

Faraday School



COMPLIANTS POLICY

Complaints Procedure

Any parental concerns/complaints can be addressed to the headteacher/chair of governors at any time. Faraday has an open door policy and concerns can be raised informally.

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 school can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they know what to do when they receive a complaint.

It would assist the procedure if the school respected 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 can refer the complainant to another staff member.

Where the complaint concerns the headteacher, the complaints co-ordinator can 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 appropriate person and advise them about the procedure. It would be useful if governors did 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.

Any parental concerns/complaints can be addressed to the headteacher/chair of governors at any time. Faraday School has an open door policy and concerns can be raised informally. Complaints may be submitted in writing. All written complaints will be handled discreetly and with the same care and consideration as verbal complaints.

At each stage the process must respect the need for correspondence, statements and records of complaint to be kept confidential except when some information sharing is deemed necessary to carry out a thorough investigation. Ofsted will have the right to see all relevant documentation as part of the inspection process.

A response will usually be provided within five school days. When a matter requires fuller investigation than is possible within the normal timescale, the complainant will be informed within the five school days and an indication given of when a final response can be expected.

Stage Two: Complaint Heard by Headteacher

The headteacher's influence will already have shaped the way complaints are handled in the school. 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 head may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

The same requirement for confidentiality applies as for a stage one complaint as stated above.

The complaint will be investigated and a written response will usually be provided within five school days. When a matter requires fuller investigation than is possible within the normal timescale, the complainant will be informed within the five school days and an indication given of when a final response can be expected.

Stage Three: Complaint Heard by Governing Bodies Complaints Appeal Panel

The complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a Governing Bodies (GB) complaints panel. For this purpose and to give a larger pool of persons, the panel may comprise Governors of Faraday School and/or the New Model School Company. This should include at least three people who were not directly involved in the complaint.

The governors' appeal hearing is the last school-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 GB 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.

The governing body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

The procedure adopted by the panel for hearing appeals would normally be part of the school's complaints procedure. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.

At least one member of the GB will be independent of the management and running of the school.

Parents may be accompanied to any hearings if they so wish.

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 the school'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 the school 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 which 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. 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.

The same requirement for confidentiality applies as for a stage one complaint as stated above.

Roles and Responsibilities - The Role of the CEO

The CEO 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;
- ensure that a confidential written record of all complaints, whether they are resolved at the preliminary stage or proceed to a panel hearing are to be kept.
- notify all parties of the panel's decision.

The Role of the Chair of the Governing Body or the Nominated Governor

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the chair to arrange the panel.

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.

Notification of the Panel's Decision

The chair of the panel needs to ensure that all those involved, particularly the complainant, proprietor, and Headteacher and, where relevant, the person complained about, are notified of the panel's findings and any recommendations, in writing or by email, within 5 working days of the panel meeting. A copy will be available for inspection on the school premises by the proprietor and the headteacher.

The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

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 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 time scale.

Timescales

Complaints to the school will be acknowledged within two working days of receipt.

Following stage one and two investigations, a response will usually be provided within five school days. When a matter requires fuller investigation than is possible within the normal timescale, the complainant will be informed within the five school days and an indication given of when a final response can be expected.

The appeals panel will be convened normally within 21 working days and, as indicated above, the chair of the panel will convey the findings to all involved within five working days.

Last reviewed by Rick Williams, June 2009

Reviewed Sarah Counter April 2010

Review Due April 2011

NUMBER OF FORMAL COMPLAINTS REGISTERED IN THE YEAR 2009 – APRIL 2010 is ZERO