

## Headington Quarry Nursery and Foundation Stage School

Complaints Procedure

### School Complaints Procedure

School: Headington Quarry Foundation Stage School ...

Date reviewed by Governing Body: November 2015

Signed (Chair): .....

Signed (Head Teacher): .....

Date Policy to be Reviewed: Autumn 2018.



## Headington Quarry Nursery and Foundation Stage School

### Complaints Procedure

**Governors of Headington Quarry Foundation Stage School have adopted the following procedure to deal with formal-complaints from members of the school community or general public**

#### **Dealing with concerns at the earliest opportunity**

If parents, pupils or members of the public have concerns they should:

1. Discuss their concerns with the member of staff most directly involved *and, if not satisfied;*
2. Discuss their concerns with the headteacher.

At each stage in the procedure, schools will want to keep in mind ways in which a concern or complaint can be resolved. It might be sufficient to acknowledge that the concern or 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.

Complainants should be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence. Equally, an effective procedure will identify areas of agreement between the parties. It is also of importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

**Only where all these avenues have been tried and found unsatisfactory should the complainant take a complaint to the Chair of Governors or Clerk to the Governing Body.**

If the headteacher considers s/he can do no more to resolve the complaint it should be stated explicitly that the complainant can write to the Chair of Governors if not satisfied. Complainants should be encouraged to take this step because an unresolved complaint can become a festering sore.

#### **Making a Complaint to the Governing Body**

Where informal attempts have been unsuccessful in resolving a complaint, the complainant should write to the Chair of Governors or Clerk to the Governing Body at the school address. The envelope should be marked 'FOR IMMEDIATE ACTION' and staff in the school office must ensure that the letter is forwarded without delay.

The complainant will be asked to complete a complaint form (Annex 1) if they have not already done so. The Chair of Governors or Clerk will offer to help an individual to complete the form if appropriate



## Headington Quarry Nursery and Foundation Stage School

### Complaints Procedure

On receipt of the complaint form the Chair of Governors (or other governor) will:

- 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.

### Governors' Complaints Panel

Where the complainant is still not satisfied that their complaint has been dealt with fully and properly, they may choose to take it to a panel of Governors.

The complainant may bring a friend to that panel.

### Establishing a complaints panel.

- The governing body should agree the composition of the complaints appeals panel at the first meeting of the governing body each year.
- As governors may not be available at all times governing bodies are advised to agree the names of 4 or 5 possible governors from whom a panel of three may be drawn. The decision about the membership of a particular panel will depend on factors such as availability, whether any governors have prior knowledge etc. and the decision will be made by the chair of governors.
- When the clerk of governors receives a copy of the complaint form he/she will inform the governing body that a complaint has been received and that it has been passed to the panel to deal with. **No further information about the complaint should be shared with other governors.**

The clerk is responsible for obtaining papers setting out the case from both sides, with any supporting evidence. These should be copied and sent to panel members, parent(s) and headteacher five working days before the hearing. This ensures that everyone has ample time to read and understand the papers.

Note: it would be very helpful for the clerk to number all pages before they are copied to make it easier for everyone to finding the right page.

### **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.
- 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
- c) 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 not intimidating and not adversarial
- d) Governors sitting on the panel need to be aware of the complaints procedure and any other procedures relating to the complaint eg. Anti-bullying policy..



## Headington Quarry Nursery and Foundation Stage School

### Complaints Procedure

The Chair of the Panel will be nominated by the Chair of Governors and is responsible for ensuring that both complainant and headteacher are given a fair hearing and that the panel arrives at its judgement without fear or favour.

#### **Remit of the panel: the complaints 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 problems of a similar nature do not recur.

#### **It may:**

- Consider and, if appropriate, criticise the way in which an operational decision was communicated – **but cannot overturn the decision itself**
- Consider the thoroughness with which the headteacher investigated a complaint about a member of staff – **but cannot expect the headteacher to provide details about confidential discussions with that staff member.**
- Consider the manner in which a complaint about any decision was addressed – **but cannot expect the headteacher to have changed the decision**
- Consider and, if appropriate, identify limitations in a policy or procedures – **but cannot make or improve policy.** (It can, however, recommend that the policy be reviewed by the governing body to ensure that problems of a similar nature do not recur, and individual panel members can subsequently play their part in improving the policy)
- Consider whether it should recommend that the governing body offer appropriate redress

