

## Willow Tree Primary School – Complaints Policy

### Rationale

1. Policy scope
2. Aims and principles of the policy
3. Key points to note about the operation of the policy
4. Monitoring and recording complaints
5. Upholding or not upholding complaints
6. The stages of the complaints process

Appendix 1: Policy for unreasonable complaints  
Appendix 2: Complaints procedure – parents’ guide  
Appendix 3: Schools’ general complaints - model complaints procedure flowchart  
Appendix 4: The roles and responsibilities of those involved in the process  
Appendix 5: Model complaints form  
Appendix 6: The panel complaints hearing - good practice guidance  
Appendix 7: Types of complaints not covered by this policy

### 1. Policy scope

#### a) Who Can Make a Complaint

- This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to **Willow Tree Primary School** about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.
  - A concern is *‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’*
  - A complaint is *‘an expression of dissatisfaction however made, about actions taken or a lack of action.’*

#### b) Our school’s approach to complaints

- It is in everyone’s best interests in our school and community to communicate well with one another and to make sure that any concerns and complaints are dealt with as quickly and appropriately as possible. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. **Willow Tree Primary School** takes concerns seriously and will make every effort to resolve the matter as quickly as possible.
- If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, **Mrs Elaine Patton – complaint administrator**), will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, **Mrs Patton** will refer you to another staff member. The member of staff may be more senior but does

not have to be. The ability to consider the concern objectively and impartially is more important.

- We understand however, that there are occasions when people would like to raise their concerns formally. In this case, **Willow Tree Primary School** will attempt to resolve the issue internally, through the stages outlined within this complaints procedure
  - This policy has been developed after consulting the Department for Education (DfE) Best practice advice for school's complaints procedures – January 2016.
  - All staff, governors, parents and carers at the school are made aware of this complaints policy and any other policies that may be inter-related (e.g. Behaviour, Health & Safety etc).
  - The policy is regularly publicised to all parents (and particularly parents who are new to the school) and published on the school website. A parents' guide is also produced summarising the policy and made available to all parents. (see Appendix 2)
  - The school has a named school's complaints coordinator whose role it will be to oversee the day to day implementation of the policy. Our current school's complaint coordinator is Elaine Patton.

**a. How To Raise a complaint and within what timeframe?**

- A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.
- Concerns should be raised with either the class teacher or Head teacher. If the issue remains unresolved, the next step is to make a formal complaint.
- Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.
- Complaints against school staff (except the Head teacher) should be made in the first instance, to **Mrs Munro** (the Head teacher) via the school office. Please mark them as Private and Confidential.
- Complaints that involve or are about the Head teacher should be addressed to **Mr Wayne Whitling** (Chair of Governors), via the school office. Please mark them as Private and Confidential.
- Complaints about the Chair of Governors, any individual governor or the whole governing board should be addressed to **Mrs Elaine Patton** (the Clerk to the Governing Board) via the school office. Please mark them as Private and Confidential.
- For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.
- In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints

procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

- Our school would usually expect complainants to raise their concern or complaint as soon as possible after an incident arises, however we understand that it is generally accepted that three months is an acceptable time frame in which to lodge a complaint. This does not mean that the school will not consider concerns and complaints raised after three months, as our primary aim is to ensure that where, practicable, to address all concerns and complaints and ensure they are resolved as quickly and appropriately as possible.

**b. Complaints about Special Educational Needs**

- If you want to complain about our school's SEN support, you should do so whilst your child is registered with us. This includes complaints that school has not provided support required by your child's Education Health and Care Plan.
- Please talk to our special educational needs co-ordinator Mrs Claire Moore about your complaint. If you do not feel your complaint has been resolved, you should follow our school's complaints procedure.

**c) Aims and principles of the policy**

## An outline of the policy aims and principals

This policy aims to:

- encourage the resolution of concerns and complaints by informal means wherever possible;
- ensure that concerns are dealt with quickly, fully and fairly and within defined time limits where possible;
- provide effective and appropriate responses to concerns and complaints;
- maintain good working relationships between the school and all those involved.

