has been so involved as not to be impartial, the complainant must be advised to contact the Chair of the Governing Body.

The Chair will decide if they wish to have support from an officer of the LA. (see THE LINKS TO THE MANAGEMENT OF COMPLAINTS WITHIN THE CHILDREN, LEARNING AND YOUNG PEOPLE'S DIRECTORATE) Where

the Head Teacher has acted as Complaint Co-ordinator at Stage One, another senior member of staff may be designated to collect some of the information from the parties involved, or another senior member of staff may be nominated to be the Investigator.

The complaint should be submitted in writing, by letter. The complainant will be made aware of the assistance available from the LA or other bodies with the writing of the complaint.

The investigator will acknowledge the complaint in writing within **three working days**, providing a brief explanation of the school's complaint procedure, their own name and telephone number, and a target date for providing a response - this should normally be within **10 working days**. If there is any delay, a written explanation and revised target date will be sent.

The investigator will provide an opportunity for the complainant to meet him or her, to supplement or explain any information provided previously. Every effort will be made to arrange a time and date convenient to the complainant, with a minimum of 3 days notice. The invitation will make it clear that they are welcome to be accompanied by a friend, relative, representative or advocate, to speak on their behalf and that interpreting facilities are available if needed. The venue will be suitable for those with special needs, eg wheelchair access, hearing loop.

The investigator will interview witnesses and take statements from those involved. If the complaint is around a pupil, the pupil should also be interviewed. Pupils will normally be interviewed with parents/guardians present. In some situations, circumstances may prevent this, eg where this would seriously delay the investigation of a serious/urgent complaint, or where particular circumstances mean that a pupil has specifically said he or she would prefer that they are not present. In such circumstances another member of staff with whom the pupil feels comfortable must be asked to attend.

Written records of the complaint, the process of investigation, meetings, telephone conversations and other documents will be kept for two years. These are confidential to the school and LA, but will be the basis of a report of the investigation if the complainant requests one.

Once all the relevant facts have been established, the Head Teacher or designate will produce a report and a written response to the complainant. It may be best to meet the complainant to discuss the outcome and resolve any outstanding concerns. In any event, the complainant should be offered

the opportunity to meet with the investigator to discuss the outcome.

The written response will include:

- a full explanation of the decision reached and the reasons for it, including clarification of any misunderstandings by any of the parties involved where applicable, what action the school will take to address the complaint and prevent recurrence, which might include an undertaking to review school policy.
- an apology if appropriate (an admission that the situation could have been handled differently or better is not the same as an admission of any negligence). If there is a possibility of a claim for compensation or of legal action being brought, advice will be sought from the City Council on the wording of the letter.
- information on how and the timescale for requesting a review by the governing body if they are not satisfied with the outcome.

Stage 3 - Governing body review of head teacher's or chairs investigation

A request to review a complaint investigation should be made in writing to the Chair of the Governing Body, within **28 days** of receipt of the outcome letter.

The Clerk to the Governing Body will write to the complainant within **3 working days**, to acknowledge receipt of the review request, to confirm the grounds on which a review will be considered and request that written details of the grounds for the review be received within 28 days of the outcome letter. These grounds are limited to:

- a claim that material information was not taken into account in investigating the complaint
- a claim that procedures have not been properly applied in handling the complaint
- a claim that there has been an incorrect interpretation of Council or school policy

The Governing Body will then nominate three members to form a Complaint Panel to review the complaint and any further documents submitted by the complainant. These must be governors who have had no prior involvement with the complaint.

If s/he has not previously been involved, the Chair of the Governing Body should chair the panel otherwise the Vice-Chair should do it. **The** Head Teacher, or others involved in the original investigation should not have a place on the panel. If the complaint is from a parent, Governors will bear in mind the advantage of having a parent governor on the Panel and will also be sensitive to issues of race, gender and religious affiliation, to ensure a fair and balanced hearing of the case.

The Clerk convenes the Complaints Panel within 28 days of receipt of the appeal and at the same time provides panel members with copies of all relevant correspondence and documentation. If this is extensive, the Chair of the Panel should prepare a thorough summary for the other members.

The complainant, Head teacher and other witnesses are given a minimum of **5 working days** notice of the appeals hearing. The complainant is advised of their right to bring a friend or representative, or to be represented by someone of their choice.

The Panel meeting will be kept as informal as possible, particularly when the complainant attends in person. A round table type of meeting will be adopted where possible.

The outcome of appeals may be to:

- uphold the result of the original investigation, in which case a full explanation will be given
- find the complaint was justified and overturn the original decision. In this case the Review Panel will issue an apology and if the provision of a service or other remedial action is required, will ensure this is put in hand quickly and consider implications for procedures, staff training etc. If there is a possibility of a claim for compensation, or of legal action being brought, the Review Panel will seek advice from the City Council on the wording of the letter.
- find there has been no malpractice or failure of service, but that policies or resources did not permit what the complainant wanted. In this case, the Review Panel will consider whether or not it is appropriate for the policy or allocation of resources to be reviewed and give a full explanation of what action will be taken.
- The Chair of the Panel will notify the complainant in writing of the outcome and advise them of any right of further appeal, eg to the LA, Secretary of State, or Local Government Ombudsman (see General Framework document)

Monitoring and Reporting

The Investigator will record the outcome and identify who is responsible for carrying out and monitoring any recommended action in the school's complaints log.

The Head Teacher will produce a regular analysis of complaints received for the Governing Body.

FLOW CHART. FOR COMPLAINTS RAISED WITH SCHOOLS - Annex A

Concerns/enquiries/requests for action

Raised with class teacher or deputy head who ascertains facts and seeks to resolve

Informal

1. Concerns addressed and resolved informally - END

2. Complainant dissatisfied with decision and is referred to Head Teacher (informal complaint)
 - 4.
 - Head Teacher addresses concerns and issues resolved informally - END
or
 - Parent decides not to pursue formal complaint - END

3. Head Teacher does not uphold complaint, but parent dissatisfied and pursues formal complaint
 - or
 - Head Teacher considers there is need for issue to be considered through formal complaint procedures

Formal

- Head Teacher (or Chair if complaint is against Head Teacher) ascertains facts and considers issues raised.

- Head Teacher/Chair identifies which procedure is appropriate.

- Head Teacher/Chair or nominated member of staff investigates complaint and takes action — parent satisfied at outcome — END.

- Head Teacher/Chair does not uphold complaint — parent dissatisfied, and appeals

Appeal

- Parent appeals to Chair of Governors (or Vice Chair if Chair investigated complaint)

- Chair/Nice Chair of Governors:-
 - a) Checks appropriate procedure to follow
 - b) Calls Complaints Sub-Group of Governors
 - c) Acknowledges and records complaint.
 - d) Briefs key personnel
 - e) Arranges meeting to hear complaint and findings of investigating officer
 - f) Notifies complainant (and other key personnel) of outcome.

- Governors uphold complaint and take action, complainant satisfied at outcome - END

- Or

- Governors do not uphold complaint — complainant dissatisfied. Chair of Governors advises complainant of any right of appeal to external body, (e.g. LA, diocesan authority)