



## **Complaints Policy (August 2015)**

The Governors of St Edmund's Nursery School & Children's Centre appreciate that from time to time Complaints from parents may arise. They recognise that most parental concerns and complaints are resolved informally by the school/centre staff or the Executive Head teacher. Comparatively few complaints lead to a formal process, but some do, and the Governors have set out informal and formal procedures to manage the complaints process.

The Governing Body will appoint a Complaints Committee of two or three Governors each year at their first meeting in the autumn term. Staff and Teacher Governors are not allowed to serve on the Committee due to the potential for conflict of interest. Also Governors serving on the Staff Discipline and Dismissal Committee, and the Appeals Committee do not sit on the Complaints Committee. No Governor who has any prior involvement in the matter being complained about should serve on the Committee dealing with that complaint. The Governing Body has given the Complaints Committee full delegated powers to investigate and make decisions about complaints which are referred to it. All the usual rules about Governors' meetings apply, including declaration of interest. Minutes of the Committee meetings are confidential and refer to the person making the complaint or anyone involved, by initials rather than by name.

### **Who can complain and when?**

Complaints can be made by:

- Parents of children currently or recently attending the school/centre.
- People who either have 'parental responsibility' for a child or who care for him or her, but are not the child's parents.

**Complaints must be presented within three months of the action or matter complained of.**

### **How does the complaints procedure work?**

The process is based on informal and formal stages.

The informal stage involves two parts:

- Part One - Trying to resolve the matter as quickly as possible through discussion with the room leader or a member of the Senior Leadership Team
- Part Two - Informal discussion with the Executive Head teacher if the matter has not been resolved through part one.

Only if the complainant is dissatisfied with the outcome or the matter cannot be resolved should the matter be referred to the formal stage with the Governing Body.

Where a complaint is initially sent to the Chair of Governors s/he will refer the matter to the Executive Head teacher for it to be dealt with under the procedures below.

### **Exceptions**

There are two exceptions to the procedure above:

1. A complaint may appear to be sufficiently serious that it should be referred straight through to the formal procedure, or
2. A complaint may clearly relate to breaches of discipline by a staff member, in which case this procedure would not apply and personnel advice should be sought.

## **Informal Stage**

- Parents are given the opportunity to discuss their concerns with an appropriate member of staff, such as the class teacher.
- In many cases parents' concerns and complaints are resolved at this early part of the informal stage.
- If the concern remains unresolved the staff member should advise the parent that they may talk to the Executive Head teacher (or a member of the Senior Leadership Team in her absence) for an informal discussion to re-examine the complaint.
- At this point, if the matter remains unresolved the Executive Head teacher will commence the second stage of the informal process.

The Executive Head teacher/Senior Leader will:

- Discuss the matter with the member of staff involved.
- Ensure written records are kept of all meetings, telephone discussions, and any other relevant documents.
- Consider all the facts and reach a conclusion.
- Write to the person making the complaint giving a full explanation of the decision, the reasons for it and, where appropriate, what action the school/centre proposes to take. The letter will inform the parent that if they are not satisfied with the outcome they may complain to the Chair of the Governing Body within ten school days.

The Chair of Governors:

- a) If a complaint has been through the stages above, the Chair would normally pass the complaint straight to the Complaints Committee unless it is clear that the matter can be immediately resolved.
- b) A complaint against the Executive Head teacher should be referred straight to the Chair of Governors.
  - This would usually involve the Chair speaking with the person making the complaint and the Executive Head teacher to ascertain whether or not the complaint can be resolved at this informal meeting.
  - If the matter cannot be resolved and the complaint falls within the scope of the procedure the Chair should then refer the complaint straight to the Complaints Committee.
  - If the Chair has had some prior involvement in the matter which is being complained of he or she should ask the vice-chair to undertake this role instead of the Chair.

## **Formal Stage**

The Complaints Committee of the Governing Body deals with any complaint which has reached the formal stage. This involves:

1. Receiving the complaint
2. Investigating the complaint
3. Making a decision on the complaint
4. Reporting the decision of the Complaints Committee to the Governing Body.

### **1. Receiving the complaint**

- The Complaints Committee will try to meet as soon as possible after the complaint is received to agree and be clear about what needs to be done and draw up a timetable for doing it.
- The Chair of the Complaints Committee will write to the person making the complaint to:
  - a) explain that the committee is now dealing with the complaint
  - b) confirm that the committee has received a copy of any written complaint
  - c) set out what appears to be the nature of the complaint and to invite the complainant to send any further written information about the complaint
  - d) set out the committee's timescale for dealing with the complaint
  - e) invite the person making the complaint to meet the committee to give full details of their complaint, and inform them they may be accompanied by a friend or representative
  - f) set a reasonable deadline for reply by the person making the complaint, and make it clear

that if there is no response by this deadline the committee will proceed on the basis of the information it already has.

- If the person making the complaint accepts the invitation to meet the Committee, arrangements will be made to make this as easy as possible. The Committee will always consider the most appropriate time and place for the meeting to take place and whether other facilities such as providing an interpreter would be helpful.
- The committee will write to the person(s) complained of informing him/her of the complaint and explaining that they will be given the opportunity to give their version of events.

The purpose of all the above is to find out precisely what the complaint is about and to inform the complainant of the procedure and timescale.

