

Harlington Upper School

COMPLAINTS and CONCILIATION PROCEDURE

Introduction

The school wishes to be responsive to all concerns and complaints. It is recognised that there is a 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 purpose of this policy is therefore to ensure that Informal concerns are addressed promptly with the aim of resolving issues at the earliest stage. The policy also sets out the school's formal complaints procedure which is based on DfES guidance.

Aims

- To allow the swift resolution of concerns;
- To provide a formal complaints procedure.

Principles

The following principles underpin this Complaints and Conciliation Procedure:

- concerns or complaints will be resolved by informal means wherever possible;
- it should be easily accessible and simple to understand and use;
- the process will be impartial and non-adversarial;
- swift handling, with established time-limits for action, will be encouraged;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide information to the Headteacher and school leadership team to inform planning and further improvements to the school.

Implementation

(a) The Process

In all cases, where informal efforts to resolve a concern have been unsuccessful, the Headteacher must be informed that the formal complaints procedure has been started.

There is then a staged approach to implementation:

- Stage one: complaint heard by staff member (though not a staff member who is the subject of the complaint);
- Stage two: complaint heard by Headteacher, or designated Deputy Headteacher;
- Stage three: complaint heard by GB's complaints appeal panel.

More details of the approach at each stage are given in appendix 1: *Guidance on Complaints Procedure Implementation*. The rationale for the role of the Governing Body in this procedure and the remit of the complaints appeal panel is given in appendix 2.

(b) Investigating Complaints

At each stage the person investigating the complaint should:

- establish what has happened so far, who has been involved and what action has been taken. Appendix 3: Complaint record Sheet,
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is 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 the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

In summary, this procedure should identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

(c) Resolving Complaints

In resolving any complaint it is recognised that the school and/or other parties involved may wish to consider one or more of the following:

- Acknowledgement that the complaint is valid in whole or in part;
- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that similar events will not recur;
- an explanation of the steps that have been taken to avoid future issues;
- an undertaking to review policies in light of the complaint.

An admission that the school could have handled the situation better is not the same as an admission of negligence. In the same way, the acknowledgement that the complainant, or pupil, could have acted differently is not an admission that the complaint is not valid.

(d) Vexatious Complaints

There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

(d) Time Limits

Concerns and Complaints need to be considered, and resolved, as quickly and efficiently as possible. Telephone calls or emails expressing a concern should be returned or responded to within 48 hours. Letters should be replied to within five days. At each stage, a time limit should be agreed between the complainant and the member of school staff. In most circumstances a two week period at each stage would be reasonable for investigation and agreement of outcomes. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

A flowchart showing an overview of the process is given in appendix 4.

Responsibilities

Headteacher	<ul style="list-style-type: none">• Formulation and review of policy, in consultation with governors.• Implementation and monitoring of policy, in consultation with SLT.
Deputy Headteacher	<ul style="list-style-type: none">• Implementation and monitoring of policy, as directed by Headteacher.
Faculty Leader	<ul style="list-style-type: none">• Monitoring and Implementation of policy up to stage one.
Key Stage Director	<ul style="list-style-type: none">• Monitoring and Implementation of policy up to stage one.
subject teachers / form tutors	<ul style="list-style-type: none">• Respond swiftly to concerns with the aim of resolving any issues informally.

appendix 1: Guidance on Complaints Procedure Implementation

Stage One: Complaint Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate.

The school will, where practicable, respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. Where the complaint concerns the Headteacher, the complaints co-ordinator can refer the complainant to the chair of governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the Headteacher will consider referring the complainant to another staff member.

Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure.

Stage Two: Complaint Heard by Headteacher

At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The head may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

Stage Three: Complaint Heard by Governing Bodies Complaints Appeal Panel

The complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a Governing Body complaints panel.

The governors' appeal hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

Individual complaints would not be heard by the whole GB at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

appendix 2: Governing Body Appeals Panel

Individual complaints would not be heard by the whole GB at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint. A Governing Body Appeals Panel has therefore been formed

The Remit of The Complaints Appeal Panel

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- 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.

There are several points which any governor sitting on a complaints panel needs to remember:

a. It is important that the appeal 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 deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

b. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised 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.

c. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.

Appendix 3: complaint record form

This form can be completed by the person making the complaint, or the member of school staff investigating.

name:

Pupil's name:

relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of the complaint.

**What action, if any, has already taken to try and resolve the complaint?
Who was involved and what was the response?**

What actions might resolve the problem at this stage?

Is paperwork attached? If so, please give details.

Signature:

Date:

School use:

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Appendix 4: Flowchart

