

The British Embassy Study Group

COMPLAINTS PROCEDURE

Roles & Actions

We differentiate between concerns and complaints and in both cases try to keep procedures for dealing with them as informal as possible.

The Head teacher will act as Complaints Co-coordinator and will take the initial responsibility for handling complaints. *N.b. Should the complaint be against or involving the Head teacher then the Deputy Head will act as Co-coordinator.*

Action will be taken in accordance with the published guidance and recommendations by the DfES. However we also note that;

Certain forms of complaint, e.g. staff grievance or disciplinary procedures, also fall outside the scope of these general complaints procedures.

Procedure

- [1] **Informal Stage** - In most cases complaints are successfully resolved informally by teachers, senior managers and Head teachers. Complaints should therefore, initially be directed to the Head teacher. The Head teacher will;
- a) encourage the complainant and member of staff to discuss the complaint and try to resolve it informally *or*
 - b) discuss the complaint with the complainant and try to resolve it informally, or arrange for a senior manager to do so *and*
 - c) where appropriate inform the Chair of Governors without discussing the nature of the complaint at this stage.
- [2] **Formal Stage 1** - If a complaint cannot be resolved in an informal way and/or the complainant still remains unhappy the Head teacher will deal with the complaint formally.

The Head teacher will ask the complainant to put their complaint in writing, stating that they wish to make a formal complaint. The letter should include; their name, the nature of their complaint, and how they can be contacted. The Head teacher will;

- a) acknowledge this letter within two working days
- b) investigate the complaint and then decide how best to resolve it within a further five working days

- c) provide a written response outlining how the investigation was conducted and the outcome, as well as offering the complainant the opportunity to discuss the outcome if appropriate
 - d) advise the complainant that if they are dissatisfied with the outcome their complaint will be considered by the Chair of Governors at Formal Stage 2
 - e) inform the Chair of Governors that a formal complaint has been received and what action will be taken to provide a response without discussing that nature of the complaint at this stage.
- [3] **Formal Stage 2** - If the Head teacher is unable to resolve the complaint and/or the complainant is still unhappy then the complaint will be dealt with at Formal Stage 2. The complainant will be informed that their complaint has been passed to, and how to contact, the Chair of Governors. The complainant should write to the Chair of Governors and that letter should include their name, the nature of their complaint, the reasons why they were unhappy with the Head teacher's decision and how they can be contacted.

At this stage it is important that only the Chair of Governors is involved, as other Governors may have to listen to any subsequent hearings which may result from an investigation of the complaint. If a School Governor is directly approached by the complainant at any stage they can only give general advice about how their complaint might be dealt with and should inform the Head teacher as soon as possible. When a Governor becomes involved in this way they cannot take part in any of the formal procedures. It may, however, be appropriate for them to accompany the complainant to any formal meetings.

The Chair of Governors will;

- a) acknowledge the letter within two working days
 - b) conduct an investigation and speak to everyone involved as soon as practicable (usually within 10 working days)
 - c) provide a written response outlining how the investigation was conducted and the outcome, as well as offering the complainant the opportunity to discuss the outcome if appropriate. This will be within two days of completing the investigation
 - d) advise the complainant that if they are dissatisfied with the outcome their complaint will be considered by the Complaints Panel of the Governing Body at Formal Stage 3
- [4] **Formal Stage 3** - If the Chair of Governors is unable to resolve the complaint and/or the complainant is still unhappy then the complaint will be dealt with at Formal Stage 3.

Governors Complaints Panel - If the complainant is dissatisfied with the outcome of the Chair of Governor's investigation then they should write to the Chair of Governors stating why and request that their complaint be referred to the Complaints Panel of the Governing Body.

The Complaints Panel will comprise three Governors who have not previously been involved in the complaint and/or do not have a pecuniary or personal interest and one person who is independent of the management and running of the school.

It will also be inappropriate for the Complaints Panel to include teacher or staff Governors.

A meeting of the Complaints Panel will be convened within ten working days of the request.

At least five working days before the meeting members of the Complaints Panel will receive;

- a) A copy of the original written complaint
- b) An outline of any investigation carried out by the Head teacher at Formal Stage 1.
- c) A copy of the letter sent to the complainant about the outcome at Formal Stage 1.
- d) A copy of the letter from the complainant expressing their dissatisfaction with the outcome at Formal Stage 1.
- e) A copy of the letter to the Chair of Governors requesting an investigation at Formal Stage 2.
- f) An outline of any investigation carried out by the Chair of Governors at Formal Stage 2.
- g) A copy of the letter sent to the complainant about the outcome at Formal Stage 2.
- h) A copy of the letter from the complainant expressing their dissatisfaction with the outcome at Formal Stage 2.
- i) A copy of the letter requesting that the complaint is heard by the Complaints Committee.

The complainant will be invited to attend the meeting to state their case and should be offered the opportunity to be accompanied by a friend or other adult if they wish. Children should not attend unless the Complaints Panel thinks it would be helpful, in which case they should seek written permission of the parents. The complainant does not have to attend the meeting, in which case the Complaints Panel will consider the documentary evidence provided by the complainant.

The relevant person complained about will be given a copy of any findings and recommendations. The Head teacher and/or Chair of Governors will be invited to attend

the meeting to state their case. They do not have to attend the meeting, in which case the Complaints Panel will consider the documentary evidence relating to any investigation(s) the Head teacher and/or Chair of Governors carried out.

The Complaints Panel will consider two questions only:

1. Whether the investigation(s) were conducted properly and reasonably within this procedure.
2. Whether the outcome was reasonable and appropriate.

If the Complaints Panel decides the answer to the second question is no it should decide a different outcome to the complaint.

The Panel will have the opportunity to question the complainant, Head teacher and/or Chair of Governors. If they are not available at the time then the meeting should be adjourned and re-convened at a mutually convenient time, but wherever practicable within five working days.

When the Complaint Panel has all the information it needs the complainant, Head teacher and/or Chair of Governors will leave the meeting. The Complaints Panel will then reach its decision in private. It will decide:

- a) Whether the earlier investigation(s) were conducted appropriately and reasonably.
- b) Whether the decision of the Head teacher and/or Chair of Governors was reasonable and appropriate.
- c) Where appropriate an alternative outcome to the complaint.

The complainant should be informed of the Complaints Panel's decisions in writing within two working days.

A written record will be kept of all complaints, and whether they are resolved at the preliminary stage or proceed to a panel hearing.

All correspondence, statements and records relating to individual complaints are kept strictly confidential except where the Secretary of State or a body conducting an inspection under section 163 of the 2002 Act requests access to them.

The decision of the Complaints Panel is final.

**Dawn Akyurek
Head Teacher**

September 2007