**Key principles of the policy are:**

- compliance: it complies with current legislation and guidance;
- accessibility: it is in a useable format, free from jargon, assuming no specialist knowledge;
- good communication: there is a clear process for dealing with complaints;
- clear timescales: there are clear and adhered to recommended timescales (where appropriate);
- clear division of roles and responsibilities: there is clarity over roles and responsibilities of all those involved in the process;
- confidentiality: appropriate confidentiality must be maintained by all involved in the process (including any school staff, administrative staff and governors).

### **b. The legal context of the complaints policy**

- From September 2003, Section 29 of the Education Act 2002 all governing boards of maintained schools and nursery schools in England to have procedures in place to deal with complaints.
- The governing board must establish and publish procedures for dealing with complaints relating to the school, other than those covered by legislation and formal procedures elsewhere (see Appendix 5).
- Academies are regulated under The Education (Independent School Standards) (England) Regulations 2010 (Schedule 1, Part 7) that stipulate the '*manner in which complaints are to be handled*'  
<http://www.legislation.gov.uk/ukxi/2010/1997/schedule/1/made>

### **d) Key points to note about the operation of the policy**

- a. This policy sets out the procedures which our school will follow whenever we receive a complaint for which there are no alternative statutory procedures (see Appendix 5).
- b. In all cases where the complaint directly concerns the school's Head teacher or if the Head teacher has been very closely involved at Stage 1, the Chair of Governors (or nominated governor) will carry out all the Stage 2 procedures.
- c. Complainants raising concerns or complaints will be invited to be accompanied by a friend, a relative or a representative at any stage of the procedure.
- d. If and when complaints about any school are brought to the attention of Salford Local Authority, the complainants will be advised to contact the school and to follow the procedures set out within the school's complaints policy, unless it is a safeguarding issue.

- e. This policy may be used by anyone who has a concern or complaint about any aspect of the school. In the main this will mean parents and carers of the school's pupils, but may include neighbours of the school, pupils who have left the school or other members of the local community.
- f. This policy may be used when dealing with unreasonable complainants. School defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder the school's consideration of their or other people's complaints'*. School has a policy for unreasonable complainants in place based on Department of Education best practice advice. This policy is attached as Appendix 1.

#### e) **Monitoring and recording complaints**

- a. At all stages of the complaints procedure the following information will be recorded:
- name of the complainant;
  - date and time at which complaint was made;
  - details of the nature of the complaint;
  - desired outcome of the complainant;
  - how the complaint is being investigated (including written records of any interviews held);
  - results and conclusions of investigations;
  - any action taken;
  - the complainant's response;
  - record of any subsequent action if required.
- b. The governing board will appropriately monitor the general nature of complaints over each academic year to inform practice and potential improvements to procedures and policies within the school. The outcome of this will be reported to parents on an annual basis.
- c. It is usually proper to disregard anonymous complaints unless somebody is prepared to substantiate them, but the danger in this is that they may relate to something quite serious. It should be at the Head teacher or Governing Board's discretion to decide whether the gravity of an anonymous complaint warrants an investigation.

#### f) **Upholding or not upholding complaints**

- a. At each stage of the complaints procedure the conclusion will be either:
- that the complaint is upheld (in part or full) and where appropriate some form of action is taken; **OR**
  - that the complaint is not upheld and reason(s) for this, where appropriate, are clearly given.
- b. In the first instance of receiving a complaint it may be appropriate to resolve the issue by offering to the complainant one or more of the following:
- an emphatic response;
  - an explanation of events;
  - a recognition that the situation could have been handled differently or better;
  - an explanation of the steps that have been taken to endeavour that it will not happen again. However, this must not include any information or detailed action taken involving a member of staff as this is confidential;

- an undertaking to review school policies in light of the findings of the complaint.
- The complainant may choose to take no further action or take their complaint to the next stage of the process until all stages have been exhausted

#### g) **The stages of the complaints process**

- The complainant should raise and discuss their concerns/issues with child/young person's class teacher or form tutor. Most concerns can be resolved satisfactorily for all concerned at this stage and this is our aim.
- If the member of staff first contacted cannot immediately deal with the matter, s/he will make a clear note of the date, name, contact address and phone number. This information should be recorded. The member of staff should tell the complainant when they will be able to deal with it and respond to them in this way.
- A staff member may feel it more appropriate to refer the complainant to a more senior or experienced member of staff if they think they will be better placed to be able to try to resolve the concern informally.
- The staff member dealing with the concern makes sure that the parent is clear what action (if any) or monitoring of the situation has been agreed, putting this in writing to ensure there is a clear audit trail for the school and the complainant.
- Where no satisfactory solution has been found within **10 school working days**, the member of staff should ask the complainant if they wish their concern to be considered further or the complainant may request their concern is progressed further. They should be told how to proceed and the member of staff should make sure they either have easy access to the complaints policy on the school website or provide them a copy of the complaints policy.

