



**Alma
Primary**

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Alma Primary Complaints Policy

Policy no. 16

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Policy Development

Change	Responsible	Date
<i>Reviewed - no changes</i>		<i>Feb 16</i>

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Executive summary

A copy of this executive summary is in the staff handbook – any changes to this policy should be reflected there.

Key points:

We value good relationships with families and welcome feedback, both positive and critical.

Complaints and concerns both need to be taken seriously at an early stage to avoid problems developing further.

The Headteacher is the complaints Co-ordinator: when complaints are made the Headteacher will investigate them and attempt to resolve.

If a complainant is unsatisfied they can ask for this to be referred to a formal complaint, which is heard by nominated governors. This procedure details the procedures for such complaints to be heard.

Introduction

This policy sets out our approach to dealing with parental concerns and complaints. We always aim to maintain positive relationships with parents and carers and do our best to address any concerns as soon as they arise. However we are aware that in some instances a parent/carer may wish to make a complaint.

1. We value good home/school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.
2. We welcome feedback on what parents feel we do well (see appendix D), or not so well, as a school. We will consider carefully all feedback, whether positive or negative, and will review our policies and practices accordingly.
3. We will treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately to staff, via public forums such as social media, or in front of pupils.
4. All school staff and members of the governing body will receive a copy of this policy and will be familiar with the school's procedures for dealing with parental concerns and complaints, to which they will have access as required.
5. The school's policy will be reviewed regularly and updated as necessary.
6. Staff and governors will receive training in handling parental concerns and complaints as appropriate. This may be on an individual basis, or as a group activity for all staff, or for specific groups, such as the office staff or members of the governing body.
7. Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, reserve the right to close a complaint before all the stages of the school's procedures have been exhausted, if this appears to be appropriate.

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1 General Principles in Dealing with Complaints – Initial concerns

- 1.1 It is important that staff understand the difference between a concern and a complaint: taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.
- 1.2 This policy deals with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. In most cases the class teacher, or the individual delivering the service in the case of extended school provision, will receive the first approach. In many such cases, staff will be able to resolve issues on the spot, clarifying misunderstandings or apologising, where necessary.

2 Dealing with Complaints – Formal procedures

- 2.1 The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.
- 2.2 The member of staff with responsibility for the operation and management of the Alma Primary complaints policy is the Headteacher who is the 'Complaints Co-ordinator'.

3 Framework of Principles

- 3.1 Alma Primary's Complaints Procedure will:
- Encourage resolution of problems by informal means wherever possible;
 - Be easily accessible and publicised;
 - Be simple to understand and use;
 - Be impartial;
 - Be non-adversarial;
 - Allow swift handling with established time-limits for action and keeping people informed of the progress;
 - 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 Alma Primary's senior leadership team so that services can be improved

4 Investigating Complaints

- 4.1 At each stage of a complaint the Complaints Co-ordinator will attempt to:
- 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;
 - Keep notes of the interview.

5 Resolving Complaints

- 5.1 At each stage in the procedure we will keep in mind ways in which a complaint can be resolved. 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;

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- 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 our policies in light of the complaint.

5.2 Where appropriate we will encourage complainants to state what actions they feel might resolve the problem at any stage.

5.3 We should attempt to 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.

5.4 An admission that we could have handled the situation better is not the same as an admission of negligence.

6 Vexatious Complaints

6.1 If properly followed, our complaints procedure will limit the number of complaints that become protracted. However, there will 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 will inform them in writing that the procedure has been exhausted and that the matter is now closed.

7 Time-Limits

7.1 Complaints need to be considered, and resolved, as quickly and efficiently as possible. The Complaints Co-ordinator will set realistic time limits for each action within each stage. It is hoped that all complaints can be responded to within a twenty-day period of time. 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.

8 The Formal Complaints Procedure

8.1 Alma Primary's Complaints Procedure will have well-defined stages. A flow chart of these stages can be found in Annex C. There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the Complaints Co-ordinator, after a meeting with the complainant.

8.2 Three school-based stages are likely to be sufficient:

- Stage one: complaint heard by staff member (though not the subject of the complaint);
- Stage two: complaint heard by the Complaints Co-ordinator;
- Stage three: complaint heard by Governing Body's complaints appeal panel;

8.3 An unsatisfied complainant can always take a complaint to the next stage.

8.4 The procedure will specify how a complaint will be dealt with if it concerns the conduct of the Headteacher or a governor, or where the Headteacher or a governor has been involved in the issue previously.

8.5 The complaints procedure can be found in Annex B.

9 Managing and Recording Complaints

9.1 It is important to record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing. A complaint form can be found in Annex D. At the end of a meeting or telephone call, it would be helpful if the Complaints Co-ordinator ensures that the complainant and Alma Primary have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record.

9.2 The Complaints Co-ordinator will be responsible for the records and hold them centrally.

9.3 All correspondence, statements and records will be kept confidential.

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10 Governing Body Review

- 10.1 The Governing Body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole Governing Body will not name individuals.
- 10.2 As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to Alma Primary's improvement. When individual complaints are heard we may identify underlying issues that need to be addressed. The monitoring and review of complaints by the Complaints Co-ordinator and the Governing Body can be a useful tool in evaluating school performance.
- 10.3 The Governing Body will review this policy at annually and assess its implementation and effectiveness.

11 Publicising the Procedure

- 11.1 There is a legal requirement for the Complaints Procedure to be publicised. A reference to Alma Primary's Complaints Procedure will therefore be included in:
- The information given to new parents when their children join Alma Primary;
 - The information given to the pupils themselves;
 - The Alma Primary Learning Contract agreement;
 - Posters displayed in areas of Alma Primary that will be used by the public, such as reception or the main entrance;
 - Alma Primary's website

12 Limitations of this Procedure

- 12.1 This complaints procedure does not cover:
- Child Protection
 - Appeals to the governors discipline committee against permanent exclusions
 - Staff disciplinary procedures
- Please see the relevant documentation for these issues.

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Annex A: Legal requirement

Section 157 of the Education Act 2002 requires, in terms of independent school standards, that:

'Regulations shall prescribe standards about the manner in which independent schools handle complaints.'

The Education (Independent School Standards) (England) Regulations 2003 which came into force on 1st September 2003 require in paragraph 6 that:

'A school shall provide to parents of pupils and prospective pupils and on request to others, including the Chief Inspector and the Secretary of State, details of the complaints procedure set out in accordance with paragraph 7, and the number of complaints registered under the formal procedure during the preceding school year.'

Annex B: Formal Complaints Procedure

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 Academy can be crucial in determining whether the complaint will escalate.

We will respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the Complaints Co-ordinator will refer the complainant to another staff member. Where the complaint concerns the Headteacher, the Complaints Co-ordinator will 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 complaints co-ordinator may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor, the next step would be to refer the complainant to the Complaints Co-ordinator and advise them about the procedure. It is important that governors do not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of 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 Headteacher 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 Body Complaints Appeal Panel

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

The governors' appeal hearing is the last Academy-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 Governing Body 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.

Governing Body Complaints Appeal Panel

The Governing Body will nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These will include:

- Drawing up its procedures;
- Hearing individual appeals;
- Making recommendations on policy as a result of complaints.

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The procedure adopted by the panel for hearing appeals will be part of Alma Primary's complaints procedure. The panel will be drawn from the nominated members and may consist of three or five people, one of whom should be independent of the management and running of the school. The panel may choose their own chair.

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 Alma Primary's systems or procedures to ensure that problems of a similar nature do not recur.

There are several points that 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 Alma Primary 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 that 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 and may choose to be accompanied, if they so wish. 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.
- d. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child 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. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- e. The governors sitting on the panel need to be aware of the complaints procedure.

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Roles and Responsibilities

In the event of a complaint being referred to the Governing Body Complaints Appeal Panel, the Panel will nominate individuals to the roles of Panel Chair, Panel Clerk and Nominated Governor.

The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;
- Key findings of fact are made;
- Parents and others who may not be used to speaking at such a hearing are put at ease;
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- The panel is open minded and acting independently;
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

The Role of the Panel Clerk in arranging the hearing

The Panel Clerk would be the contact point for the complainant and be required to:

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- Collate any written material and send it to the parties in advance of the hearing
- Meet and welcome the parties as they arrive at the hearing;
- Record the proceedings;
- Notify all parties of the panel's decision.

The Role of the Nominated Governor

The Nominated Governor role:

- Check that the correct procedure has been followed;
- If a hearing is appropriate, notify the Clerk to arrange the panel;

Notification of the Panel's Decision

The Chair of the Panel will ensure that the complainant is notified of the panel's decision, in writing, with the panel's response. The letter will explain if there are any further rights of appeal and, if so, to whom they need to be addressed. A written record of the decision will be kept in the school office to be available for inspection, stating how the complaint was resolved.

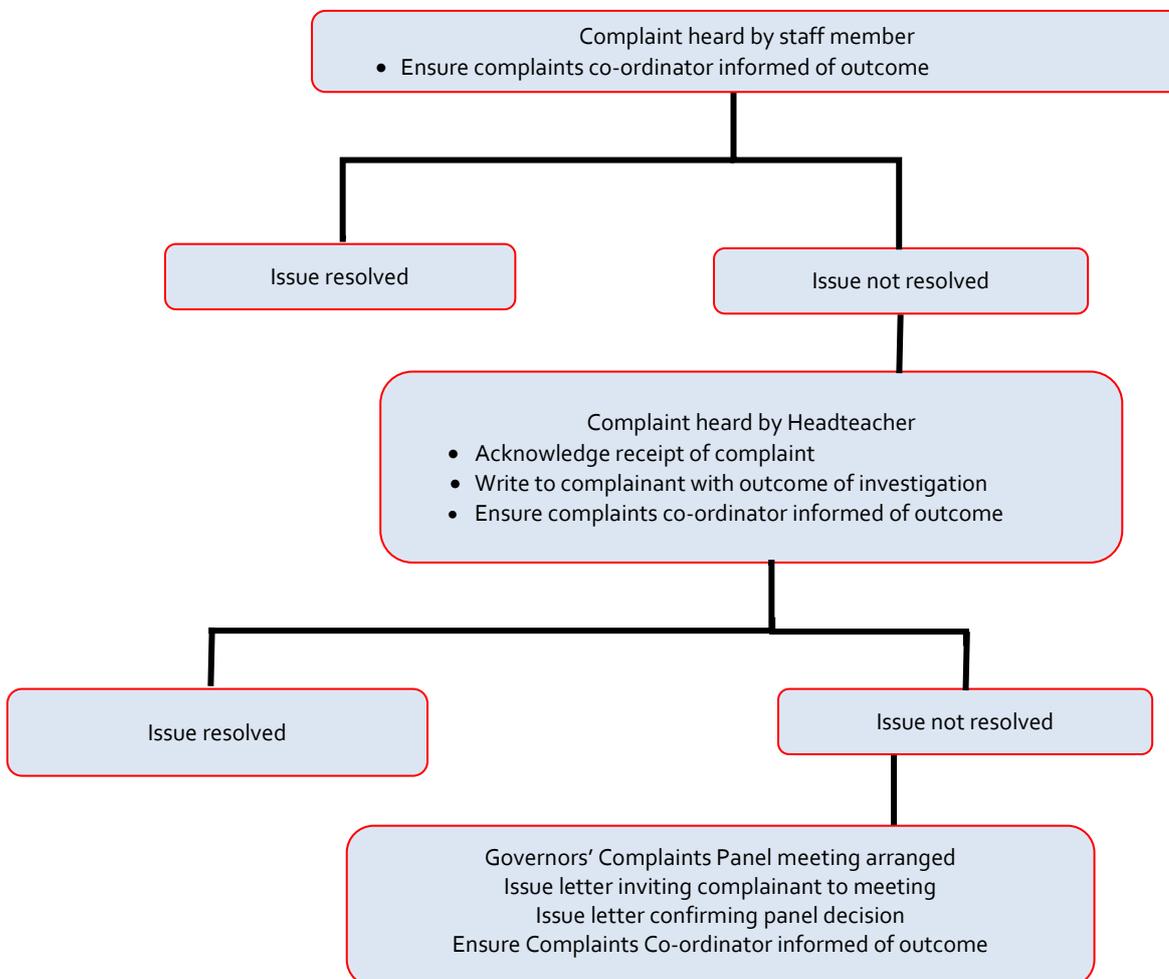
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Annex C: Checklist for a Panel Hearing

The panel will take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Headteacher may question both the complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher 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.
- The chair explains that both parties will hear from the panel within a set timescale.

Annex D: Flowchart summary for Dealing with Complaints



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Annex E: Alma Primary Complaints Form

Please complete and return this form to the Headteacher who will acknowledge receipt and explain what action will be taken:

Your name:
Pupil's name:
Your relationship to the pupil:
Address: Postcode: Day time telephone number: Evening telephone number:
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?)
What actions do you feel might resolve the problem at this stage?

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Are you attaching any paperwork? If so, please give details.
Signature: Date:
Official use Date acknowledgement sent: By who: Complaint referred to: Date: