

5 Stages in a complaints procedure

5.1 General guidance

It is normal for each stage in the complaints procedure to be completed before moving to the next stage. In very exceptional circumstances the headteacher, usually in consultation with the Chair of the governing body, may decide to omit a stage.

The headteacher, or member of staff investigating a complaint, should always be aware of the fact that a concern or complaint may escalate into a larger issue and be referred to the Complaints Committee of the governing body. It is therefore essential that clear, concise written notes of discussions and incidents are made and kept for every stage of the procedure.

5.2 Preliminary Stage

Most parents' concerns can be resolved by the class teacher or other designated member of staff by:

- responding to the parent courteously;
- handling the complaint seriously;
- taking action quickly.

It is essential to give time to complainants and to be patient, so that they can feel they have been heard properly. It is important that parents are reassured

that there are established procedures and, if appropriate, that their case will be impartially investigated.

Sometimes parents might like to complain but do not do so because they fear that this would be held against them or their child. Parents need to be reassured, both in the school's written policy and by individual members of staff, that this will not happen.

When a parent is making an initial complaint there is usually no need to ask for the complaint to be put in writing. To insist on this could result in a genuine complaint not being resolved due to fear or lack of confidence on the part of the parent. If parents are pushed into writing down their concerns, this can also lead to them taking an entrenched position from which it could be difficult to achieve a resolution. However, the completion of a complaints form will aid the tracking of a complaint and if this is part of the procedure it will become a parental expectation.

Some headteachers find it helpful to inform parents of the times during the week when they would be available to have informal discussions about any concerns or topic of the parents' choice.

Those dealing with complaints should consider whether or not to invite to the informal discussion any staff member named as involved in the matter. Hostile confrontation and entrenched defensive positions will not aid resolution of the problem.

In the case of an oral complaint to the headteacher, an assurance should be given that the matter will be investigated and a response given within a certain time, normally 7 school days. At the end of the discussion it should be clear to the complainant what action, if any, will be taken, the timescale within which it will take place and how s/he will be notified of any outcome. Every effort should be made to resolve the matter to the satisfaction of the parent.

If it becomes clear that the parent is not happy with the response to their complaint, or the member of staff or headteacher would like the protection of the formal procedure, the parent should be advised that the complaint should be put in writing and a complaint form may be used (Appendix A). If a parent is reluctant to put their concerns in writing, they may need assistance, especially if English is not their first language.

Governing bodies will need to decide on an acceptable timescale for the complainant to request a stage 2 or stage 3 for their complaint.

5.3 Stage 1: Formal

If a written complaint is received by the headteacher, it should be acknowledged within two school days and the complainant told that the matter will be investigated and a response given within a certain time, normally five school days. It is advisable for the headteacher and staff to keep notes of any discussions held with parents who are expressing concerns or bringing a complaint. It is advisable to have a separate note taker present at the meeting.. Where the headteacher, or designated member of staff, undertakes

an investigation, it is most important that clear written statements are taken and that every statement is signed and dated.

5.4 Stage 2: Formal

If the Chair of the governing body receives a written complaint from a parent s/he should consult with the headteacher before taking any action. It is important to ensure that the informal stages of the procedure have all been exhausted. If this is not the case, the Chair would normally advise the complainant to follow the procedures described for the informal stage in 5.2 above.

The Chair should try to acknowledge the written complaint within two school days of receipt, stating that the matter is being investigated and that s/he hopes to be able to make a further response within ten school days. Good practice suggests that it is helpful to give an indication of timescale at each stage of the procedure.

Assuming that all steps in the previous stage have been followed, the Chair would normally undertake an investigation of the matters raised in the complaint.

Investigation process:

- there should be a clear understanding of the complaint, clarification should be sought if necessary;
- interviews should be held as soon as possible after the incident to minimise the possibility of evidence becoming tainted;
- strict attention should be paid to confidentiality;
- separate discussions should be held with all parties involved, and with any witnesses;
- careful written notes be made of all discussions;
- the complainant's desired outcome and any possibilities of redress discussed;
- written statements should be obtained where appropriate, and be signed and dated;
- if pupils are to be interviewed reference should be made to section 4.8;
- efforts should be made to resolve the complaint, if possible to the satisfaction of the complainant;
- complainant and member of staff should be given an opportunity to provide documentation and identify potential witnesses.

After completing the investigation, the Chair of the governing body prepares a written summary of his/her findings, writes to the complainant saying the investigation has been completed and includes some of the following points:

- all appropriate steps have already been taken and s/he considers no further action is necessary;

- as a result of the investigation the following arrangements have been made which it is hoped the complainant will find satisfactory;
- the following recommendations will be made to the governing body
- if the complainant is not happy with this response, s/he may write to the Clerk to the governing body at the school address requesting that the complaint be considered by the Complaints Committee of the governing body.

