

# Stoke Row CE School



## Raising Concerns Policy

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### Document Approval Record

Committee	Personnel
Chair of Committee	David Lowe
Approval Date	March 2019
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'Shine like stars and become light in our world'

At Stoke Row School we aim for our children to have the brightest futures, each one nurtured individually to be a guiding light with a unique sparkle.

We teach on another to live with kindness and respect.

We help our children to understand that with courage and perseverance they can excel.

**To conform with the requirements of GDPR (General Data Protection Regulation) all data is handled according to the terms of our Privacy Notice. A copy of this is available on our school website.**

## **Introduction**

The ethos of Stoke Row CE Primary School encourages close links with parents and the community. Everything we do at Stoke Row is founded upon our five core values of respect, kindness, excellence, achievement and perseverance. As such, we aim to alleviate any concerns as soon as possible at an informal stage in an atmosphere of mutual respect and understanding. We remain committed to resolving difficulties in a constructive manner through open, positive dialogue.

The majority of concerns are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant.

The Governors of Stoke Row C of E Primary School have adopted the following procedure to deal with a specific concern from members of the school community or general public relevant to the running of the school.

## **Framework of Principles**

This procedure is designed to:

- be well publicised and easily accessible
- be simple to understand and use
- be impartial
- be non-adversarial
- deal with the concern raised only. Any further concerns, arising at a later date, should be raised separately following Stage 1 of the procedure.
- ensure all parties conduct themselves in a polite and reasonable manner
- allow the matter to be handled within established time limits for action and keeping people informed of progress
- ensure a fair investigation by an independent person, where helpful
- allow for a hearing of a panel of Governors, where appropriate
- respect people's desire for confidentiality, wherever possible
- address all points of issue, provide an effective response and appropriate redress where necessary
- provide information to the school's Headteacher or Assistant Head so that services can be improved
- seek resolution without the process disproportionately impacting on the running of the school.

## Resolving the Complaint

At each stage in the procedure, the school will want to keep in mind ways in which a complaint can be resolved expediently and effectively. It might be sufficient to acknowledge that the 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 should 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;
- an assurance that procedure has been applied properly.

Complainants are to 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.

Whether the school accepts or rejects the complaint, it is important to reassure the complainant that the matter has been thoroughly investigated.

## Timescale

Complaints need to be considered and resolved as quickly and efficiently as possible. An effective complaints procedure must have realistic time limits for each action within each stage. 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 change. It should be noted that schools do not need to consider issues raised made more than one year after the incident/situation.

## Monitoring Complaints

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

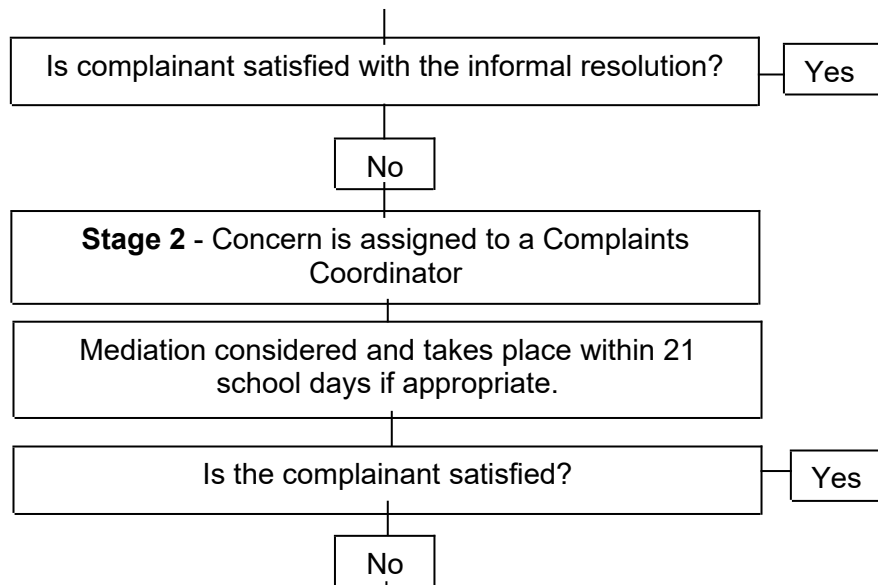
### Stage 1 –

Concern is raised with child's class teacher or SLT via the school office if concern is from a member of the public.

