

# The Wembley Schools Federation

Wembley Primary School and Lyon Park Primary School

## COMPLAINTS PROCEDURE

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## 1. General Principle

The staff and governing board of Wembley Primary School are committed to providing a high-quality service to everyone using the school and the local community, and to resolving any concerns or complaints at the earliest possible stage. The complaint procedure is intended to enable us to ensure that problems can be dealt with appropriately and amicably so far as possible.

We would urge families and other service users to let us know of any concerns as they occur so that we can resolve them before anyone else is affected. However, we do understand that there will be occasions when a parent, carer or member of the local community may not be satisfied by the response they receive and may want to take the matter further.

## 2. Where and when to use the complaint procedure.

The school provides a range of different services, some of which are commissioned from external agencies. The following list is intended as a guide to ensure that complaints are made to the right place so that they can be resolved at the earliest opportunity. Complaint forms will be available in the reception area and by e-mail on request.

### Educational Provision

Any complaints relating to incidents that happen during the school day should be made initially to the member of staff concerned or to a member of the Senior Leader Team (SLT).

Complaints about school policies, general management issues such as staffing levels or school session times and so on, should be made to the Head Teacher or in her absence a member of SLT.

- Administrative Issues

Complaints or concerns about correspondence, information from the school, lettings bookings, payments and so on should be made initially to the person concerned or to the Business Manager

- After School Provision

Complaints about after school clubs, breakfast club, activities for parents and so on which are run by the school should be made initially to the person concerned or to a member of the Senior Leader Team (SLT).

- Use or condition of the site

Issues about fencing or boundaries, noise or littering should be raised with the site manager in the first instance.

Please note that, while we always actively promote sensible and considerate use of the roads outside the school, we have no power to take any action if parents or school users park, drive or behave badly.

- Complaints about the Head Teacher, Executive Head Teacher or Chair of Governors.

If the initial complaint is about an action or behaviour of the Head Teacher, complaints should be addressed to the Executive Head Teacher. If the complaint is about an action or behaviour of the Executive Head Teacher complaints should be addressed to the Chair of Governors. If the complaint is about an action or behaviour of the Chair of Governors; or of the Chair of Governors included in a complaint about the Head or Executive Head Teacher, complaints should be addressed to the Clerk to the Governing Board, who will assign the case to an impartial governor.

- Other services that are not managed by the school.

They are contracted to provide services through their own agency and any complaints should be raised initially to the member of staff concerned or to the manager of the relevant organisation following their own complaint procedure. Any senior leaders within the school will signpost families effectively and should be informed about any complaints being made.

### **Issues not covered by this procedure.**

For matters relating to the Exclusion of Pupils, Admission Appeals and Special Educational Needs Assessments or Education Health Care plans, there are statutory procedures. Parents wishing to lodge an appeal against decisions made in any of these circumstances should follow the relevant procedure to which they can be referred by a member of the Senior Leadership Team.

## **3. The Procedure.**

### **Stage One**

Complaint is made to the member of staff concerned.

- The complainant should ask to speak with the relevant member of staff and explain the complaint.
- The complaint should include an explanation of what the concern is and how it might be resolved.
- If the complaint is about the member of staff, complainants should ask to speak to them quietly and away from the children.
- Incidents that will need to be investigated might take several days before everyone involved can be contacted. Complainants should be made aware that an immediate answer will not be possible.

- If, for any reason, the complainant does not feel able to speak to the member of staff directly, they should approach another member of staff who would understand the nature of the complaint. This might be the Assistant or Deputy Head.

If the complaint is not dealt with or if they do not receive a satisfactory response within 5 working days, complainants should go to the second stage of the process.

### **Stage Two**

If your complaint is not resolved it should be referred to the Senior Leadership Team in the following order: 1<sup>st</sup>) the relevant Assistant Headteacher, 2<sup>nd</sup>) the Deputy Headteacher and, if necessary, in the final instance 3<sup>rd</sup>) the Headteacher.

- The SLT member will receive and address complaints about general issues affecting the school such as policy decisions, standards, safeguarding, health and safety issues and so on.
- The SLT member will also investigate any stage two complaints where stage one has not had a satisfactory outcome.
- Complainants should provide details of the original complaint, preferably with any evidence available, in order for the member of SLT to assess the situation and take appropriate action. Also, the dates of the incident and when the complaint was made.
- It would be helpful, at this stage, to use a complaint form. Complaints may be made in the home language, but complainants should be advised that it might take some time to have it translated.
- If a stage 2 complaint is made verbally a member of staff should make a written summary of the detail and ask the complainant to sign it.
- The member of SLT will respond in writing as soon as possible but within 10 working days (this may be longer if a translation is required). An acknowledgement of receipt of the complaint will be issued within 2 working days.

