

## Complaints Procedure

**This complaints procedure has three stages:**

1. Initial Approach
2. Formal Complaint to Headteacher or Chair of the Local Governing Body
3. Appeal to Governor Committee

### Stage 1 – INITIAL APPROACH

It is important that parents contact the school first with their concerns and talk to a teacher or the Headteacher. Most problems can be sorted out in this way easily and informally.

Parents should have an opportunity for informal discussion of their concerns with an appropriate member of staff. This discussion should aim to clarify the nature of the parent's concern and assure them that the school wishes to hear about it. The discussion should also aim to clarify what kind of outcome the parent is seeking.

If the member of staff first contacted cannot deal with the matter immediately, he/she should make a firm arrangement to deal with it at a future date or refer the matter to the Headteacher or another appropriate member of staff. In either case a note of the name, date and contact details of the complainant should be taken.

If the concern relates to the Headteacher and the parent feels unable to raise it with the Headteacher they should contact the Chair of the Local Governing Body.

The staff member/Headteacher dealing with the complaint should make sure that the complainant is clear about what will happen next (if anything). This should be put in writing if it seems the best way of making the next steps or outcome clear.

If no satisfactory solution has been found, the complainant should proceed to Stage Two if they wish to take their complaint further.

### Stage 2 – FORMAL COMPLAINT TO HEADTEACHER OR CHAIR OF LOCAL GOVERNING BODY

1. Parents who wish to pursue a formal complaint at Stage Two should put the complaint and their desired outcome in writing to the Chair of the Local Governing Body or Headteacher. The Chair of the Local Governing Body / Headteacher (or designated member of staff) should acknowledge the complaint orally or in writing within three days of receipt giving a brief explanation of the complaints procedures and a target date for providing a response. Ideally, this should be within ten working days. If it is not possible to deal with the matter in this time, the complainant should be informed of when it is likely to be concluded.
2. The chair of Local Governing Body / Headteacher (or a designated member of staff) may offer an opportunity for the complainant to meet him/her. The complainant should, if he/she wishes, be allowed to be accompanied by a friend or relative who can speak on his/her behalf.
3. If necessary, the Chair of the Local Governing Body / Headteacher (or a designated member of staff) should interview any witnesses and take statements from those involved. If the complaint centres around a student, the student should also be

interviewed, normally with parent/guardian present. In some circumstances this may not be possible or appropriate and a senior member of staff with whom the student feels comfortable should attend with him/her. If a member of staff is complained against, their needs should be borne in mind.

4. The Chair of the Local Governing Body / Headteacher (or designated member of staff) should keep written records of meetings, telephone conversations and other documentation.
5. Once all the relevant facts have been established, the Chair of the Local Governing Body / Headteacher (or designated member of staff) should either write to the complainant or arrange a meeting to discuss or resolve the matter. This meeting should be followed up with a letter summarising the outcome of the meeting. The complainant should be advised in this letter that if they remain unhappy with the outcome, he/she may appeal to a panel of governors. The complainant should notify the Chair of the Local Governing Body within two weeks of receiving the letter detailing the outcome of the complaint.

### **Stage 3 – APPEAL TO PANEL OF GOVERNORS**

Complaints only rarely reach the appeal stage, but it is important that governing bodies are prepared to deal with them. At this stage, the Chair of the Local Governing Body may wish to seek advice from the CEO or external sources.

The aim of the appeal to a panel of governors or trustees is to resolve the complaint and achieve a reconciliation between the school and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action, and to satisfy the complainant that their complaint has been taken seriously.

It is important should a complaint reach the appeal stage, that the governing body is impartial and independent and is seen to be so. Individual complaints should not be considered by the local governing body.

Panel members should have had no prior involvement with the complaint. Generally, the Chair of the Local Governing Body is not on the panel as he/she may be involved at the earlier stage although the panel may be advised by an external personnel or legal provider.

Individual governors should not get involved in looking into complaints before this stage to avoid prejudicing their potential involvement. If individual governors are approached by parents or others with complaints, they should refer the complainant to the schools complaints procedure, making the necessary introduction to a member of staff or Headteacher if appropriate.

Complaints that reach the appeal stage will do so because the complainant is not satisfied with the response so far. In this situation it is perhaps helpful for the panel of governors to view any complaint as being against the school rather than an individual staff member whose actions may have lead to the original complaint.

Upon receipt of a written request from the complainant for the complaint to proceed to Stage Three, the following procedure should be followed:

1. The Clerk to the Governors should write acknowledging receipt of the written request, informing the complainant that it will be heard by a committee of the governing body within 15 working days of receipt.
2. The Clerk should convene a meeting of the complaints committee at a time which is convenient for the complainant and the school. This will generally be in the early evening.

3. The Clerk should ensure that the complainant, Headteacher and any other witnesses are given at least five working days notice in writing of the date, time and place of the hearing or otherwise are in full agreement of a shorter timescale. The letter of notification to the complainant should also inform him/her of their right to be accompanied by a friend/relative who can act as an advocate. The chair should ensure that interpretation facilities are offered and made available if required. The letter should set out the procedure for the conduct of the hearing (see annex A) and the complainant's right to submit further written evidence to the committee.
4. The Clerk should invite the Headteacher to attend the hearing and to submit a written report for the committee in response to the complaint. The Headteacher may also invite the Chair of the Local Governing Body or any other members of staff directly involved in matters raised by the complainant to respond in writing and/or in person to the complaint. Any involvement of other staff should be at the discretion of the chair of the committee.
5. All relevant documents should be received by all parties, (including the complainant) at least five days before the meeting of the panel. This provides adequate opportunity to read them prior to the start of the meeting.
6. A personnel or legal advisor may be invited to attend the meeting to advise the committee.
7. The panel should elect a chairperson who should ensure that proper minutes of the meeting are taken.
8. The chair of the panel should try to ensure that the proceedings are sufficiently informal as possible and that the complainant and other participants feel at ease.
9. At the conclusion of the representations and questions, the chair should explain that the panel will consider the issues and write to both parties with their decision or judgement within 5 working days.
10. All except for the governors panel and any advisers should then withdraw and the panel should consider the evidence. This should include: a judgement about the validity of the complaint; appropriate action to be taken by the school and/or the parent and where appropriate, recommendations on changes to the school's systems or procedures to ensure similar problems do not arise in the future.
11. The school should ensure that a copy of all correspondence and notes is kept confidentially on file in the school. This should be separate from students' personal records.
12. The broad outcomes recommended by the panel can be reported to the next full governing body or appropriate committee with the identity of all those taking part kept confidential. The governing body should monitor implementation of any recommendations made.

## THE ROLE OF OFSTED

Where there are general concerns about a school, parents and carers can contact Ofsted. Whilst Ofsted will not investigate complaints about an individual child, they may choose to look into any matters drawn to their attention such as:

- The quality of education provision
- The safety or well-being of children attending the school.



TOVE LEARNING TRUST

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Ofsted would normally expect parents and carers to pursue complaints through the school's complaints procedure before contacting them. Should parents or carers wish to draw their concerns to the attention of Ofsted they should contact:

The Office for Standards in Education (Ofsted)  
Royal Exchange Buildings  
St Ann's Square  
Manchester  
M2 7LA  
Tel: 08456 404045  
Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

## **ANNEX A**

### **Procedure for the Conduct of a Stage 3 Governors Panel Hearing**

1. The chair of the committee should invite all parties (except any witnesses) into the room, introduce them and explain the role of each person.
2. The chair should explain to all present that the purpose of the hearing is to review the complaint and try to resolve it and achieve a reconciliation between the school and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action.
3. The chair should then ascertain whether the proposed procedure is acceptable. If so, the meeting will proceed along the following lines:
  - a) The complainant describes his/her complaint and may call witnesses.
  - b) The Headteacher may seek clarification from the complainant and any witnesses.
  - c) The governors' panel or its advisers may seek clarification from the complainant and any witnesses.
  - d) The Headteacher will respond to the complaint and may call witnesses.
  - e) The complainant may seek clarification from the Headteacher and any witnesses.
  - f) The governors' panel (including any Advisers) may seek clarification from the Headteacher and any witnesses.
  - g) The Headteacher will be given the opportunity to sum up.
  - h) The complainant will be given the opportunity to sum up.
  - i) Both parties will leave the room to allow the panel to deliberate but any advisers may remain to offer technical and procedural advice.
4. The panel should make a decision or judgement on: the validity of the complaint; appropriate action to be taken by the school and/or parent and where appropriate, recommendations on changes to the school's systems or procedures to ensure similar problems do not arise in the future.
5. The decision or judgement will be confirmed in writing within 5 working days.

NB If there is more than one complainant this procedure should be followed for each one in turn, unless the complainants agree to the complaint being heard with all present in one sitting.