

Smithy Bridge
Foundation Primary School

COMPLAINTS PROCEDURES

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Introduction

Because of the varying nature of possible complaints, it is necessary for the Governing Body to have a flexible system for the governors to hear and resolve complaints brought against the school, a member of staff, pupil(s), procedures activities or organisations.

Making Presentations

The person making a complaint (the Complainant) may make his or her representation at each stage of the procedure in person, accompanied by a friend if so desired. The same rights will be given to the head teacher and to any other person against whom the complaint is being made.

Where required an interpreter will be made available wherever possible during any oral representations in languages other than English.

Informal settlement of concerns and complaints

The Governing Body expects that any concerns expressed about the school will be dealt with via an informal discussion with teacher(s) and or the head teacher in the first instance.

If dissatisfied with the outcome the person concerned may submit a formal complaint to the head teacher.

It must be submitted in writing, making it clear that it is a formal complaint, and specifying its nature as exactly as possible. In the event of the complainant having known written communication difficulties, a complaint can be made verbally, preferably in person. Brief notes would be taken and added to the record.

Complaints against the Headteacher will be dealt with by the Chair of Governors. Complaints against the Chair of Governors or any individual governor should be made by writing to the Clerk to the Governing Body.

The school office will direct any letters of this nature directly to the person named on the envelope.

Timescale for complaints to be made

It is expected that complaints will be made as soon as possible after an incident arises in order that an investigation can capture the necessary evidence.

Complaints made about incidents which have occurred over 6 weeks previously will not be considered unless there is a good reason for the complaint being delayed as it will be difficult to collect evidence and draw a fair conclusion.

Formal Investigation procedure

Once a complaint has entered the formal stage, the progress of the complaint should be recorded and the final outcome. Such records will be held centrally by the head teacher.

The head teacher will consider and investigate urgent complaints as quickly as possible.

If it is clear that it will take some time the head will notify the complainant, and give progress updates during the consideration process. Once a decision has been reached the head teacher will inform the complainant of the decision and the reason for it, along with a summary of action taken or proposed.

Dissatisfaction with the outcome

If the complainant is dissatisfied with the head teacher's response, the head teacher must refer it to the governing body. The Chair of Governors will decide on the most appropriate committee, group of governors or subcommittee to consider the matter. The Chair of Governors will ensure the complainant is kept informed of how the matter is being considered as explained within this document. It is usual that the Chair of Governors on receipt of a complaint will contact the complainant directly and invite them to discuss the matter before proceeding further. Complaints will not be shared with the whole governing body, except in very general terms, in case an appeal panel needs to be organised.

Considerations by the Governing Body

If the complaint is urgent a meeting will be arranged for the appointed group/committee to consider it within 12 school days of the receipt of the written complaint. If the complaint is not of an urgent nature a meeting will be arranged to consider the complaint within 20 school days of the receipt of the written complaint. The complainant will be given 7 ordinary days notice of the time and place of the meeting. A reasonable request by the complainant for an alternative date should result in a mutually convenient date being set at the earliest possible time. If the complainant doesn't wish to attend the meeting they may present the complaint in writing via the Clerk to the Governors. The complainant must submit any material to the Clerk no later than two full 'school' days before the meeting.

Composition of the Committees

The Chair of Governors must ensure the members are able to hear the complaint fairly and without bias.

Rights of attendance

The person about whom the complaint is being made has the right to attend the meeting accompanied by a friend or representative. The head teacher has the same rights of attendance, together with a friend or representative at any meeting considering such a complaint. The governors have the right to legal or professional representatives being present at the meeting if appropriate.

Orders of Proceedings

1. The Chair will welcome the complainant if they attend, any representative, the person about whom the complaint is made and their representative, and introduce all others present.
2. The complainant if present may re-state the nature of the complaint.
3. The complainant if present may be asked questions by the governors or their representative, head teacher or their representative, or, if present the person against whom the complaint is being made.
4. The head teacher and or person about whom the complaint is being made may make a statement regarding the matter and may be asked questions by the governors or by the complainant.
5. If present, the complainant, and or representative, may summarise the complaint.
6. The head teacher or representative, and or person the complaint is being made against may summarise their response to the complaint.
7. The head teacher, and if present, both parties involved in the complaint will then withdraw leaving the governors to consider the matter.

Consideration by the Governing body

The governors shall consider the complaint and any relevant information or factors.

The Governors shall decide to either:-

reject the complaint
uphold the complaint
investigate the complaint further

Communication of the Governors' decision

The clerk to the Governors shall inform all parties including the head teacher of the outcome in writing within five school days, of the Governors decision and the reasons for that decision.

If the complaint is upheld they will inform the parties of actions being taken to resolve the complaint and how. If the complainant is not satisfied with this they may pursue the matter further with the head teacher or governors.

Further investigations

Where the Governors decide to investigate further the Clerk shall inform the complainant of the steps being taken and the progress. Any subsequent meetings shall be subject to the provisions described insofar as they are relevant.

If the complainant believes that there could be bias in the investigating panel, they can request an independent panel. The decision about whether to grant this is made by the governors.

Complaints not within the scope of this procedure

Admissions - YR admissions are managed by Rochdale LA. Other admissions are managed by the Admissions Committee of the governing body. Please contact the head teacher about Y1-6 and YN admissions.

Matters connected with safeguarding and child protection – The Safeguarding Officer is the Deputy Head teacher. He will address any issues or concerns. Multi Agency Screening Service will take all other enquiries 0300 303 0440

Exclusions – Please contact the head teacher about concerns or complaints. The Fair Access team in Rochdale LA will address any concerns 01706 925137.

Whistleblowing – The school has a whistleblowing procedure for staff, other concerns can be raised directly with Ofsted: 0300 123 3255

Or: whistleblowing@ofsted.gov.uk or:

WBHL, Ofsted
Piccadilly Gate
Store Street
Manchester

M1 2WD

Staff grievance and disciplinary procedures – The school operates the Rochdale grievance procedures policy. This is available to staff on the staff drive.

Complaints about services provided by other providers who may use the school premises – Providers will operate their own complaints procedure and should be contacted directly.

Serial and persistent complainants

Whilst it is the policy of the school to be as helpful as possible towards a complainant and to listen to what is being said and to fully consider it, there may occur a situation where the complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond. In this circumstance the school will first consider whether it has taken every reasonable step to address the complainant's needs, also whether the complainant has been given a clear statement of the school's position and their options (if any). The other relevant factor in this action being taken is if the complainant is contacting the school repeatedly but making substantially the same points each time.

If a decision is made to stop responding, the complainant will be informed by letter.

If a complainant is rude, aggressive, abusive or disruptive, arrangements can be made for the complaint to be heard away from the school premises. In this situation the complainant may be advised not to contact school directly but through a third party. The school reserves the right to take legal advice in the event of harassment.

Barring from the school premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Smithy Bridge School will act to ensure that the school building remains a safe place for pupils, staff and other members of the community.

If a parents' behaviour is a cause for concern, the school can ask him/ her to leave the premises. In serious cases the head teacher can write to the person concerned to revoke their implied license to be on the school premises.

The person has the right to respond to the bar in writing. The governors can review the decision to bar the person. The outcome of the review – to confirm or lift the bar must be conveyed in writing.

This procedure is to be reviewed before October 2018.