



Brookland Junior School and Brookland Infant and Nursery School Complaints Procedure

Staff: September 2022
Governors: February 2018

Overview

From 1 September 2003 Governing Bodies (GBs) of all maintained schools and maintained nursery schools in England are required, under Section 29 of the Education Act 2002 to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised.

Our aims:

- To affirm and exemplify the spirit of partnership with parents in which the school operates.
- To ensure that parents can easily inform the school of concerns or complaints.
- To ensure a positive and appropriate response from the school within the quickest possible time.
- To affirm and exemplify a fair and supportive framework for staff where complaints are made against them.
- To ensure consistent responses in the handling of complaints by school staff and Governors.

Policy:

- The school works hard to maintain the highest standards in all that it provides. We welcome comments from parents and are always glad to receive their concerns or complaints directly and in person.
- Parents' concerns and complaints are received in a positive spirit of cooperation and we ask that they are made in a similar way.
- We investigate and respond to concerns and complaints in the quickest possible time.
- All complaints are handled in strictest confidence.
- The school's attitude to a pupil is never affected by his/her parent making a complaint.
- Any person complained against has equal rights with the person making the complaint
- The school will seldom wish to involve a pupil directly in a complaints procedure.
- The school monitors and reviews its system for handling complaints from parents.
- Parents are notified of the schools complaints procedures.
- The school seeks to cooperate with the Local Authority regarding any complaint about its failure to follow its own complaints procedure.



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Appropriate channels to raise concerns or complaints

- Nationally, there is an increase in the use of social media, group email and group chat being used to fuel campaigns and complaints against schools, Headteachers, school staff, and in some cases other parents/pupils. The school considers the use of social media in this way as not in the best interests of the children or the school community. If slanderous or defamatory comments are posted on Facebook, Whats App or other social media forums, about the school, staff and all its community, the school will expect that any parent/carer or pupil responsible removes all comments immediately.
- Any concerns that you may have must be made through the appropriate channels by following the procedures set out in this policy.

Summary of Complaints procedure

Stage 1: Dealing with Complaints – Initial concerns

The school deals with informal concerns seriously in the belief this will reduce the need for formal complaints and affirms the spirit of partnership between school and parents. The requirement to have a complaints procedure does not in any way undermine efforts to resolve concerns informally.

- Discussion of concerns with Class Teacher or other staff member (or directly with the Head Teacher, depending on the nature of the concern).
- Discussion of concerns or complaint with Head Teacher follows if the parents are not satisfied.
- If necessary, the Head Teacher investigates.
- The Head Teacher notifies the outcome of investigation to parents, saying that if they are not satisfied they may return for further discussion.
- If further discussion fails to provide satisfaction, the Head Teacher advises parents that they may complain in writing to the Chair of the Governing Body.

Stage 2: Dealing with Complaints – Formal procedure

- The Chair of Governors discusses the complaint with the Head Teacher and investigates further if necessary.
- The Chair sends a written summary of findings to parents together with his/her decision.
- If the parents are not satisfied with the Chair's decision they may ask for the matter to be referred to the Governing Body's Complaints Panel.

Stage 3: Dealing with Complaints – Appeal



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- If parents are not satisfied with the Chair's decision, they notify the Chair, through the school office, that they wish to submit an appeal to the Governing Body Complaints Appeal Panel.
- The Complaints Appeal Panel meets to consider the complaint and decides whether or not to uphold the decision of the Chair.
- The parents are notified of the decision of the Complaints Appeal Panel.

This is the final step in the school-based complaints procedure.

Where a complaint concerns the Head Teacher, the complaint can be referred to another senior member of staff or direct to the Chair of Governors.

Where an initial concern or complaint is raised with a governor, the parent should be referred back to the school's procedure.

The Local Authority will provide an independent review after Stage 3 only if the complaint relates to the failure of the school to follow its own complaints procedure.

Recording Complaints

The school will record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.

Governing Body Review

The GB will review complaints and the outcomes to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole GB will not name individuals.

Publicising the Procedure

Details of the Complaints Procedures are:

- Published in the school brochure, which is given to all new parents;
- Published on the school website.



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- Are communicated informally to parents each year at the 'Meet the Teacher' evening
- Available to parents from the school office.

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This is a version of the schools' complaints procedure, which takes you through the complaints process informally but in detail.

Expressing a concern

The school works hard to maintain the highest standards in all that it provides. We welcome comments from parents and are always open to receiving your concerns or complaints as soon as they arise.

If you have a concern

Please tell us about it so we can talk with you and see how best to resolve any problem. Please do not delay telling us of your concern as it is often more difficult to investigate an incident or problem properly when it is more than a day or two old.

All concerns and complaints are treated in confidence.

Parents' concerns and complaints are received in a positive spirit and we ask they be made in a similar way. We all want the best for your child. Whatever your concern or complaint, our work with your child will not be affected.

After hearing your concern we will act as quickly as we can. Please allow time for any investigation and for any action we may take to be effective.

