



Hilltop First School and Foundation Stage

Complaints Procedure

Document author	LB
Approved by	FGB
Approval date	22 January 2024
Review date	22 January 2025

Complaints Procedure

Contents

1. Stage One: Complaint Heard by Staff Member.....	3
2. Stage Two: Complaint Heard by Headteacher	3
3. Stage Three: Complaint Heard by Governing Bodies Complaints Appeal Panel.....	3
4. The Remit of the Complaints Appeal Panel	4
5. Roles and Responsibilities	4
6. Notification of the Panel's Decision	5

1. Stage One: Complaint Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school is crucial in determining whether the complaint will escalate. It is the aim of this document to ensure all parties have a full understanding of the procedures of making or receiving a complaint.

The school will respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaints co-ordinator, who will normally be the Headteacher, can refer the complainant to another staff member. Where the complaint concerns the Headteacher, the complainant will be referred to the Chair of Governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator may refer the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a governor, the next step is to refer the complainant to the appropriate person and advise them about the procedure. Governors will not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

2. Stage Two: Complaint Heard by Headteacher

At this point, the complainant may be dissatisfied with the way the complaint was handled at Stage One as well as pursuing their initial complaint. The Headteacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

3. Stage Three: Complaint Heard by Governing Bodies Complaints Appeal Panel

The complainant will write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a GB complaints panel.

The governors' appeal hearing is the last school-based stage of the complaints process and is not convened to merely rubber-stamp previous decisions.

Individual complaints will not be heard by the whole GB at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The governing body will nominate a number of members with delegated powers to hear complaints at that stage and set out its terms of reference. These include:

- drawing up procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

The procedure adopted by the panel for hearing appeals is part of the school's complaints procedure. The panel will be drawn from the nominated members and will consist of three people. The panel will choose their own chair

4. The Remit of the Complaints Appeal Panel

The panel will:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

The following points must be considered by any governor sitting on a complaints panel:

- a. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors will try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- b. The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- c. The panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- d. Extra care will be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel will be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, the parent may be given the opportunity to say which parts of the hearing, if any, the child needs to attend.
- e. The governors sitting on the panel will be aware of the complaints procedure.

5. Roles and Responsibilities

The Role of the Clerk

Any panel or group of governors considering complaints will be clerked. The clerk will be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision.

The Role of the Chair of the Governing Body or the Nominated Governor

The nominated governor role:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the clerk to arrange the panel;

The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties.

If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

6. Notification of the Panel's Decision

The chair of the panel will ensure that the complainant is notified of the panel's decision, in writing, with the panel's response. The letter will explain if there are any further rights of appeal and, if so, to whom they need to be addressed.