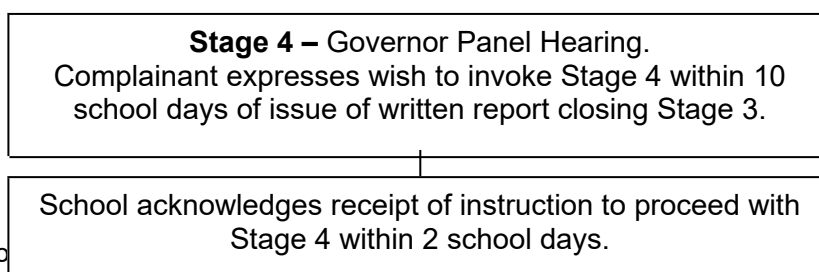
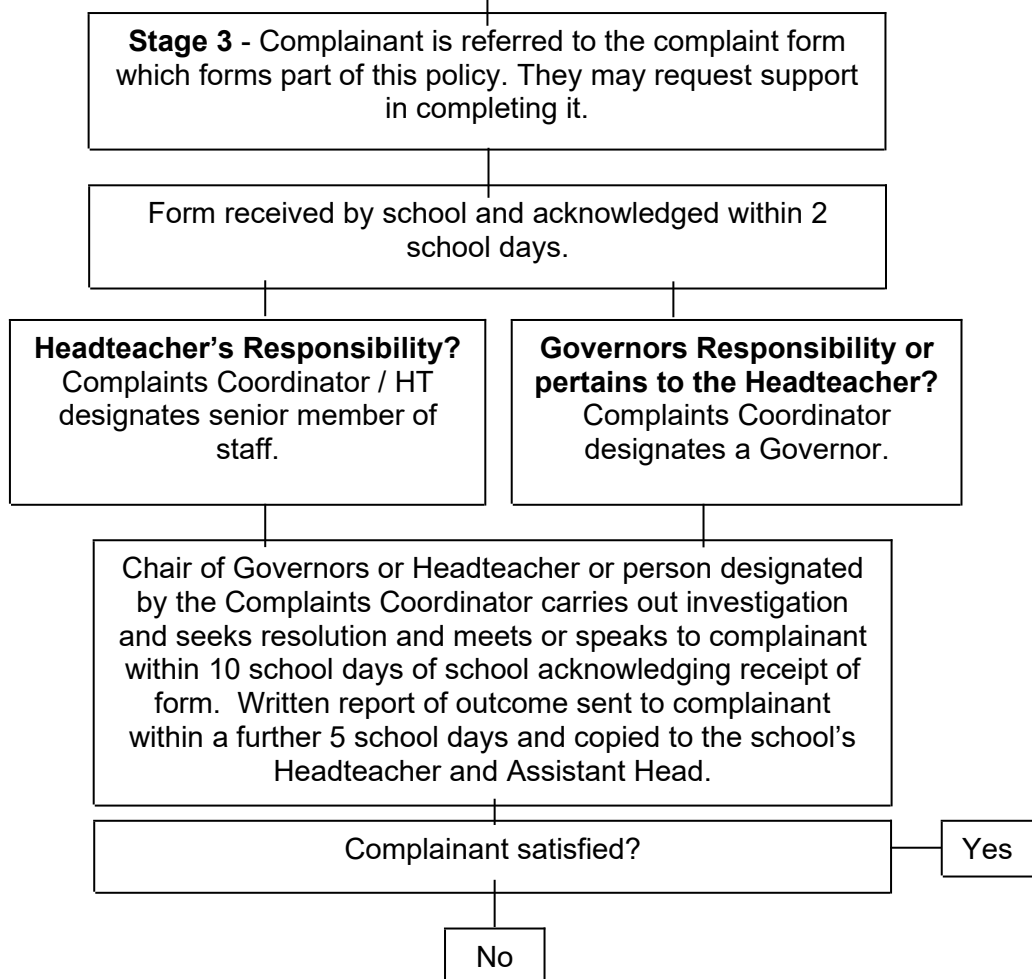
Parents must not approach any governors to raise concerns.

The due process, as outlined below, should be followed.

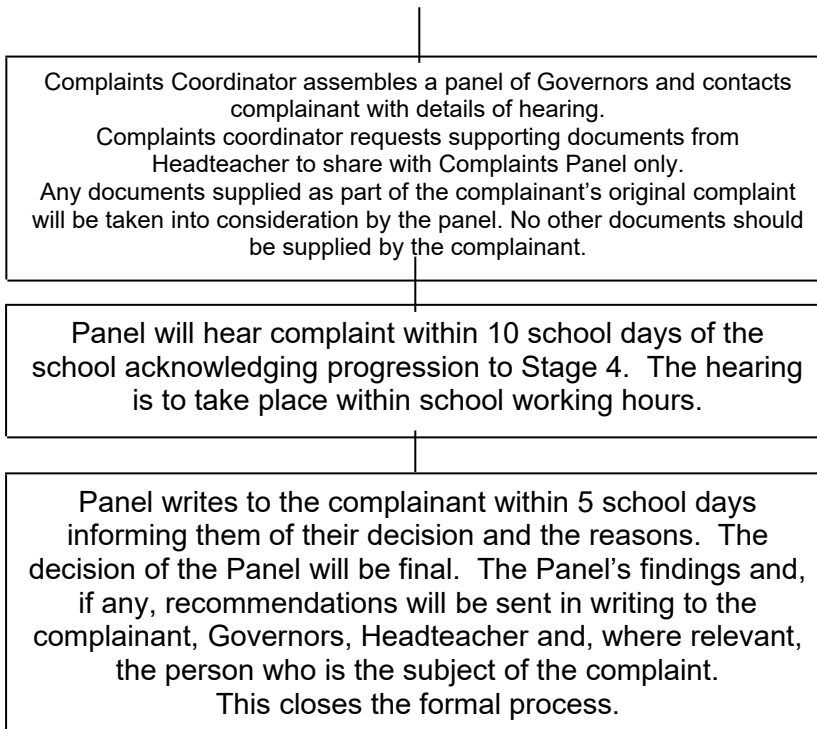
**Informal**  
Stages 1 & 2



**Formal**  
Stage 3



**Formal  
Stage 4**



**Further detail on the process:**

**First Step to Raising a Specific Concern**

*Parents must not approach any governors to raise concerns. The due process, as outlined below, should be followed.*

**Stage 1**

The school aims to resolve all issues as speedily and informally as possible. The relevant class teacher should be approached in the first instance. If unresolved an appointment should then be made with the Headteacher or Assistant Head. If contacting a staff member is not relevant to the concern (ie, the complainant does not have a child at the school), or this route is not appropriate, then the School Office should be contacted to arrange a meeting with the Headteacher or Assistant Head.

**Stage 2**

Where Stage 1 has been unsuccessful in resolving a concern, a member of the SLT will

refer the matter to a Complaints Coordinator. The Chair of Governors or the Headteacher will appoint a complaints coordinator. All further correspondence will be directed through this person. This may be a staff member or a governor depending on the nature of the issue. At this point, the Complaints Coordinator can consider appropriate action including but not limited to informal mediation which should take place within 21 school days of the matter being referred. A mediator may be a governor; a governor or head of another school.

However, if this is not appropriate or where it has not been possible to come to a satisfactory conclusion informally, the issue will move to Stage 3 and to the formal stage of the process.

## **Making a Formal Complaint**

### **Stage 3**

#### **Completing a complaints form**

A complainant wishing to instigate the formal procedure should be asked to complete a complaint form (Annex 1). The school should will help an individual to complete the form if requested to do so. The person providing this help should be unconnected with the complaint. This will usually be the Complaints Coordinator.

If the matter is about the day-to-day running of the school, or the interpretation of school policies by members of staff of the school or the actions or inactions of staff at the school, the matter should be considered by the Headteacher or Assistant Head or nominated by the Complaints Coordinator. If the matter is about school policies, as determined by the Governing Body, the actions or inactions of the Governing Body, or relates to the Headteacher, then the matter should be dealt with by the Chair of Governors or Governor nominated by the Chair.

It is essential to report the progress of any complaint and the final outcome. It is necessary that at each stage, the person investigating the complaint makes sure that they:

- establish what has happened so far, and who has been involved;
- 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, with a clerk keeping a record. No unauthorised recordings of the interview are permitted;
- prepare a final report which will summarise the outcome of the complaint and suggest possible ways forward;
- manage the expectations of the complainant with regard to possible outcomes.

### **Stage 4**

#### **Complaint heard by the Governing Body complaints panel**

Where the complainant is not satisfied that their complaint has been dealt with fully, they remain unsatisfied with the findings or do not feel that the school has followed procedure, they may choose to progress to the final stage. The complainant must write to the Chair of Governors within 10 school days of the receipt of their Stage 3 report informing the Chair

of Governors of their decision to progress to Stage 4. Stage 4 will be referred to a panel of Governors. Receipt of the complainant's wish to instigate Stage 4 will be acknowledged within two school days.

The Chair of the Panel will be elected by the Panel members and will be responsible for maintaining procedure. The Complaints Coordinator will share the full details of the Panel procedure with the complainant at this time. The proceedings of the panel hearing will be recorded by the clerk. No unauthorised recordings will be permitted.

### **Decision**

After the panel hearing, the panel stay behind to decide on each of the issues considered. The clerk/chair of the panel will write a draft decision letter which is sent to all members of the panel for approval. Once approved by all panel members, it is sent, within five working days, to the complainant with a copy to the Headteacher, Chair of Governors, and if relevant, the person who is subject of the complaint. The decision of the Panel will be final. This closes the formal process.

### **Appeals**

If the complainant is not satisfied by the outcome of the Governing Body Panel Investigation they can write to the Secretary of State for Education at the Department for Education (DfE) with copies of relevant correspondence. They should only do so if they feel the school has acted illegally, unreasonably or against procedure, not simply because they disagree with the outcome. The DfE may look into the matter and may give a written reply.

### **Vexatious Complaints**

The Policy for Dealing With Persistent Or Vexatious Complaints/Harassment In Schools may be used in certain circumstances. Please ask the school office for a copy of this policy. A copy of this policy will also be provided to the complainant at stage 3 of the process.

For example, if complainants behave in what is perceived to be an unreasonable manner when raising and/or pursuing concerns, the consequences are that the actions of the complainant begins to impact negatively on the day-to-day running of the school and, directly or indirectly, on the overall well-being of the children or staff in the school.

Similarly, if all stages of the process have been followed and the complainant remains dissatisfied and attempts to reopen the same complaint, the Chair of Governors may write to them to inform them that all stages of the process have been exhausted and the matter is considered to be closed and the Vexatious Complaints policy will be actioned if necessary.

### **Notes**

This form 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. The form should be returned to the school office marked for the 'Complaints Coordinator'.

General complaints about the County Council's services should be directed to the Director of the Learning & Culture Directorate, Macclesfield House, New Road, Oxford, OX1 1NA.



**Annex 1**

**Stoke Row C of E Primary School**

Complaint form

Please complete and return to the 'Complaints Coordinator' via the School Office who will acknowledge receipt and explain what action will be taken.

Your name: .....

Address: .....

.....

.....

Postcode: .....

Daytime telephone number: .....

Evening telephone number: .....

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

Please give details of your complaint:

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

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

.....

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

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

I consent to my contact details being shared with the Complaints Coordinator and clerk to the governors

Signature: .....

Date: .....

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Official Use:

Date of acknowledgement sent: .....

By Whom: .....

Complaint referred to: .....

Date: .....

**Annex 2**

**Establishing a complaints panel**

- **All Governors who have not previously been involved in the complaint are eligible to sit on the panel.**
- **The Complaints Coordinator will assemble the panel and the panel members will decide who will act as chair.**
- **When the Complaint Coordinator receives a notification of intention to invoke a Stage 4 complaint, 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.**
- **IF FOR ANY REASON THIS PROCEDURE CANNOT BE FOLLOWED:  
The Governing Body in consultation with the LA / Diocese will put in place an alternative fair process.**

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

- 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
- 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
- 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.
- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child is accompanied and does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults.
- The governors sitting on the panel need to be aware of the complaints procedure.
- The hearing should be clerked. No unauthorised recordings of the meeting are permitted.
- There may be exceptional circumstances in which the complaint is against the chair of governors. In those circumstances the procedure above would be adapted and every reference to 'Headteacher' would be read as 'chair of governors'.
- Complainants can bring someone along for support but they are not permitted to take part in the proceedings.
- If the complainant wishes to defer to another individual to present their case in entirety, they could do so but they would not be able to participate in the hearing thereafter.

### **The Remit of The Complaints Appeal Panel**

#### **The panel needs to firstly consider whether the appeal is**

- in relation to a decision taken by the Headteacher or a member of the school staff or
- whether it is about the way in which a complaint or concern was handled.

#### **If the complaint was in relation to a decision taken by the Headteacher, the panel will need to clarify whether it was**

- A. a decision within the Headteacher's professional responsibility or,
- B. it is an area where the Governing Body have responsibility, or share responsibility but have delegated this to the Headteacher.

#### **If the complaint relates to (A):**

- the panel can consider the manner in which the complaint was addressed **but not consider an alternative outcome**
- consider the way in which an operational decision was communicated – **but cannot overturn the decision itself**
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.
- 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**

#### **If the complaint relates to (B)**

The panel can:

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

### **Annex 3**

#### **Checklist for a Panel Hearing**

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- After introductions, the complainant is invited to explain their complaint.
- The Headteacher or designated person may question the complainant.
- The Headteacher or designated person is then invited to explain the school's actions.
- The complainant may question the Headteacher or designated person after they have spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher or designated person is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues with the Clerk in attendance.
- The chair explains that both parties will hear from the panel within five working days.