*Please note that it will not be possible for the Head Teacher to give information about any disciplinary action taken against members of staff or children as a result of a complaint. This is confidential information and may not be shared with anybody. We would ask that you accept the Head Teacher's professional judgement in such circumstances.*

### **Stage three**

Complaint is made to the Executive Head Teacher or **Chair** of the Governing Board. Complaints to the Executive Head Teacher or Chair of Governors should be made in writing in a sealed envelope marked 'Confidential' and addressed to the Executive Head Teacher or Chair, care of the school office. Letters will be forwarded to the

Executive Head Teacher or Chair which might take two or three days so complainants should be made aware that there may be a delay in the response time.

The letter should include a copy of the original complaint form to enable the Executive Head Teacher or Chair to investigate thoroughly. Also, an indication of what outcome is wanted.

The Executive Head Teacher or Chair of Governors will investigate what has been done to resolve the complaint so far or may appoint another impartial governor to investigate on their behalf if the Chair has been involved at an earlier stage for any reason. A response in writing will be issued within 10 working days of receiving the letter to inform the complainant what action is being taken. They may find it helpful to discuss the matter in person so if that would be acceptable to the complainant, they should, therefore include a contact number or e-mail address in the letter.

#### **Stage four**

A panel of governors hears the case.

This is the final school-based stage. It is hoped that it will not be necessary to reach stage four.

In the event that a complainant still feels that the complaint has not been resolved, they should write to the Clerk to the Governing Board, in a sealed envelope marked 'confidential' care of the school office, asking them to set up a panel of three governors who would hear the case. Again, any evidence, all paperwork to date and all relevant details should be included with the request.

The clerk will contact the complainant within 3 working days of receiving the letter to discuss arrangements for the meeting. The panel will be made up of three governors who have not had any previous involvement in the issue. The meeting will take place as soon as possible but allowing time for all parties to study the papers.

The Head Teacher/ Executive Head Teacher, Chair of Governors (or Investigating Governor) and the complainant will be asked to attend to explain what has happened to date. The complainant may bring a friend or partner and may request an interpreter, but legal representatives are not permitted to attend as this is not a court of law. The clerk will attend to take notes for the panel's information and will be instructed to write the final response.

The panel will decide based on the information they are given, both in writing and at the meeting. Both parties will be informed of the panel's decision in writing within 5 working days of the meeting. Outcomes may include

- Issuing a formal apology
- Recommending a change of policy or procedure

- Deciding on the appropriate action to be taken to resolve the complaint
- Requiring the school to refund any expenditure resulting from the original complaint – e.g., replacement of a lost coat / shoes
- Dismiss the complaint

#### **4. Serial, Unreasonable or Persistent Complaints.**

There may be times when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. If the school is sure that it has done everything they can in response to the complaint, there has to be a recognition that it would be a poor use of time and resources to reply to repeated letters or calls on the same issue. A list of unreasonable complaints can be found on page 12 of 'Best Practice Advice for School Complaints Procedures'

If the Chair of Governors can be sure that the school has taken every reasonable step to address a complaint, following its complaint procedure, and has provided a clear statement of its findings, he / she can inform the complainant that the procedure has been completed and the matter is now closed. This decision will not be taken lightly, and the Chair of Governors should be clear that the ongoing communication does not relate to a new complaint.

Abusive, aggressive, vindictive, or threatening communication will not be dealt with under the complaints procedure and will be referred to the Vexatious Complaints procedure.

#### **5. Right to Appeal Beyond the School.**

##### Complaints to the Local Authority

If a complaint is of a sufficiently serious nature which, if unresolved, might pose a risk to other children or members of the school community, it may be taken to the appropriate office of Brent Council e.g., Health and Safety or Child Protection.

This would not normally be taken forward in the case of an individual incident but would be considered if the complaint were about the general provision, the well-being of the school users as whole or of a specific group of users.

Brent Council switchboard is 020 8937 1234.

If the complaint is about a service run at the school but managed by the Local Authority, complaints should first be raised with the person concerned or the Deputy Head. If a satisfactory response is not received at this point, the complaint may be taken to the Brent Complaints officer.

**Complaints made to Ofsted**

If there is an issue that affects or impacts on a group / groups or all of the school users a complaint may be raised with Ofsted. This might include institutional discrimination or safeguarding issues.

The Ofsted web-site provides details of how to lodge a complaint -

<https://contact.ofsted.gov.uk/onlinecomplaints>

**Complaints made to the Department for Education.**

If a complaint is not addressed in accordance with the school procedures or if the complainant feels that their concerns have been dismissed without proper consideration, a complaint may be raised with the Department for Education School Complaints Unit at

2<sup>nd</sup> Floor, Piccadilly Gate, Store Street, Manchester M1 2WD

<https://www.gov.uk/complain-about-school/state-schools>

National Helpline 0370 000 2288



**6. Appendix A: The Complaint Form.**

Please complete and return the form to the Head Teacher, who will acknowledge receipt and explain what action will be taken. Somebody else may help you to complete this form.

<p>Your name:</p> <p>Child's name if applicable:</p> <p>Your relationship to child:</p> <p>Address:</p>  <p>Contact phone number/s:</p>  <p>E-Mail address:</p>  <p>Please give details of your complaint:</p>
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What actions do you feel might resolve the problem at this stage?

Is there any paperwork or other evidence that you would like taken into consideration? If so what is this?

Signature:

Date:

Official use only.

Date received:

Date acknowledgement sent:

Name of person responding to the complaint:

## 7. Appendix B : Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The clerk circulates all relevant paperwork to all parties in advance of the meeting
- 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.
- The Chair of the Panel should ensure that everyone present understands the process, the possible outcomes and that they have received and understood all relevant paperwork
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Head Teacher may question both the complainant and the witnesses after each has spoken.
- The Head Teacher and / or Chair of Governors are then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both of the Head Teacher and / or the Chair of Governors, 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 Head Teacher is then invited to sum up the school's actions and response to the complaint.
- The chair explains that both parties will hear from the panel within a set time scale.
- Both parties leave together while the panel decides on the issues.

## **8. Appendix 3: General Principles of complaints**

### **Dealing with Complaints – Initial concerns**

1. These key messages deal with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the case of extended school or other provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

### **Dealing with Complaints – Formal procedures**

2. The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

### **Framework of Principles**

3. An effective Complaints Procedure will:
  - encourage resolution of problems by informal means wherever possible.
  - be easily accessible and publicised.
  - be simple to understand and use.
  - be impartial.
  - be non-adversarial.
  - allow swift handling with established time-limits for action and keeping people informed of the progress.
  - ensure a full and fair investigation by an independent person where necessary.
  - respect people's desire for confidentiality.
  - address all the points at issue and provide an effective response and appropriate redress, where necessary.
  - provide information to the senior management team so that services can be improved.

### **Investigating Complaints**

4. It is suggested that at each stage, the person investigating the complaint (the complaints co-ordinator), makes sure that they:
  - establish what has happened so far, and who has been involved.
  - clarify the nature of the complaint and what remains unresolved.
  - meet with the complainant or contact them (if unsure or further information is necessary).
  - clarify what the complainant feels would put things right.
  - interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.

- conduct the interview with an open mind and be prepared to persist in the questioning.
- keep notes of the interview.

### **Resolving Complaints**

5. At each stage in the procedure school staff or governors will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:
  - an apology.
  - an explanation.
  - an admission that the situation could have been handled differently or better.
  - an assurance that the event complained of will not recur.
  - an explanation of the steps taken to ensure that it will not happen again.
  - an undertaking to review school policies in light of the complaint.
6. It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.
7. An effective procedure will identify areas of agreement between the parties. It is equally important to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

### **Recording of Complaints and Outcomes**

8. The complaints coordinator will maintain a record/log of all complaints with the dates on which they were made and resolved.

The Governing Board will receive a report on the number and type of complaints made at Stage 2 or beyond to the school

The final outcome of all complaints made to Wembley Primary School will be recorded in the complaints log and will be made available to Ofsted or the Local Authority on request.

### **Vexatious Complaints**

9. If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Governing Board is able to inform them in writing that the school's procedure has been exhausted and that the matter is now closed.

**Time-Limits**

10. Complaints need to be considered, and resolved, as quickly and efficiently as possible. Time limits for initial responses have been included in the procedure. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline with an explanation for the delay.
11. In accordance with statutory responsibilities exemplified in The Statutory Framework for the Early Years Foundation Stage (March 2014), all providers must investigate written complaints relating to their fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within 28 days of having received the complaint. The record of complaints must be made available to Ofsted.
12. Complaints will be accepted up to twelve months after the incident or issue occurred. If a complaint is raised beyond that time, it may be accepted at the discretion of the Head of Teacher or Chair of Governors according to the individual circumstances.