#### a. **Stage 2 – Formal Stage**

- If the complainant remains unhappy, they should then contact the Head teacher or member of the senior leadership team either by arranging an appointment to see them or putting their concerns in writing.
- If a complaint is against the action of a Head teacher, or if the Head teacher has been very closely involved at Stage 1, the Chair of the Governing Board will carry out all the Stage 2 procedures.
- The Head teacher (or nominated member of the senior leadership team) acknowledges the complaint orally or in writing within **3 school working days** of receiving the written complaint. The acknowledgement gives a brief explanation of the school's complaint procedure and a target date for providing a written response to the complaint. This should normally be within **10 school working days**; if this proves impossible, a letter will be sent explaining the reason for the delay and giving a revised target date.
- The Head teacher (or their nominated representative from the senior team) will then investigate the concerns and respond within agreed timescales. The Head teacher (or designate) will provide an opportunity for the complainant to meet him/her to supplement any information provided previously. The complainant may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or her behalf; and that interpreting facilities will be made available if needed.
- If necessary, the Head teacher (or nominee) will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. Pupils would normally be interviewed with

parents/guardians present. In some situations, circumstances may prevent this e.g. where this would seriously delay the investigation of a serious/urgent complaint or where particular circumstances mean that a pupil has specifically said s/he would prefer that parents or guardians were not involved. In such circumstances another member of staff with whom the pupil feels comfortable will be asked to attend. If there are any concerns about involving a pupil in the investigations then, the Local Authority Designated Officer (Allegations) will be consulted.

- If a member of staff is complained against, the Local Authority Designated Officer (Allegations) will be consulted about how any investigation should be conducted.
- The Head teacher (or the nominee) keeps written records of meetings, telephone conversations, and other documentation.
- Once all the relevant facts have been established, the Head teacher (or nominee) will then produce a written response to the complaint, or may wish to meet the complainant to discuss/resolve the matter directly.
- A written response includes a full explanation of the decision addressing all elements of the complaint and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint.
- The complainant is advised that if s/he wishes to take the complaint further he/she should notify the Chair of Governors in writing within **25 working school days** of receiving the outcome letter.

#### **b. Stage 3 - Review Hearing Stage**

- Complaints only rarely reach this formal level, but it is important that the governing board is prepared to deal with them when necessary. At this stage, the school will seek advice from any relevant authority (such as the LA, Board of Education (Church of England schools) or Diocesan Schools' Commission (Roman Catholic Schools)).
- It is important that this review not only be independent and impartial but that it be seen as so. Therefore, individual complaints will be heard by a panel of three governors and not by the full governing board as serious conflicts of interest can arise; for example, in exceptional circumstances a complaint may result in disciplinary action against a member of staff, and governors might be required to give an unprejudiced hearing to an appeal by the member of staff concerned.
- Similarly, some governors might have previous knowledge of the problem, which led to the complaint and would be unable to give fair unbiased consideration to the issue and so should not be on the panel for the hearing.
- If the whole governing board is aware of the substance of a complaint before the stage 3 hearing, the school should arrange for an independent panel to hear the complaint and may approach a different school to ask for help from the local Governor Services Team at the LA, or the Diocese.
- Complainants have the right to request an independent panel, if they believe there is likely to be bias in the proceedings. The school will consider the request and the decision on this will be made by the governing board.
- If the Head teacher is unable to resolve the concern to the satisfaction of the complainant, the complainant may write to the Chair of Governors at the school. The school provides a complaint form for the complainant to complete at this point (see Appendix 5).
- The Chair of Governors will acknowledge the complaint (via the clerk for the complaint) within **5 school working days** and arrange a panel of governors to be

formed to hear the complaint within **20 school working days** of the receipt of the complaint. These governors will have no previous involvement or knowledge of the case.