#### **Format of a Panel Hearing**

1. Complainant and headteacher will enter the room where the hearing is taking place together.
2. The chair will introduce the panel members and the clerk and outline the process.
3. The complainant is invited to explain the complaint,
4. The headteacher may question the complainant
5. The panel will question the complainant
6. The headteacher is then invited to explain the school's actions
7. The complainant may question the headteacher
8. The panel will question the headteacher
9. The complainant is then invited to sum up their complaint.
10. The headteacher is then invited to sum up the school's actions and response to the complaint.
11. The chair explains that both parties will hear from the panel within five working days.
12. The chair checks that both parties have said all they wanted to say and that they feel they have had a fair hearing. If either party says 'no' the chair should attempt to rectify that before the hearing ends.



## Headington Quarry Nursery and Foundation Stage School

### Complaints Procedure

13. Both parties leave together while the panel decides on the issues.
14. The clerk will remain with the panel to clarify

### Notes

The hearing should be made as unthreatening as possible to all parties.

The panel may ask questions at any point if an immediate question will help to clarify a point. However, panel member discipline in following the format listed above will set a good example to the other parties about respecting the structure of the process. Panel members must find ways to ask probing questions while maintaining an air of impartiality.

The headteacher must have no contact with members of the governors' complaints panel except when the complainant is present to preserve the principle of neutrality. This means that headteacher and complainant enter and leave the room where the hearing is held together.

The chair of the panel should discourage the introduction of fresh documentary evidence at the hearing – there should be every encouragement to produce the evidence in advance so that both sides have time to study it. However, if new and relevant evidence is accepted by the chair, the chair will adjourn the hearing for a few minutes to allow everyone to read the document. Both parties must leave the hearing room during the adjournment.

#### **Some notes on exceptional circumstances**

For the sake of clarity, the description above does not cover exceptional circumstances which might include:

**1. The chair of governors may not be able to find three governors who have no prior knowledge of the case**

If a case has become a major talking point around the community, the chair can nominate three governors with minimal prior knowledge

If there are still insufficient governors able to sit on a panel, please consult Governor Services 01865 492047 in the first instance.

**2. In exceptional circumstances, it is possible that the complaint is not against the headteacher**

A complaint to the governors' complaints panel will never be against a junior member of staff (it may be against the way the headteacher handled a complaint against a junior member of staff) but it is conceivable that a senior manager will appropriately stand in for the headteacher. That would need to be considered very carefully but if agreed the senior manager would be 'the headteacher' for the purpose of the panel.

There may be exceptional circumstances in which the complaint is against the chair of governors – e.g. for wilfully refusing to deal with a complaint. In those circumstances the procedure above would be adapted and every reference to 'headteacher' would be read as 'chair of governors'.



## Headington Quarry Nursery and Foundation Stage School

### Complaints Procedure

#### **3. The complainant and/or the headteacher may wish to call witnesses**

The use of witnesses is discouraged. In nearly every case, a complaints panel will want to work with **written** witness statements if appropriate, but there may be particular circumstances where the presence of witnesses is necessary to establish key facts. In those cases, witnesses must be agreed in advance. They will remain outside the hearing room until called in to give their evidence. They can be questioned by the panel members and the other party. They

will leave the room when their evidence is completed.

#### **Writing the decision letter**

The clerk should ensure that s/he has clear wording stating the panel decision about each of the issues that the panel considered before the panel is allowed to finish. The clerk will use that wording to draft the decision letter. This should be sent to all members of the panel for checking. Once approved by all three panel members, it should be sent to the complainant with a copy to the headteacher.

The letter should clearly express how seriously the panel considered the complaint.

The clerk should be careful that the letter sticks to the facts and gives no hint of partiality.

The clerk should ensure that the letter reaches the complainant and the headteacher by the deadline stated in your policy and/or in a statement by the chair at the end of the hearing – usually five working days.

#### **Monitoring Complaints**

As well as addressing an individual's complaint, the process of listening to and resolving complaints would contribute to school improvements. When individual complaints are heard, schools may identify issues that need to be addressed. The monitoring and review of complaints by the school and Governing Body can be useful to evaluating the school's performance. Any discussion of complaints by the Governing Body or others in the school community should not name or be able to identify individuals.

