

INFORMAL COMPLAINTS

- i) As part of their day-to-day management of the school, the Head Teacher and staff should normally deal with specific complaints in an informal manner and resolve them quickly, sensitively and to the satisfaction of the complainant.
- ii) There may be more general matters causing a degree of unease in the community which may be best handled through discussion at a Governing Body meeting. Such matters should be put on an agenda, with the consent of the Chairman of the Governing Body, and not raised under Any Other Business. Governors will need to exercise some caution in dealing with such matters (see (ii) (f) and (g) below) but advice in individual cases can be obtained from the Area Education Manager.

FORMAL COMPLAINTS

i) Principles

The guiding principles behind the School Complaints Procedure are:

1. All complaints are dealt with promptly, effectively, objectively and professionally.
2. Complainants are kept informed of progress through each stage of the procedure.
3. The main aim at all stages is to secure either that the complaint is settled or that a decision is taken to proceed to the next stage of the procedure.
4. At each stage of the complaint, full written records are kept for the guidance of those who might need to consider the complaint at a subsequent stage. The complainant must put the complaint into writing before an investigation commences. Where this would be difficult for the complainant they should contact the School Support Officer. Once the complaint is in writing that is what will be investigated.
5. Interviews with staff which are carried out as part of the formal complaints procedure must be conducted on the understanding that staff have the right, if they so wish, to be accompanied by an association representative or friend.

ii) Procedure in Operation

- (a) All complaints must be in writing and must be referred in the first instance to the Head Teacher for investigation unless they concern the Head Teacher directly, in which case they must be referred to the Area Education Manager, via the Chairman of Governors.
- (b) When a school governor receives or has a complaint, it must be referred to the Chairman of the Governing Body who would then refer the complaint to the Head Teacher or to the Area Education Manager if the complaint is about the Head Teacher.
- (c) If the complaint cannot be investigated objectively by the Head Teacher, or the complainant is dissatisfied with the Head Teacher's response, the Chairman of the Governing Body must be informed so that the matter can be referred to the Area Education Manager.
- (d) The Area Education Manager will arrange for the complaint to be investigated (see below), and will report back to the Head Teacher and/or Chairman of the Governing Body with recommendations for dealing with the complaint.
- (e) Where the complaints are initially made directly by parents and others to the LA, the Area Education Manager will refer the complainant back to the school unless the complaint is about the Head Teacher.

- (f) Governors must be cautious about their involvement with complaints in case they result in disciplinary or grievance proceedings; governors who are members of hearings committees need to 'distance' themselves from complaints in order to demonstrate their impartiality at any subsequent hearing.
- (g) Complainants who remain dissatisfied following the investigations of the complaint by the Head Teacher and/or Area Education Manager will be given the opportunity to put their complaint to a Committee of the Governing Body.
- (h) Complainants will be encouraged to make use of the above procedure before referring the complaint to the Secretary of State and/or, in certain circumstances, to the Ombudsman and to a court of law.

iii) **Investigating Complaints**

The Investigating Officer (usually the Head Teacher) should follow the process recommended by the DCSF ie:

- establish **what** has happened so far, and **who** has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct any interview with an open mind and be prepared to persist in the questioning;
- keep notes of any interview for record.

iv) **Resolving Complaints**

At each stage in the procedure, efforts must be made to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint

It may also be the case however that the complaint may not have any substance and is therefore considered to be unfounded or unsubstantiated.

v) **Timescale**

The school will make every effort to respond fully to a written complaint within 20 school days. Where this proves unrealistic, the school will inform the complainant in writing, and give some estimate of how long it will take to provide a detailed response.

vi) **Role of the LA**

The LA will only investigate Formal Complaints. These will be complaints:

- which can not be investigated objectively by the Head Teacher,
- where the complainant is dissatisfied with the Head Teacher's response to a complaint,
- which are about the Head Teacher.

There will be 2 levels of LA investigation. The LA will establish with the complainant precisely what resolution the complainant is seeking, and then determine the level of investigation.

LEVEL ONE

If the complainant wants a resolution as listed in iv) above, then the LA Investigating Officer will interview the Head Teacher to check that a thorough investigation has been fairly undertaken by the school, and that an appropriate response has been made in accordance with the findings.

If there is need for further discussions about the complaint, these will be conducted with the parent, the Head Teacher and/or Chair of Governors as appropriate.

LEVEL TWO

If the Complainant is seeking:

- action against a member of staff which would be considered under the terms of the school's personnel procedures,
- an admission of negligence, or anything that has serious potential for legal action, then the LA Investigating Officer will undertake a full reinvestigation of the complaint, including interviewing the Complainant and witnesses.

IN SUMMARY

- Complaints are best dealt with informally.
- Formal Complaints are in writing. They should be dealt with by the Head Teacher wherever possible.
- Individual governors should refer Complainants, generally to the Head Teacher and, exceptionally, to the Area Education Manager, via the Chairman of Governors.
- The LA will investigate complaints which are not resolved by the school. There are 2 levels of LA investigation;
- Governors should 'distance themselves' from complaints in case they result in formal governing body committee hearings at which governors should be able to demonstrate their impartiality.

Stephany Hunter

January 2022

To be revised by the Steering Committee/ Hearings Committee January 2023



Suffolk County Council

NOTE FOR COMPLAINANTS

The School Complaints Procedure is divided into two parts.

INFORMAL, where the Head Teacher and staff will try to deal with specific complaints in an informal manner and resolve them quickly and sensitively at a local level. This is how most complaints are resolved.

FORMAL, where the complaint must be in writing and sent either to the Head Teacher or to the Local Education Authority, via the Chairman of Governors.

The Local Authority, through the Area Education Office, investigates complaints when a school's internal procedure can not produce or has not produced a satisfactory resolution to the complaint. The Area Office provides an Investigating Officer who will conduct an investigation independent of the school to try to settle the complaint.

When you make a complaint under the procedure, you will be asked to put it into writing so that the Investigating Officer and all other parties are clear about the nature of your complaint. If you are unable to do this you should contact the School Support Officer for advice (see below for contact name and telephone number).

Then

- a) you will be told the name of the Investigating Officer,
- b) the Investigating Officer will contact you,
- c) the Investigating Officer will check that a fair and thorough investigation has been undertaken by the school,
- d) the aim will be to complete the investigation within 20 school days,
- e) a full response will be made to you in writing.

In certain circumstances the Investigating Officer will carry out a full investigation including offering you an interview.

Complainants who remain dissatisfied after this investigation can take their case to a committee of the governing body, which they can attend to make representations on their own behalf. This committee of the governing body has the power to have 'the final say' on the matter.

If you have any questions about this procedure, please contact the School Support Officer at your Area Education Office on the number detailed below. Full copies of the procedure are available from the school and the Area Office.

Western Area: Alison Jones (01284) 758641/ 07912596974

June 2019