- The chair/clerk of the complaints panel will contact the complainant with the arrangements. For more information about setting up the panel hearing see Appendix 4: The roles and responsibilities of those involved in the process.
- Both parties may bring their representative with them. For more information, see Appendix 6: The panel complaints hearing - good practice guidance
- Once the panel has been held the complainant and school will be informed of their decision in writing within **15 school working days**. The letter will contain details of what the complainant can do if they are still unsatisfied.
- If at any time during the stage 3 process it is not possible to meet the prescribed timescales, then the Chair of Governors will ensure the clerk contacts both parties to discuss a mutually convenient dates.

c. **Stage 4 – The Secretary of State**

- If the complainant is still unsatisfied at the end of Stage 3 they can contact the **Secretary of State** at:  
Department for Education Schools Complaints Unit  
2<sup>nd</sup> Floor Piccadilly Gate,  
Store Street, Manchester,  
M1 2WD.  
Website: [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)



**Willow Tree Primary School Policy for unreasonable complaints**

Willow Tree Primary School 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.

Willow Tree Primary School defines unreasonable complainants 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'*.

A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure; insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Head teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Head teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Willow Tree Primary School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Willow Tree Primary School.

**COMPLAINTS PROCEDURE – PARENTS GUIDE**

**This procedure was adopted by the Governing Board of Willow Tree Primary School  
Spring term 2017**

**If you have a concern or complaint**

We would like you to tell us about it. We welcome suggestions for improving our work in the school. Be assured that no matter what you want to tell us, our support and respect for you and your child in the school will not be affected in any way. Please tell us of your concern as soon as possible.

If a complainant needs support in order to raise a concern or complaint, then every effort will be made to ensure this is available to enable them to fully participate in the process. (This could include provision of a translation of the procedure, provision of an interpreter etc).

**Stage 1 – Informal Complaint**

Most concerns can be resolved satisfactorily for all concerned at this stage and this is our aim. The complainant should raise and discuss their concerns/issues with the child/young person's class teacher or form tutor.

If the member of staff first contacted cannot immediately deal with the matter, s/he will make a clear note of the date, name, contact address and phone number of the complainant. The member of staff should tell the complainant when they will be able to deal with the concern and respond.

The staff member dealing with the concern should make sure that the complainant is clear about what action (if any) or monitoring of the situation has been agreed, putting this in writing to ensure there is a clear audit trail for the school and the complainant.

Where no satisfactory solution has been found within **10 school working days**, the complainant may request their concern is progressed further. The complainant should be told how to proceed within the Stage 1 response and the member of staff should make sure the complainant has access to the complaints policy on the school website or provide a paper copy.

At this stage members of the Governing Board should not be approached by the complainant.

**Stage 2 – Formal Complaint**

All concerns that have not been resolved at Stage 1 need to be logged as a complaint and put in writing and submitted to the Head teacher or designate, (*unless the complaint is about the Head teacher, then it needs to be submitted to the Chair of the Governing Board*).

The Head teacher or Chair of Governors will acknowledge receipt of the complaint in writing within **3 school working days** of receipt, and provide a target date for providing a response (**normally 10 school working days**). They will then investigate the complaint and provide the complainant with a written response which details the outcome of the investigation.

If the matter cannot be resolved at this stage, and the complainant wishes to take the matter further, they should be given clear information about how to proceed with a formal complaint at Stage 3 within the Stage 2 written response letter.

Written records of all the meetings, telephone conversations and other documentation relevant to the investigation must be kept.

### **Stage 3 – Review Hearing Stage**

A complaint that has not been resolved through Stages 1 and 2 can escalate to be heard by a review panel made up of three governors.

The complainant should write to the 'Chair of the Governing Board' marking it 'Private and Confidential' asking for the complaint to be dealt with at Stage 3 of the complaint procedure.

The Chair of Governors will acknowledge the complaint (via the clerk for the complaint panel) within **5 school working days** and arrange a panel of governors to be formed to hear the complaint within **20 school working days** of the receipt of the complaint. These governors will have no previous involvement or knowledge of the complaint. The Chair/Clerk of the complaints panel will contact the complainant with the arrangements. Both parties may bring their representative with them.