5.5 Stage 3: Formal

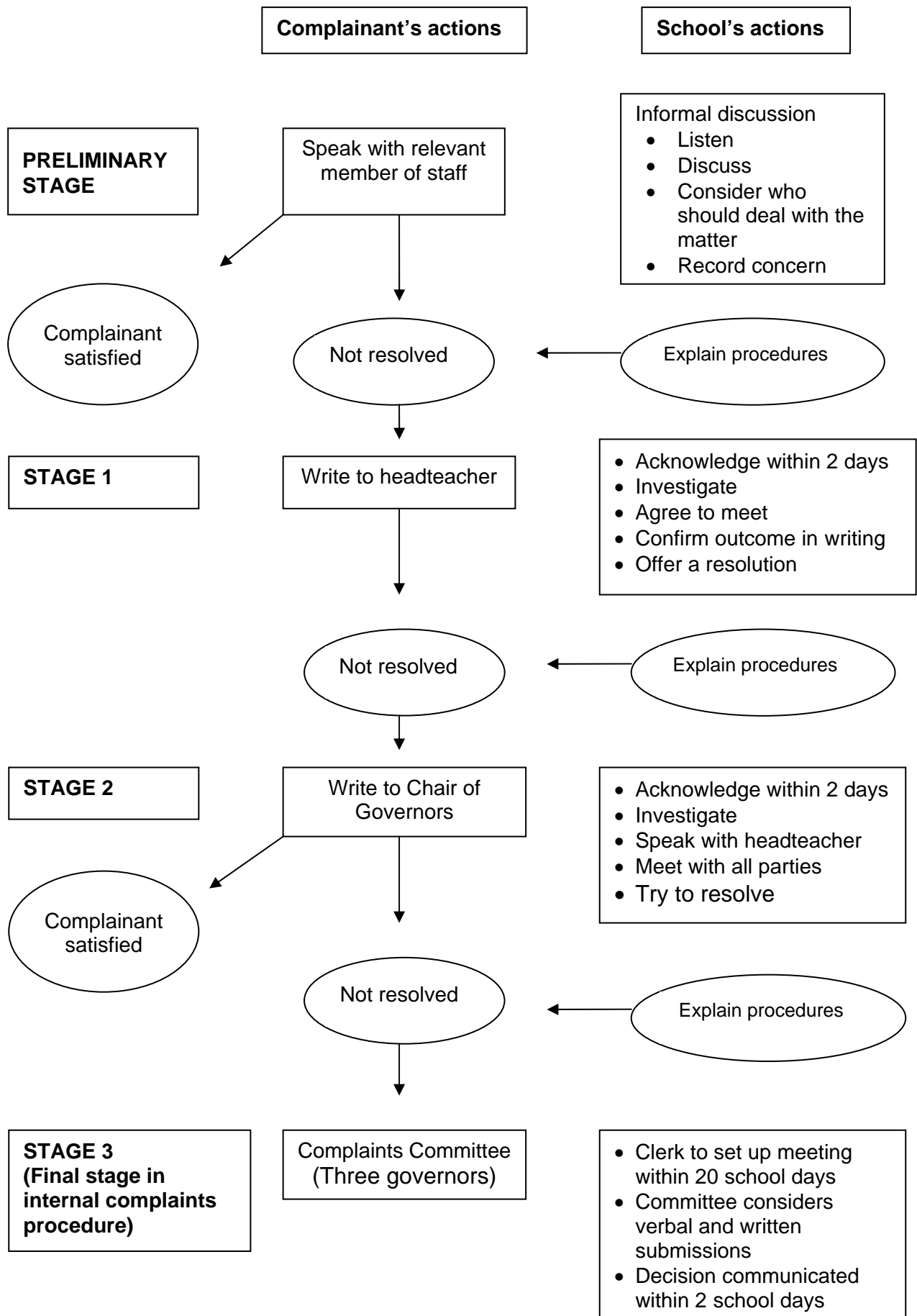
If the Complaints Committee of the governing body is to consider the complaint, the Clerk to the governing body should set up the meeting within 20 school days giving at least ten school days' notice of the meeting to: the members of the committee, complainant, headteacher and the Chair of the governing body and the LA's complaints officer, sending them the following:

- (a) an invitation to attend the meeting including details of date, time, place of meeting; (see Appendix F)
- (b) a request for copies of any written papers which people may wish to be considered to be sent to her/him by (Date) so that they can be distributed to members of the Complaints Committee and the other parties;
- (c) a request for the names of any witnesses who may be called;
- (d) a statement saying that the claimant may wish to be accompanied by a friend and asking for the name of any such friend;
- (e) where appropriate, an enquiry as to whether or not it would be helpful for an interpreter to be available;
- (f) an enquiry as to whether or not access should be provided for the disabled;
- (g) a summary of the procedure to be followed at the meeting.

The hearing by the Complaints Committee should be as informal as possible. The Chair of the governing body and the headteacher may be present. The Clerk to the governing body, or another person appointed by the Chair of the governing body, should be present throughout the hearing and after the parties have withdrawn, in order to take notes. A model procedure for the meeting is in Annex E.

The decision and recommendations of the Complaints Committee are sent as soon as possible to all parties. The committee's decision is final.

COMPLAINTS PROCEDURE



Summary of Timescales

Stage	Description	Response
Preliminary Stage	Discussions with relevant member of staff and/or headteacher	As soon as possible but no later than 7 school days.
Stage 1	Written complaint to Headteacher	Acknowledge within 2 school days. Response normally within 5 school days.
Stage 2	Written complaint to Chair of Governors	Acknowledge within 2 school days. Response normally within 10 school days.
Stage 3	Complaints' Committee Hearing	Hearing set up within 20 school days with 10 days notice of meeting. Agenda and papers sent out 7 days in advance. Decision letter with 2 school days.