## **2. Investigating the complaint**

- The Committee will meet to discuss the complaint and decide what information they need, who they may need to interview in addition to the person(s) complained of and what questions will need to be asked.
- The interviews will proceed with prepared questions followed by other questions if necessary, and the people being interviewed will be asked if they have anything to add. Answers to the questions will be carefully recorded and the people being interviewed will be asked to sign the record of answers.
- The investigation is not a staff disciplinary investigation.
- Following interviews with staff it may be necessary to ask for further information from the person making the complaint.
- The complainant and the person(s) who is the subject of the complaint will be informed if there is any delay in the investigation process
- When the Complaints Committee is satisfied that it has all the available information it will consider the complaint and all the evidence. Governors serving on the committee should all try to reach an agreed decision and should decide what should be done to resolve the complaint.
- It may be possible for the Complaints Committee to recommend changes to school policies or procedures to prevent the same problem happening again in the future.

## **3. Making the decision**

- The Complaints Committee will make their decision on the basis of the information in their possession.
- They will produce an investigation report which documents their decision. This needs to be produced if the complainant was to refer the matter to the Secretary of State.
- This report is usually written by the Chair of the Committee.
- The investigation report will aim to be brief and will usually keep the names of the child, parents and people interviewed confidential. Its purpose is to:
  - a) Summarise the evidence gathered
  - b) Give the decisions made by the Complaints Committee
  - c) Give any recommendations made by the Complaints Committee to prevent a similar problem happening again.
- Where conflicting versions of events have been given it should be clear from the report why one version has been preferred over the other.
- In very few cases it could happen that one of the recommendations is for the Governing Body to hold a formal disciplinary investigation to find out if staff disciplinary action is necessary. In this case the Complaints Committee will seek the advice of the School Governor Service and/or the Human Resource Service before the investigation report is issued to the Governing Body.

- The decisions and recommendations of the Committee will be:  
Sent to the person making the complaint.

If the complaint has been in relation to an admission's decision information regarding the right to appeal will also be provided. This would be The Local Government Ombudsman

Contact details are:

The Local Government Ombudsman  
PO Box 4771  
Coventry  
CV4 0EH

Telephone 0300 061 0614

Web site – [www.lgo.org.uk](http://www.lgo.org.uk)

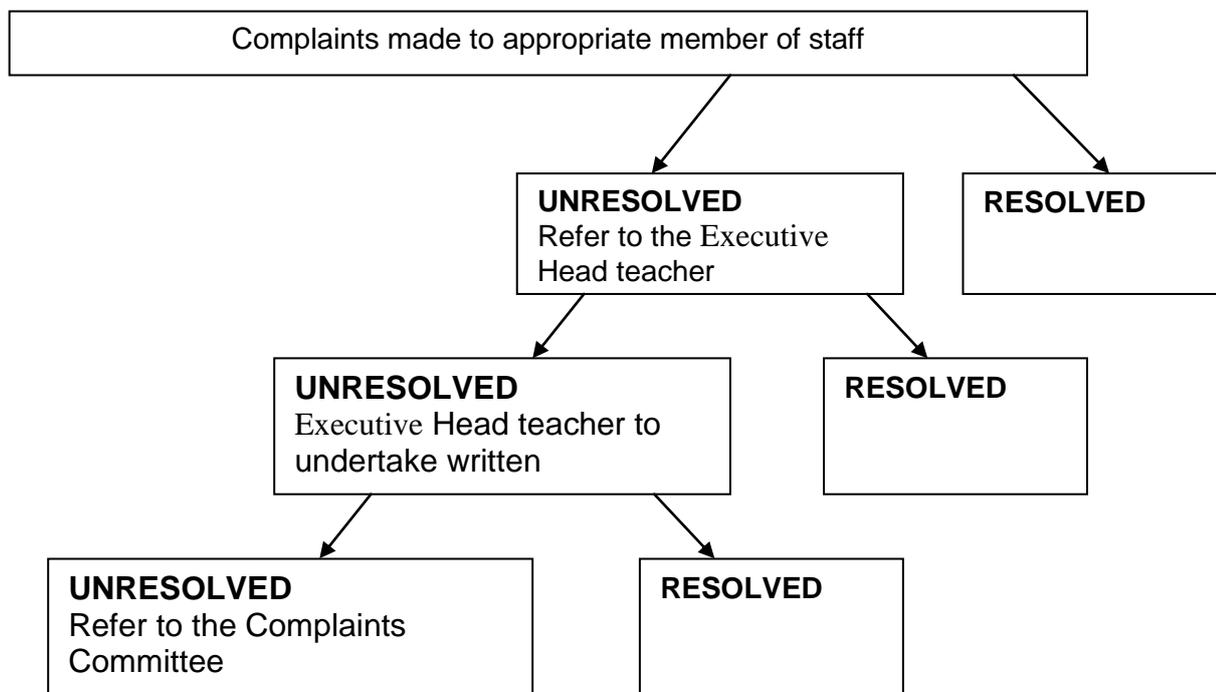
- a) Sent to the Executive Head teacher
- b) Sent to the person(s) complained of.

#### **4. Reporting the decision**

- The outcome of the complaint will be reported to the Governing Body, for information only, as with any delegated decision.
- The report back will take the form of a paragraph briefly summarising the complaint, the investigation and the outcome. The Committee's recommendations should be given. No names should be given in the report back.

## Complaints procedure

### INFORMAL STAGES



### FORMAL STAGE