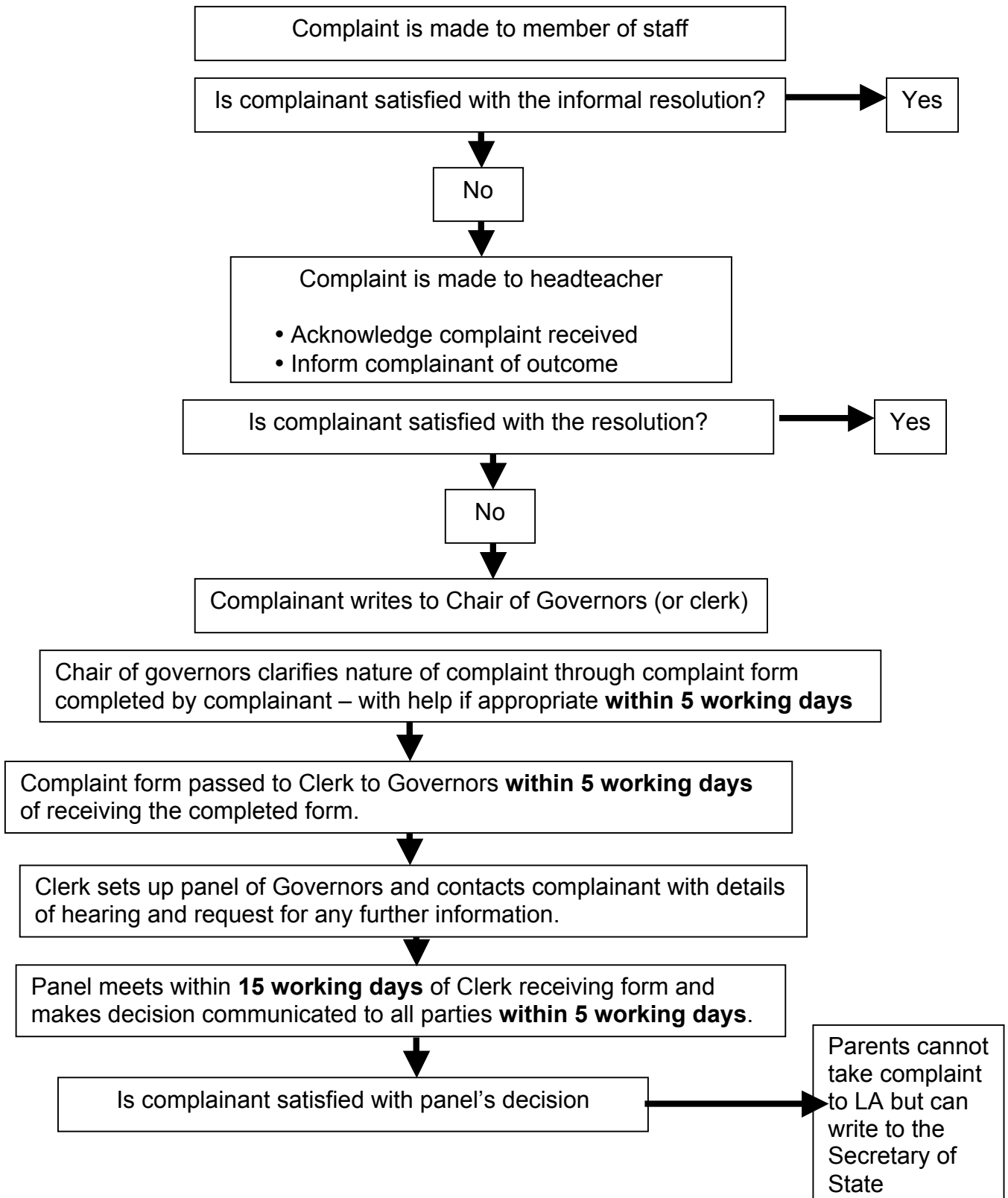
The flowchart overleaf summarises the complaints process.



## Headington Quarry Nursery and Foundation Stage School

### Complaints Procedure

#### Complaints process from start to finish





## **Headington Quarry Nursery and Foundation Stage School**

Complaints Procedure

### **Complaint form**

#### **Notes**

The form overleaf can be used by any person making a complaint about the operation of the school which is not covered by an alternative specific procedure. Complaints will most often come from parents or carers but may also come from pupils/students or members of the public, e.g. school neighbours.

Anyone receiving this form should be advised verbally that help in completing it is available from the school. A member of school staff who is familiar with the process should be nominated to give help.

If it is appropriate for a member of staff to look into this complaint, it should be returned to the headteacher.

