



# Sunnyhill Primary School

## Parental Complaints Policy and Procedure

### Introduction

From 1 September 2003, Governing Bodies of all maintained schools and nursery schools in England are required, under Section 29 of the Education Act 2002, to have a procedure in place to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised.

### Scope of Policy

The schools Governors and the Head teacher are committed to providing the best educational experience they can for all pupils attending Sunnyhill school. They recognise the value to all concerned of dealing fairly, speedily and effectively with any complaint against their decisions, actions or omissions, which a pupil or parent or other person may have. To this end, they have adopted the underlying principles of an effective complaints procedure:

- 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 which may include an apology if required;
- provide **information** to the school's senior management team so that services can be improved.

### What is a complaint?

A complaint is a clear expression of dissatisfaction, however made, by a person or persons with a legitimate interest in the school about the standard of teaching, the conduct, actions, or lack of action, of members of the teaching or non-teaching staff employed at the school and anybody else working under the direction of the Head Teacher, which affects an individual or group. This policy does not apply to someone employed at the school or on the governing body, these are covered through other internal policies (*School's Whistle blowing procedure*).

Complaints about persons outside of the school will initially be dealt with by the Head Teacher as site manager and be referred to the appropriate authority.

Issues or complaints from persons not associated directly with the school are dealt with through our '**community feedback process**' outlined in appendix 3.

Parents should raise concerns and complaints with members of staff either in person or by telephone at the informal stage and in writing at the formal stage. They should be given an opportunity for discussion of their concerns informally with the appropriate member of staff. If they wish to make a formal complaint about a particular teacher, or another member of staff, they should make their complaint in writing to a member of the Senior Leadership Team/ the Head Teacher.

Complaints must be raised within 3 months of the event in question. Only in exceptional circumstances will complaints be considered after this time frame has passed.



Any complaint (whether informal or formal) brought to the attention of the Head teacher or another member of the Senior Leadership Team that suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual interference or neglect may be referred without further notice to Lambeth Social Services, and/or to the social services authority for the area in which the child lives.

If a social services authority decides to investigate a situation this may postpone or supersede investigation by the Head teacher or governing body.

### **Vexatious Complaints**

There may be occasions when, after proper investigation, a complaint is deemed to be unfounded, malicious or vexatious or when despite all stages of the procedure having been followed the complainant remains dissatisfied and wishes to re-open the same issue. In these circumstances the Chair of the Governing Body will inform the complainant in writing that the procedure has been exhausted and that the matter is closed.

### **Anonymous complaints**

There is no duty for the Head Teacher or Governors to pursue anonymous complaints because there is no named complainant to respond to or seek further information from. However, if such complaints allege or imply a serious matter that may be to the detriment of the school, then it will be at the Head Teacher's discretion whether a case needs further investigation or not.

### **Resolving complaints**

When dealing with complaints the school staff will look for ways in which a complaint can be resolved and encourage complainants to describe any actions they feel might resolve the problem. At all times we will seek to identify areas of agreement between the parties and clarify any misunderstandings that might have occurred.

After considering a complaint it might be sufficient to acknowledge that the complaint is valid in whole or in part. It may also be appropriate to provide 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 that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

An admission that the school could have handled the situation better is not the same as an admission of negligence.



## The Complaints Procedure

### *Informal Stage- School*

#### **Step 1 - Class teacher**

If a parent has a potential complaint or is worried about something they should in the first instance speak to the teacher most appropriate to supply them with the information that will put their minds at rest (normally **their child's class teacher**). The class teacher may request support from a colleague at this meeting. The parent may also ask for support from a family member or another parent.

In most cases, when clarification has been made by the appropriate teacher, the process ends here.

#### **Step 2 - Phase leader**

If the parent informs the school that they are still unhappy about the way a situation has been dealt with after speaking to the class teacher they will be directed initially to speak to the appropriate **phase-leader**.

At Sunnyhill we have three phases:

- The Children's Centre, Nursery, Reception
- Year 1, 2 and 3
- Year 4, 5 and 6

The phase leaders will investigate the complaint and then meet with the parent to discuss what they have found out and how to move forward within two working days. This normally deals with the vast majority of informal complaints not dealt with by the class teacher.

### *Formal Stage- senior leadership team*

#### **Step 3 - Senior Leadership Team**

In extreme cases if the parent is still not satisfied with the information supplied by the phase leader then they will be advised to put their complaint in writing addressed to a member of the **Senior Leadership Team/ the Head Teacher**. A copy of the school's complaints procedure will be given to the parent at this point.

1. A complaints form should be completed at this stage (Appendix 1) by the complainant. The complainant will be advised that they can seek support from Lambeth Parent Partnership with preparing their written complaint if they require it.
2. The school will acknowledge in writing receipt of the complaint form within 3 working days of receiving it. They will also give a target date for providing a response to the complaint which should normally take no more than 15 working days. If this deadline is likely not to be met a letter explaining the reason for the delay and providing a revised response date should be sent.
3. The member of staff being complained about should be informed at this stage and invited to make a written response to the complaint (within 7 working days).
4. The Head Teacher/ member of SLT will investigate the complaint, meeting with all parties or witnesses immediately they are available. Where the investigation requires a member of staff to be interviewed the member of staff will be given notice (2 working days). They will also be advised that they can be accompanied to the interview by a colleague or a union representative.
5. After the investigation has been completed all parties involved will be informed in writing of the outcome. This will include an outline of the complaint, the main findings of the investigation, the decision reached and where appropriate any further action the school proposes to take to resolve the complaint. The response should also inform the complainant of their options if they are still dissatisfied with the outcome.

In 99% of formal complaints the process ends here.

If the complaint is against the senior team (including the Head Teacher) then this part of the process will not be appropriate.

All stages do not have to be followed- a parent can make a formal written complaint to the head teacher at any stage after the informal stage of the process.



## Review Stage- Governing Body

### Step 4 - chair of governors

If a parent is still unhappy after receiving the written investigation outcome then they are encouraged to make a written request to the Chair of Governors for the complaint to be reviewed outlining any perceived failings in the procedure. A request for a review based solely on dissatisfaction of the response / outcome decision will not normally be accepted.

1. The Chair of Governors should acknowledge receipt of the written complaint (within 5 working days), agreeing a timescale to answer it (usually within 10 working days).
2. The Chair of Governors investigates all of the stages of the complaint, reviewing all information and conducts interviews if appropriate.
3. The Chair of Governors should then provide their findings in writing to the complainant. This letter should cover whether the complaint is upheld, partially upheld or not, as well as setting out any changes to practice that the school must adopt resulting from their investigation. This ends the complaint.

### Step 5 - Governor Panel

4. If the parent is still unhappy, the complaint is submitted to a panel made up of other members of the Governing Body. The panel may be supported by Lambeth Local Authority. The panel scrutinises the process to make sure that the complaint has been dealt with fairly. They will make a judgement on the process (not the complaint) (see Appendix 2)

Following the Governors complaints panel (or at any point) the complainant can contact OFSTED or the DFE to express their concerns. The Governing Body will give full consideration to any recommendations or directions made by the Secretary of State.

*Spring Term 2015  
Reviewed: January 2019  
Next review: Spring 2020*



## Appendix 1: COMPLAINTS PROCEDURE FORMAL RECORD FORM

### Part 1

**Name:**  
**Relationship with School (eg parent of a pupil):**  
**Address:**

**Daytime Telephone number:**  
**Evening Telephone Number:**

### Summary of Complaint

Please set out the details of your complaint (providing as much detail as possible, particularly dates, times, locations and the identities of those involved). You may attach additional sheets if required but please be as concise as possible.

### Individuals involved:

Please provide the names, job title and contact details of any people involved in your complaint, including witnesses where relevant.

### Have you tried to resolve the complaint informally?

If yes please provide a brief summary of the outcome and why you feel that your complaint has not been resolved satisfactorily.

If no, please provide a brief summary why you have not tried to resolve the complaint informally.

### Resolution

Please provide a brief summary of the resolution you are seeking

**Signature:**

**Date:**



**Part 2**

*This section to be completed by the Head teacher / Governor investigating the complaint*

**Name of investigating Senior Teacher/ Head teacher / Governor:**

**Date of meeting with the complainant:**

**Conclusions reached/decisions made/actions agreed following the meeting:**

**Date complainant notified of the outcome:**

*This section to be completed by the review panel chair where required.*

**Date of review meeting:**

**Name of Governor chairing the review panel:**

**Summary of basis for review of the complaint:**

**Outcome of review:**

**Date complainant notified of outcome of review:**

**Further comments:**

**Form completed by:**

**Signature:**

**Date:**



## Appendix 2: PANEL REVIEW OUTLINE

Where required, this Review Process will be carried out by a panel of 3 members of the Governing Body. The panel will hear the complaint at a meeting attended separately by the complainant and the Head teacher. Written evidence is submitted in advance to all parties and verbal evidence will be given at the review meeting. The meeting will be conducted in an informal manner with each party treating the other with respect and courtesy.

### Part 1

1. The complainant and any representative will enter the room.
2. The Chair of the panel will welcome the complainant, introduce the members of the panel, explain the process of the hearing and confirm the complaint that is to be heard.
3. The Chair of the panel will confirm that all parties have copies of the documentation submitted by the complainant and the Head teacher, as well as the names of any witnesses the complainant has indicated s/he wishes to call.
4. The panel will hear the complaint.
5. The panel will then have the opportunity of asking the complainant questions regarding the complaint.
6. The complainant will call any witnesses.
7. After any witnesses have given their statements the panel may then ask any questions of the witnesses regarding their statements.
8. The complainant or their representative will then have the opportunity of summing up their complaint.
9. The Chair of the panel will explain that the panel will consider the issues and a written decision will be sent in writing within 10 working days.
10. The complainant and any representative will then withdraw.

### Part 2

1. The Head teacher and any representative will enter the room.
2. The Chair of the panel will introduce the members of the panel, explain the process of the hearing and confirm the complaint that is to be heard.
3. The Chair of the panel will confirm that all parties have copies of the documentation submitted by the complainant(s) and the Head teacher, and the names of any witnesses that the Head teacher has indicated s/he wishes to call.
4. The Head teacher will respond to the complaint.
5. The panel will then have the opportunity of asking the Head teacher any questions regarding her/his response.
6. The Head teacher will call any witnesses.
7. After any witnesses have given their statements the panel may then ask any questions of the witnesses regarding their statements.
8. The Head teacher or his/her representative will then have the opportunity of summing up their response.
9. The Chair of the panel will explain that the panel's conclusion will be sent, in writing, within 10 working days.
10. The Head teacher and her/his representative will then withdraw.

The Complaints Panel will then consider the complaint and all the evidence presented and:

- a) reach a decision on the complaint and the reasons for it;**
- b) decide upon the appropriate action to be taken to resolve the complaint. (There may be instances where this involves recommending the use of the disciplinary or capability procedures);**
- c) where appropriate, suggest recommended changes to the school's systems or procedures to try to ensure that complaints of a similar nature are not made in the future;**
- d) provide a written response within 5 working days.**



## Appendix 3: Community feedback process

As a school at the heart of a busy and densely populated community we know that our activities have an impact on those around us. From time to time our neighbours or others who come into contact with the school or our teachers and pupils may want to raise concerns with us or give us positive feedback.

In order that the teaching staff can prioritise their core duties ensuring the learning experience of our pupils, any issues raised by members of the wider community are dealt with by the governing body. Governors will consult with staff in providing their response and manage communication with the person or people raising the issue. To ensure that there is consistency we have outlined the following process. All the principles of effective complaints handling set out in the overarching complaints policy apply to this appendix.

### Process

1. Issues or concerns should be notified to the school office in the first instance. This can be done by phone, (0208 769 4785), email ([info@sunnyhill.lambeth.sch.uk](mailto:info@sunnyhill.lambeth.sch.uk)), or by writing to the school.

2. A member of the school admin team will acknowledge this initial contact within 2 working days of receiving it and will pass it (if written/emailed) or a summary of the details (if raised by phone) to the Chair and Vice Chair of Governors. The Chair or Vice Chair may elect to delegate the matter to another member of the governing body to be investigated and dealt with.

3. The Governor handling the concern may need to speak with members of the school staff to ascertain information to help them provide a response. They will aim to provide a response within five working days (in school term time); however if for some reason this isn't practicable they will contact the member of the public who raised the original issue to explain this and provide a date by which they will respond.

4. Having looked into the matter the Governor handling the concern will provide a written response. This might include one or more of the following:

- an explanation;
- an apology;
- clarification of school policy or practice;
- a description of steps that school staff propose to take in respect of the issue;
- suggestions for other relevant bodies that may be able to help resolve the problem;
- occasionally they may propose a face to face meeting to discuss the issue and possible solutions or collaborative steps that may help mitigate it.

In the vast majority of cases complaints are concluded by this process.

5. Where the person concerned is not satisfied with the outcome and seeks further clarification they may ask for review of the matter by a panel of 3 governors. This panel will agree a time frame within which to review the issue and the response and will feed back their conclusion to the person concerned. Having reviewed the details the panel will either suggest further action that the school staff can be asked to take or they will confirm that all possible and appropriate action is already in place and that the process is concluded. Where the latter applies they may provide suggestions for other relevant bodies outside of the school team that may be able to help.