Once the panel has been held the complainant and school will be informed of their decision in writing within **15 school working days**. The letter will contain details of what the complainant can do if they remain unsatisfied.

If at any time during the stage 3 process it is not possible to meet the prescribed timescales, then the Chair of Governors will ensure the clerk contacts both parties to discuss a mutually convenient dates.

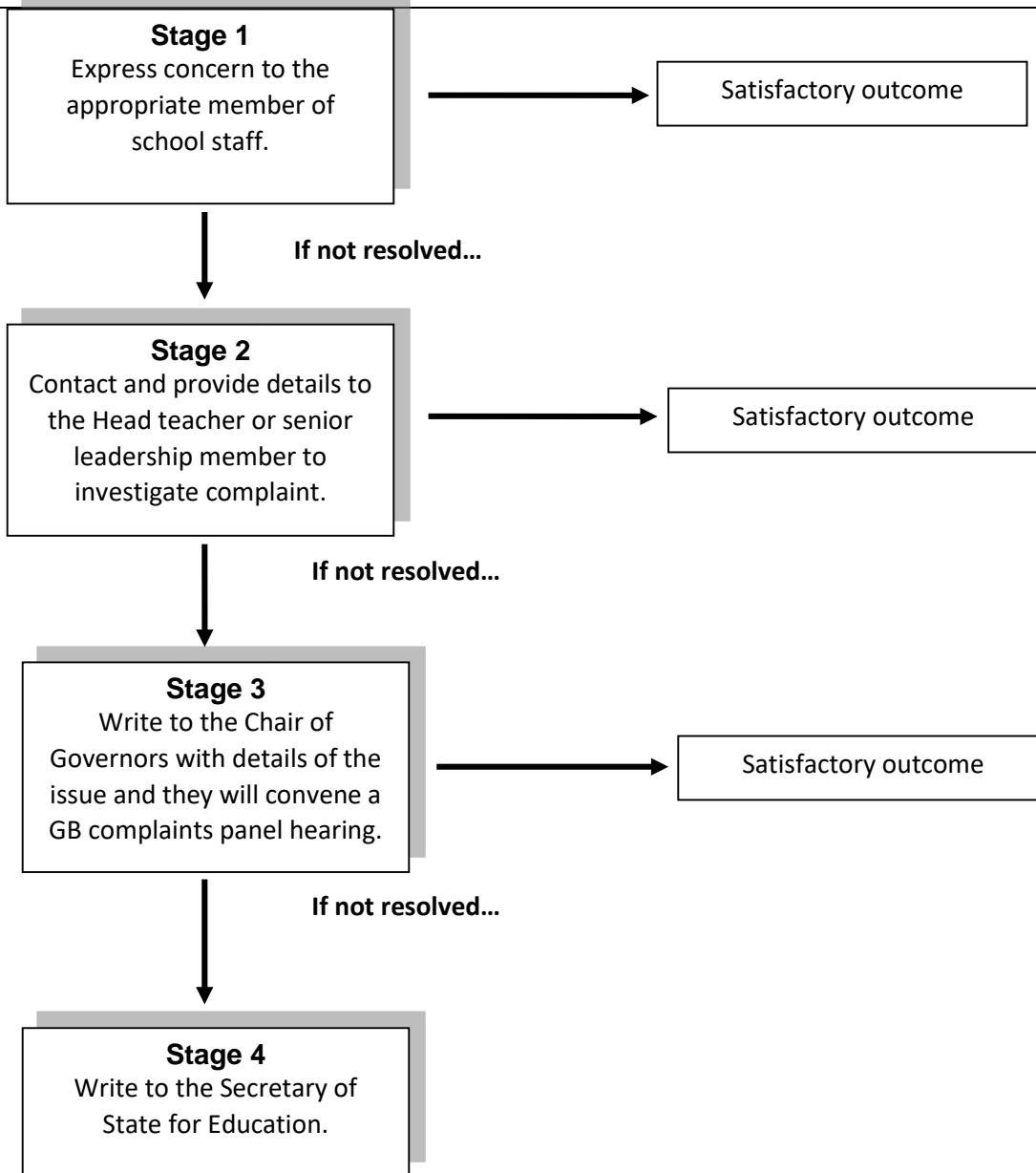
### **Stage 4 – The Secretary of State**

If the complainant remains unsatisfied at the end of Stage 3 they can contact the **Secretary of State** at: Department for Education Schools, Complaints Unit, 2<sup>nd</sup> Floor Piccadilly Gate, Store Street, Manchester, M1 2WD. Website: [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)

**The full complaints procedure document can be found on the school website.**

[www.willowtreeprimary.org](http://www.willowtreeprimary.org)

**Schools' general complaints –complaints procedure**



## The roles and responsibilities of those involved in the process

### The Complainant

The complainant or person who makes the complaint will receive a more effective response to the complaint if he/she:

- co-operates with the school in seeking a solution to the complaint;
- expresses the complaint in full as early as possible;
- responds promptly to requests for information or meetings or in agreeing the details of the complaint;
- asks for assistance as needed;
- treats all those involved in the complaint with respect.

### The Complaints Co-ordinator

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure;
- ensure that all people involved in the complaint procedure will be aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000;
- liaise with staff members, Head teacher, Chair of Governors and Clerk to ensure the smooth running of the complaints procedure;
- keep records;
- be aware of issues regarding:
  - sharing third party information;
  - additional support - this may be needed by complainants when making a complaint including interpretation support.

### The Investigator

The Investigator is the person involved in Stages 1 and 2 of the procedure. The Investigator's role can include:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
  - consideration of records and other relevant information;
  - interviewing staff and children/young people and other people relevant to the complaint;
  - analysing information;
  - effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;
  - identifying solutions and recommending courses of action to resolve problems;
  - being mindful of the timescales to respond; and responding to the complainant in plain and clear language.

The person investigating the complaint should make sure that they:

- conduct interviews with an open mind and be prepared to persist in the questioning;
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting.

### The Clerk to the Panel

The panel must be clerked. The clerk organises the complaints panel and must:

- Send an acknowledgement of the receipt of the complaint on behalf of the Chair of Governors within **5 school working days** and confirm that the complaint will be heard by a panel of three governors on behalf of the GB.
- Arrange the membership of the panel (based on the terms of reference of the governing board), in discussion with the Chair of Governors, which should be three governors who have no prior knowledge of the complaint.
- Set the date, time and venue of the panel, ensuring the dates are convenient to all parties and that the venue is and proceedings are accessible. The hearing should be set within **15 school working days** (i.e. term time) after receiving the complaint. If the timescales cannot be adhered to the chair of the panel should discuss with the school and the complainant the next most appropriate date
- Write to all parties, detailing the following:
  - the date, time and venue of hearing;
  - the aims and objectives of the hearing and how it will be conducted;
  - a request for any documentation that either party wishes the panel to consider. This must be with the clerk so that it can be sent to all parties at **least 5 school working days** before the hearing;
  - the rights of equal access, accompaniment and representation for both the complainant and the school, ensuring that everyone is notified as to who will be attending the panel, in advance of the hearing;
  - how and when the panel will reach their decision.
- At the hearing, meet and welcome the parties as they arrive ensuring there is appropriate separate waiting space.
- Ensure that both parties arrive at the panel at the same time.
- Take minutes of the proceedings and send the typed version to the chair of the panel for checking.
- Notify all parties of the panel's decision within **15 school working days**.
- Keep confidential minutes at the school with the governing board files.
- Liaise with the school's complaints co-ordinator.

### The Chair of Governors

- If the formal stage is required, the Chair of Governors will notify the clerk to the panel to arrange the governing board complaints panel hearing.
- If the complaint is about the Head teacher the Chair of Governors will take the role of The Investigator and investigate the issue, taking advice from the clerk to the governors and/or Governor Services where appropriate.
- The Chair of Governors will need to ensure that general nature of complaints over the academic year are appropriately monitored by the governing board to inform practice and potential improvements to procedures and policies within the school.

