



**'BE THE BEST YOU CAN BE!'**

# **COMPLAINTS PROCEDURE Policy**

**Lead person responsible:**

**Ms M Loosemore**

**Date: September 2022**

**Review Date: September 2023**

## **Rationale**

The London Borough of Brent established a comprehensive complaints procedure and a string of One-Stop Shops to enable citizens to register their concerns and seek redress on all matters relating to the Council's services. School staff members, however, are in a unique position, in that they do not report through the Chief Education Officer to the Chief Executive. The governing Board of each school that controls its budget is the employer of staff - *de facto* (i.e. in fact) - though the Local Education Authority continues to be the employer *de jure* (i.e. in law).

This is the reason why Roe Green Junior School has this complaints procedure which takes account of these powers and responsibilities. Such a procedure covers all matters (except admissions, exclusions and special educational needs - as there are separate statutory arrangements for them) relating to the life of the school - including matters to do with the curriculum and religious worship.

## **The Arrangements**

Complainants are encouraged to follow through each stage of the procedure, as appropriate, in order to resolve their concerns.

This procedure aims to:

- Encourage the resolution of concerns and complaints by informal means wherever possible
- Ensure that concerns are dealt with quickly, fully and fairly within defined time limits wherever possible
- Provide effective and appropriate responses to concerns and complaints
- Maintain good relationships between the school and all those involved

Key principles of this procedure are:

- Accessibility – under our Equality Policy, the procedure will be available on the school's website and also can be requested from the school office. It will be in a useable format, free from jargon and will assume no specialist knowledge
- Good communication – the school will be happy to explain the process for dealing with concerns and complaints
- Timescales- there will be clear timescales which the school will make every effort to adhere to. Where timescales have to change, we will ensure complainants are advised of the delay and reasons for this and are given clear revised timescales.
- Clarity – over roles and responsibilities of those involved in the process and clarity around the desired outcome for the complainant
- Confidentiality - appropriate confidentiality will be maintained by all those involved (including complainants, school staff and governors). The governing board will appropriately monitor the nature of the complaints received over each academic year to inform practice and potential improvements to procedures and policies within the school. Where concerns are raised, the school intends for these to be

dealt with fairly, openly and promptly. The governing board has approved the following procedure which explains what you should do if you have any concerns about the school.

The arrangements for dealing with complaints are simple and include the following.

- Criticisms and concerns are handled **informally** by school staff and the Head teacher, **in the first instance**, not as formal complaints.
- Formal complaints are made in writing, but may be complemented or clarified by an oral presentation.
- Formal complaints are investigated and handled as swiftly as possible and the complainant kept fully informed throughout all stages of the investigation, preferably in writing.
- Each complainant will receive a formal response in writing, once the investigation is complete.

If, in the course of an investigation, the governing board considers that disciplinary action should be taken against a member of staff, disciplinary proceedings will be initiated.

If the complaint is about the Headteacher, or a member of the governing board (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

Complaints about the Headteacher or member of the governing board must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing board or
- the majority of the governing board

Stage 1 will be considered by an independent investigator appointed by the governing Board. At the conclusion of their investigation, the independent investigator will provide a formal written response.

### **Stage 1**

As is the case with a grievance, a complaint can best be resolved in informal discussion with the Head teacher or a member of the school staff. A discussion at the informal stage is, more often than not, likely to resolve many a complaint. The first port of call for parental complaints is the class teacher. A complaint that is not resolved by the class teacher is referred to the Head teacher.

### **Stage 2**

Where a complaint is of a serious nature and has not been resolved informally, the complainant will be directed to the Chair of the governing board. The Chair

will offer the complainant and respondent the opportunity to make their cases - orally and/or in writing, receiving any supplementary information that is germane to the case and decide on what to do. She or he will then inform both parties of the outcome, giving explanations of why a particular course of action was adopted.

### **Stage 3**

If the complainant is still not satisfied, she or he will be asked to put the complaint in writing formally to the governing Board (for the attention of the clerk) for consideration by a complaints panel. It is possible that, at this stage, the complaint may well be different from the original one, as it would include dissatisfaction with the action taken by the Head teacher and chairperson of governors in handling the original perceived problem.

The panel of governors will be appointed by the full governing Board and consist of three members - none of whom would have had anything to do with dealing previously with the complaint.

Written evidence will be circulated to both parties and members of the panel in advance of the meeting and the procedure will be as follows.

- Introductions by the chairperson of the panel.
- Complainant makes statement of complaint and background.<sup>1</sup>
- Questions to complainant by the Head teacher/Chairperson of governors and members of the panel.
- Head teacher/chairperson of governors makes statement.
- Questions to Head teacher/chairperson of governors by complainant and members of the panel.
- Head teacher/chairperson of governors makes final statement.
- Complainant makes final statement.
- Interested parties withdraw from the meeting and the panel reaches a decision on whether the complaint is upheld or rejected. In either case, the panel may call for certain action to be taken by the school.
- Both parties are informed of the decision no later than three days after the hearing.

The decision of the panel of governors will be binding on the Head teacher, Chair of governors and the school. If the complaint is a curricular one and the complainant is dissatisfied with the outcome, she or he may refer the matter to the Chief Education Officer of Brent.

If the complaint is related to a non-curricular matter and the complainant is dissatisfied with the decision of the governing Board, she or he may take the matter further to the Secretary of State for Education and Employment on the grounds that the governing Board has behaved unreasonably.

Should an investigation into a complaint lead to disciplining a member of staff, all those involved in the investigation or hearing will not participate in the disciplinary action that may follow - in order to secure natural justice.

### **Procedures for handling complaints regarding SEND provision**

Complaints from parents of children with special educational needs (SEN) about the support the school provides are handled by following the arrangements and procedures detailed above.

Complainants are encouraged to follow through each stage of the procedure, as appropriate, in order to resolve their concerns.

Where complaints are unresolved, a member of SENAS will be contacted and further consultations will be arranged.