If it is appropriate that it should be dealt with by the governing body, it should be returned to the Clerk to the Governors at the school.





## Headington Quarry Nursery and Foundation Stage School

Complaints Procedure - Appendix 1

Appendix 1

### Complaint form

Please complete and return to ..... who will acknowledge receipt and explain what action will be taken.

Your name: .....

Address: .....

.....

.....

Postcode: .....

Daytime telephone number: .....

Evening telephone number: .....

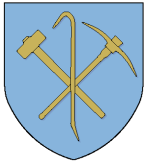
Your relationship to the school, e.g. parent, carer, neighbour, member of public:

If applicable, name of child(ren) at school:

Please give details of your complaint (you may attach a sheet with further details if necessary):

What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was the response?)

*continued overleaf*



**Headington Quarry Nursery and Foundation Stage School**

Complaints Procedure - Appendix 1

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

**Signature:** .....

**Date:** .....  
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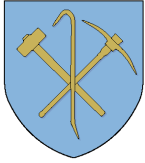
**Official Use:**

**Date of acknowledgement sent:** .....

**By Whom:** .....

**Complaint referred to:** .....

**Date:** .....



## Headington Quarry Nursery and Foundation Stage School

Complaints Procedure - Appendix 2

### **Sharing your concerns about your child's education A guide to parents**

At Headington Quarry, governors and staff are committed to working together with families to provide high quality education and care for your children. We believe every child matters and strive to provide rich experiences that support each child's unique development. We strive every day to ensure that:

- ❖ each child is known, valued and respected.
- ❖ planned experiences provoke children to wonder about the world and to think imaginatively.
- ❖ varied, enticing environments encourage independent, exploratory learning through play.
- ❖ experienced, knowledgeable staff observe children closely in order to support their personal interests and needs.
- ❖ staff are lifelong learners, dedicated to children's learning and are open to new ideas.
- ❖ wide ranging services and events help build friendships and relationships within the Headington community.

We do our very best to ensure that your experience here will be a good one but we recognise that at times things can go wrong. This guidance will help you understand how to resolve concerns you may have about your child's education.

The school has procedures for dealing with concerns or complaints and we value any feedback about our services, including compliments and suggestions. If you are concerned about any aspect of your child's education you should contact the school.

You should contact the school if you are concerned about an issue such as:

- your child's academic progress
- special education needs provision
- your child's welfare
- something that has happened in school.
- any aspect of your child's education about which you are concerned.

#### **How do I raise concerns with the school?**

First, we hope you will speak to the relevant member of staff as soon as you have a concern. This will be your child's key worker. This informal approach is nearly always the quickest and most effective way of resolving your concerns.

If after speaking to your child's key worker, you feel that your concern has not been resolved, then it is important to speak to or write to the headteacher who will look into



## Headington Quarry Nursery and Foundation Stage School

### Complaints Procedure - Appendix 2

your concern and who will endeavour to work with you to resolve the matter to your satisfaction.

If you are unhappy with the headteacher's response, you should write with your complaint to the Chair of Governors/Clerk to the Governing Body at the school address. Mark your envelope '*For Immediate Attention*'.

### **If you choose to raise a formal complaint with the Governing Body, this is how your complaint will be handled:**

**Within 5 working days** the chair of governors will clarify the nature of your complaint by asking you to complete a complaint form and will offer help in completing the form, if appropriate

The Chair of Governors or Clerk will set up a panel of governors to meet **within 15 working days** to consider your complaint. The clerk will provide details of the hearing and will request any further information you may wish to provide.

You will be able to bring a friend with you to that hearing.

The complaints panel will consist of three governors who (as far as possible) will have no prior knowledge of the events being complained of. The panel will be supported by a clerk who will take notes during the hearing and will stay with the panel while they make their decision in case governors need to be reminded about responses to a particular question. The panel will hear the complaint impartially and make their decision without fear or favour.

**Five working days** before the hearing the clerk will send to you, the complainant, the headteacher and the three panel members, copies of all papers submitted by both sides so that there is sufficient time to read the evidence before the hearing.

### **Can I take my complaint further?**

You cannot take your complaint to the local authority. The local authority cannot investigate school matters on a parent's behalf nor can it review how the school has dealt with your complaint. However, if you feel that the school has acted unreasonably or not followed the correct procedures, you can write to the Secretary of State for Education <http://www.education.gov.uk/help/contactus/dfe>