### The Chair of the Complaints Panel

- General principles: The chair (supported by and in consultation with the clerk) should ensure that the following general principles are adhered to:
  - the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
  - the panel is open minded and acting independently; parents/carers and others who may not be used to speaking at such a hearing are put at ease – this is particularly important if the complainant is a child/young person;
  - the layout of the room will set the tone – care is needed to ensure the setting is informal and not adversarial;
  - no member of the panel has a vested interest in the outcomes of the proceedings or any involvement in an earlier stage of the procedure;

- both the complainant and the school are given the opportunity to state their case and seek clarity;
- written material is seen by all parties. If a new issue arises the chair can give all parties the opportunity to consider and comment on it.
- At the hearing: The chair of the panel has a key role and will need to ensure that:
  - the panel hearing is minuted;
  - the remit of the panel is explained to the complainant and both they and the school have the opportunity of putting their case without undue interruption;
  - the issues are addressed;
  - key findings of fact are made;
  - the hearing is conducted in an informal manner with everyone treated with respect and courtesy;
  - after introductions the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
  - the complainant is given the opportunity to state their case and the panel and school then have the opportunity to ask questions and clarify points;
  - the school is given the opportunity to state their case and the panel and complainant then have the opportunity to ask questions and clarify points;
  - any witnesses or representatives are only required to attend to give supporting information;
  - both parties have the opportunity to sum up and make their final statements;
  - the chair reminds both parties what will happen next and when and how their response will be communicated to both parties;
  - the meeting is drawn to a close and both parties leave the panel at the same time;
  - the issues are discussed fully, fairly and are addressed by the panel members with the clerk to the governors (and any minute/note taker) in attendance to provide advice and support;
  - the panel members agree:
    - The key findings of the facts;
    - Whether or not they uphold or do not uphold each part of the complaint;
    - What recommendations to change or improve practice within the school (if any) they propose for the GB to consider for approval.
- Notification of the Panel's Decision: The chair of the panel must ensure that the complainant and the school are notified of the panel's decision. This notification will be in writing and received by the complainant within **15 school working days** of the panel hearing. The panel will either:
  - uphold the complaint;
  - reject the complaint;
  - uphold the complaint in part.

The letter must explain any further rights of appeal and if so, who to contact.

### **Panel Members**

Panel members will need to be aware that:

- it is important that the review panel hearing is independent and impartial, and that it is seen to be so;
- no governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it;
- in academies one panel member must be independent of the management and running of the school;
- the aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant;



- it must be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their 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;
- many complainants will feel nervous and inhibited in a formal setting;
- parents/carers often feel emotional when discussing an issue that affects their child and the panel chair will ensure that the proceedings are as welcoming as possible;
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the hearing, such as:
  - careful consideration of the atmosphere and proceedings will ensure that the child/young person does not feel intimidated;
  - the panel should respect the views of the child/young person and give them equal consideration to those of adults;
  - if the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint;
  - where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the hearing, if any, the child/young person needs to attend;
  - the parent should be advised however that agreement might not always be possible if the parent wishes the child/young person to attend part of the meeting which the panel considers not to be in the child/young person's best interests.
- The welfare of the child/young person is paramount.

<b>Appendix 5</b>
<b>Complaint Form</b>
<b>Name of School:</b>
<b>Contact details of school:</b>
<b>1. Please give details of your complaint below:</b>
<b>2. What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was the response?):</b>
<b>3. Your relationship to the school, e.g. Parent, Grand Parent, Carer, Neighbour, Member of the Public:</b>
<b>4. What action to you feel might resolve the problem at this stage?</b>
<b>5. If you require any support to help you submit a complaint please indicate below and a member of staff will contact you to offer assistance:</b> I would appreciate support for a member of staff: Yes / No* Please delete as appropriate.
<b>6. Are you attaching any paperwork? If so, please give details below:</b>
Signature:
Contact details:
Date:
<b>Please submit this complaints form to the school secretary by post, by hand or via email to:</b> <a href="mailto:Willowtree.primaryschool@salford.gov.uk">Willowtree.primaryschool@salford.gov.uk</a> Willow Tree Primary School 2 Greenland Street Salford M6 5TJ
<b>Official use:</b> Date acknowledgement sent: By Whom:

## Types of complaints not covered by this policy

Exceptions	Who to contact
Admissions to schools	<ul style="list-style-type: none"> <li>For school admissions, it will depend on who is the admission authority (either the school or academy trust or the LA). Those with concerns about schools' admissions and exclusions also have specific appeal rights.</li> <li>Information about admissions appeals in Salford if the LA can be found at: <a href="http://www.salford.gov.uk/schools-and-learning/schools-admissions/appeals/">http://www.salford.gov.uk/schools-and-learning/schools-admissions/appeals/</a></li> </ul>
Special Educational Needs (SEN)	<ul style="list-style-type: none"> <li>Information about SEN can be found at: <a href="http://www.salford.gov.uk/schools-and-learning/info-for-parents-students-and-teachers/special-educational-needs/special-needs-explained/">http://www.salford.gov.uk/schools-and-learning/info-for-parents-students-and-teachers/special-educational-needs/special-needs-explained/</a></li> <li>Information about mediation and disagreement resolution services can be found at: <a href="http://www.salford.gov.uk/schools-and-learning/info-for-parents-students-and-teachers/special-educational-needs/mediation-and-disagreement-resolution-services/">http://www.salford.gov.uk/schools-and-learning/info-for-parents-students-and-teachers/special-educational-needs/mediation-and-disagreement-resolution-services/</a></li> </ul>
School re-organisation proposals	<ul style="list-style-type: none"> <li>Should be sent to the Salford School Organisation Team within the LA on <b>0161 778 0447</b>.</li> </ul>
Matters likely to require a child protection investigation	<ul style="list-style-type: none"> <li><b>If a member of the public thinks a child is in immediate danger of being harmed, or if a child is home alone, the police should be called on 999.</b></li> <li>All enquiries concerning the welfare or safety of a child must go through the Bridge Partnership via the online referral form at: <a href="https://services.salford.gov.uk/contact/SalfordEnquiry/?formtype=BRDG_CHILD">https://services.salford.gov.uk/contact/SalfordEnquiry/?formtype=BRDG_CHILD</a> or ring <b>0161 603 4500</b>.</li> <li>Schools can contact the Bridge Partnership by telephone on <b>0161 603 4500</b> from 8.30am to 4.30pm.</li> <li>If schools need to speak to somebody about their referral of concern. Outside these hours, please call the Emergency Duty Team on <b>0161 794 8888</b>.</li> </ul>
Allegations of child abuse, or other criminal activities against staff in schools.	<ul style="list-style-type: none"> <li>Schools should contact the Local Authority Designated Officer (LADO) for Salford on <b>0161 603 4350</b> if their concern is about the behaviour of an adult who works with children in a paid or voluntary capacity.</li> </ul>
Exclusion of children from school	<ul style="list-style-type: none"> <li>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusion/exclusions">www.gov.uk/school-discipline-exclusion/exclusions</a></li> </ul>
Whistle blowing	<ul style="list-style-type: none"> <li>Schools have an internal whistle blowing procedure for their employees and voluntary staff. See the school website or contact the school directly for details.</li> <li>Whistleblowing about financial irregularities or criminal behaviour in LA maintained schools and Salford City Council services can be reported online at: <a href="https://services.salford.gov.uk/contact/SalfordEnquiry/?formtype=HON_ACTION">https://services.salford.gov.uk/contact/SalfordEnquiry/?formtype=HON_ACTION</a> or by ringing <b>0808 100 1235</b>.</li> <li>Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a> or by writing to: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD.</li> <li>The DfE is also a prescribed body for whistle blowing in education and you can email the DfE at: <a href="mailto:iait.mailbox@education.gsi.gov.uk">iait.mailbox@education.gsi.gov.uk</a></li> </ul>
Staff grievances and disciplinary procedures	<ul style="list-style-type: none"> <li>These procedures are confidential to the school and individuals involved and complainants will not be informed of the outcome of any investigation.</li> </ul>
Complaints about services provided by other providers who may use school premises or facilities	<ul style="list-style-type: none"> <li>All service providers should have their own complaints procedure to deal with complaints about service so they should be contacted direct.</li> </ul>

	<ul style="list-style-type: none"> <li>To protect the reputation of the school and the importance of having a complaint process in place, the school should ensure the contract of use refers to the requirement of a complaint procedure.</li> </ul>
<b>General complaints about services provided by Salford City Council</b>	<ul style="list-style-type: none"> <li>For more information please visit <a href="https://www.salford.gov.uk/complaints">https://www.salford.gov.uk/complaints</a></li> </ul>

Signed by the Chair of Governors	
Name:	
Signature:	Date: