

# Cannon Lane Primary School



## Complaints Procedures

Date reviewed: Autumn 2016

## **CANNON LANE PRIMARY SCHOOL COMPLAINTS PROCEDURE**

### **INFORMATION FOR PARENTS/CARER(S)**

At Cannon Lane Primary School, we want our pupils to do well and feel happy. However, we do recognise that, on occasions, concerns or difficulties do arise. In this event, parents/carers are encouraged to contact the school to have any difficulties or concerns resolved at the earliest possible stage. By taking such matters seriously the school aims to develop a working relationship with parents/carers and to reduce the number of formal complaints.

Parents/carers are reminded that the school will do its utmost to guarantee the confidentiality of any complainant and the substance of their complaints. The school will respect the views of a person who indicates that he/she would have difficulty discussing a matter with a particular member of staff. Similarly, if a member of staff directly involved feels compromised then the matter may be referred to another member of staff to deal with.

Concerns should be raised with the school as soon as possible to allow for a proper investigation. Generally, if concerns are more than 6 months old, the school or the Governing Body, may consider this too late to take any action.

**If any concerns or complaints are raised with the school, the following procedure applies:**

#### **Stage 1**

Any member of the teaching staff may be contacted by a parent/carer and asked to deal with a particular concern, incident or complaint. In most cases the class teacher will receive the first approach. If the concern is about an action of the class teacher, this may be referred to one of our Assistant Headteachers (the Phase Leader) or to the Deputy Headteacher.

The member of staff contacted will liaise with parent(s)/carer(s) and will seek to resolve the matter in accordance with school guidelines. All staff are encouraged to resolve problems, by informal means wherever possible.

It is important that the parent/carer is informed of any delay in dealing with their concern or complaint. Once this stage has been concluded the parent/carer should be notified of the outcome. If the problem has not been resolved then parents / carers may consider referring the matter to the Headteacher (See Stage 2).

**If the problem is resolved no further action is taken and the matter is closed.**

#### **Stage 2**

If a parent/carer indicates that they are unhappy with the above response and that the matter remains unresolved, it should be referred to the Headteacher. As soon as a complaint is received, the school will keep a record of all actions and decisions taken in response to the complaint. This will be recorded in a complaints book/file and be used to review practice and consider any emerging patterns or trends that need attention.

If the complaint is about an action of the Headteacher, then the Governing Body should deal with it at Stage 3.

The Headteacher will decide who should investigate the complaint and manage the investigation. The Headteacher will then send out a letter acknowledging receipt of the complaint stating who is to be the investigating officer and estimating how long it will be before a response can be given. A copy of the complaints procedure should be enclosed with the letter.

Once the investigation is complete, the Headteacher will send a letter to the complainant together with (A) a copy of the Investigating Officers' Report. (A report format is at Appendix 3) **OR** (B) ensure that the letter includes the following:

- (i) details of any investigation conducted;
- (ii) details of any action taken;
- (iii) details of any recommendations made as a result of the investigation; and
- (iv) details of the Headteacher's decision upon the complaint – the Headteacher may delegate the task of investigating to another staff member but not the decision on the action to be taken.

The letter must also specify that if the complainants are unhappy with the Headteacher's decision they can:

- (i) meet informally with the Chairman of the Governing Body (or nominated governor) to discuss the matter with the option of further complaining to the Governing Body in a formal capacity, if they so choose.
- (ii) further complain in a formal capacity to the Governing Body.

**If the complaint is resolved no further action is taken and the matter is closed.**

### **Stage 3 Informal meeting with the Chair of The Governors to discuss the matter**

If a parent/carer indicates that they want to go down this route, the school must organise for The Chair (or Nominee from the Governing Body) to meet with them as soon as is practicable. The purpose of the meeting or meetings is for the parent/carer to air their grievances with the school.

**N.B. The Nominee should not be a staff/teacher governor.**

The role of the Chair of Governors is to review the Headteacher's decision, carrying out any additional investigation if necessary, and make recommendations on the handling of the complaint. The Chair of Governors will not, however, make any decision as to whether or not the complaint is justified or whether any redress should be given to the complainant. That is the remit of the Governing Body Complaint Panel. If a parent/carer meets informally with the Chair of Governors, they are still entitled to be heard by a Governing Body Complaint Panel.

The Chair of Governors should ensure (if possible) that the complaint remains confidential and should avoid discussing the complaint with other members of the Governing Body. This will avoid any conflicts of interest should the parent/carer decide to proceed to Stage 4.

**If the complaint is resolved at this stage, no further action is taken and matter is closed.**

## **Stage 4 The Governing Body Complaint Panel and Procedure**

The Governing Body Complaint Panel Hearing is the last school based stage of the complaints process and is not convened just to rubber stamp decisions previously made.

### The remit of the Complaints Panel

The panel can:

- dismiss the complaint in whole or in part
- uphold the complaint in whole or in part
- make recommendations or decide where it has appropriate remit to 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.

### Procedure before the hearing

On receipt of a complaint the Clerk to the Governing Body, must send a letter to the complainant requesting them to send in any documentation they wish to be considered by the Complaint Panel.

The Clerk to the Governing Body must set a date for the hearing within 15 school days from the date of receipt of the complaint and additional documentation. The date and time of the hearing must be convenient to all parties. The Clerk must notify the complainant, by letter, of the date of the hearing; inviting the complainant to attend the hearing; state that the complainant can bring along a friend or representative to assist them at the hearing; and state who will represent the school.

Any documentation upon which either party intends to rely should be circulated to all parties at least 5 school days before the hearing.

The complaint must be heard by a Panel and convened in the following way:

- (i) A Panel of 3 governors will be convened from an established pool of governors. The Panel then elects its Chairperson.
- (ii) The Chair of Governors, Vice Chair and all governors who are members of the school staff will be excluded from the Panel.
- (iii) No governor may sit on the Panel if they have had a prior involvement in the complaint or the circumstances surrounding it. The governors should try to ensure that the panel represents a cross section of categories of governor and is sensitive to issues of race, gender and religious affiliation.
- (iv) The Panel convened to hear the complaint will comprise the same governors throughout in the unlikely event of more than one session being required.

The procedure of the hearing will be as follows:

- The Chair of the Panel will introduce the Panel, explain the procedure and the remit of the Panel.
- The hearing will be clerked by the Clerk to the Governing Body with support from an officer from Harrow Legal Services.
- The Panel may invite a Harrow Officer to attend throughout for advisory purposes.
- Those making the complaint will speak first then the Panel may ask questions of them.
- The Headteacher and any employees of the school brought to the hearing by the Headteacher will speak next and the Panel will then ask questions.
- The Panel will ask all relevant questions to elicit detailed information from both parties and any other relevant persons.
- Those making the complaint and the Headteacher may also ask questions (through the Chair).
- Following the Panel's questions, those making the complaint and then the Headteacher will each be given the opportunity to make a short concluding statement.
- All parties will be asked to withdraw and the Panel will make a decision.
- In deciding the complaint, the Panel will apply the following test:
  - (i) Is there a genuine complaint?
  - (ii) In all the circumstances, should the complaint be upheld?
  - (iii) If yes: What should the Panel do to effectively remedy the complaint and give the complainant redress?
- The decision will be made by a simple majority of the Panel.

#### Procedure after the Hearing

- The decision together with the reasons for it will be communicated in writing to both parties, within 5 school days. This decision is binding upon the Governing Body, the Headteacher and the parent(s)/carer(s).
- A brief report on the complaint and decision of the Complaint Panel will be made (as a Part II Confidential Item) to the next meeting of the full Governing Body.
- The Chair of the Governing Body must deal with any recommendations from the Complaint Panel without delay (and in any event within 28 school days of receipt of such recommendations).

There are no further rights of appeal to the school. However further advice and/or assistance is available from the following sources:

**ACE Education Advice and Training**

72 Durnsford Road  
London  
N11 2EJ  
Tel: 0300 0115 142  
[www.ace-ed.org.uk](http://www.ace-ed.org.uk)

**Citizens' Advice Bureau Harrow**

Civic Centre  
Station Road  
Harrow, HA1 2XH  
Tel: 020 8427 9477  
[www.citizensadviceharrow.org.uk/](http://www.citizensadviceharrow.org.uk/)

**Harrow Association of Disabled people (HAD)**

The Wealdstone Centre  
38-40 High Street  
Wealdstone, HA3 7AE  
Tel: 020 8861 9920  
[general@had.org.uk](mailto:general@had.org.uk)

**Voluntary Action Harrow Co-op**

The Lodge  
64 Pinner Road  
Harrow, HA1 4HZ  
Tel: 020 861 5894  
[contact@voluntaryactionharrow.org.uk](mailto:contact@voluntaryactionharrow.org.uk)

**Secretary of State for Education**

Department for Education (DFE)  
Sanctuary Buildings,  
Great Smith Street  
Westminster,  
London, SW1P 3BT  
Tel: 0370 000 2288  
[www.dfes.gov.uk](http://www.dfes.gov.uk)

**Family Lives** (National Helpline for parents)

15-17 The Broadway  
Hatfield  
Herts  
AL9 5HZ  
Tel: 0808 800 2222  
<http://www.familylives.org.uk/>

**Kidscape**

2 Grosvenor Gardens  
London, SW1W 0DH  
Tel: 0207 730 3300

**If you require help in understanding this document, please ask a friend or relative to contact us on your behalf. The telephone number is 020 88663536**