What to do first

- Please contact your child's class teacher or the Head Teacher, depending on the nature of your concern. This can be in person, by phone or in writing. It may be possible for you to see or speak to the teacher or Head Teacher straight away but it is usually better to leave a message or make



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an appointment so you can be sure there will be time to talk things through.

- You may be asked to give an indication of the problem so that we can find out about it before we speak. You do not have to do this but it often saves the necessity for a further discussion or meeting as we are prepared and the concern can be resolved speedily.
- If necessary, the teacher or Head Teacher will investigate your concern as quickly as possible, take any necessary action and report back to you.

We expect to resolve most difficulties at this stage but if you are not satisfied you may press your concern further.

What to do next

- If you are still unhappy, please refer (or refer again) to the Head Teacher.
- After discussion with the Head Teacher you may have to wait a short time while further investigations are carried out.
- Every effort will be made to resolve the situation as quickly as possible and you will normally receive a written response.

If you are still unhappy

The problem will normally be solved by this stage.

- If you are still not satisfied you may wish to write to the Chair of the Governing Body.
- If the Head Teacher has taken all reasonable action and is unable to resolve the situation to your satisfaction, s/he may also refer the matter to the Chair of Governors.
- The Chair of Governors will discuss the matter with the Head Teacher and may also make further investigations.
- The Chair will then write to you and say what has been decided in response to your complaint.

Further Action

- You or the Chair of Governors may ask for your complaint to be heard by the Complaints Appeal Panel of the Governing Body.
- This is a formal process and you will be given full details of the procedure.



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- The Governing Body Complaints Appeal Panel would listen to you, the Head Teacher and others involved and make a decision to uphold the Chair of Governors decision or not (completely or in part)

This is the final stage of the school's Complaints Procedure. If parents and school approach concerns and complaints in an open and positive spirit, we believe it should seldom reach this stage.

The Local Authority will only provide an independent review after this stage if the complaint relates to the failure of the school to follow its own Complaints Procedure.

SEN Specific Complaints

The arrangements for considering complaints with regard to provision for children with special educational needs or disabilities are:

- Parent/carers to discuss the matter with the Class Teacher and/or SEN and Inclusion Leader/or Curriculum Support Teachers
- Consult the Head Teacher
- Consult the Governor responsible for SEN/disabilities
- The matter to be referred to the Governing Body.
- The matter to be referred to the Local Authority/Disagreement Resolution/Tribunal.

Complaints procedure

Appendix 1: Guidance for those investigating a complaint:

At each stage, the person investigating the complaint, normally the Head Teacher, makes sure that s/he will:

- 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 further information is needed);
- 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;
- keep notes of the interview.

Resolving Complaints

At each stage in the procedure the school will want to 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;



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- 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 may 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.

We will aim 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 more positive atmosphere in which to discuss any outstanding issues.

If the complainant is not satisfied with the outcome, they have the right of appeal to the Governing Body Complaints Appeal Panel. If, after appeal, the complainant then tries to re-open the same issue, they will be advised, in writing, by the Chair of Governors that the matter is now closed

Time-Limits

Complaints will need to be considered, and resolved, as quickly and efficiently as possible. The school will deal with the complaint within 15 working days of receiving the complaint. However, where further investigations are necessary, the complainant will be informed of time limits and an explanation for any delay.

Appendix 2: Guidance for Governing Body Complaints Appeal Panel

- The complainant needs to write to the Chair of Governors giving details of the complaint.
- The Chair will convene a GB complaints panel.
- The panel will consist of 3 governors.
- The panel may choose their own chair.

The remit of the panel:

The panel can:

- Dismiss the complaint in whole or 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 help ensure problems of a similar nature do not recur.

A governor sitting on a complaints panel needs to remember:

- The appeal hearing is independent and impartial.
- No governor may sit on a panel if they have had prior involvement in the



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complaint or in the circumstances surrounding it.

- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the complainant and the school.
- It has to be recognised, however, that the complainant might not be satisfied 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/her complaint has been taken seriously.
- The panel chair will ensure the proceedings are as welcoming as possible as many complainants feel inhibited and nervous in a formal setting.

Roles and Responsibilities

The Role of the Clerk

It is strongly recommended that any panel or group of governors considering complaints be clerked. The 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 Chair of the Governing Body or 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;

The Role of the Chair of the Panel

To ensure 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.



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- The complainant may be accompanied by a friend /interpreter.

Notification of the Panel's Decision

The chair of the panel must set out their reasons for the decision.

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline. The letter will explain that appeal to the Local Authority can only be made if the school has not followed its own procedures.

The panel's decision is final. If a complainant seeks to re-open, she/he will be advised by the chair of the panel that all avenues have now been exhausted,

Checklist for a panel hearing:

The panel needs to 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 his/her witnesses.
- The Head Teacher may question both the complainant and the witnesses after each has spoken.
- The Head Teacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Head Teacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up his/her complaint.
- The Head Teacher 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 time scale.