**Polish Saturday School in Brighton and Hove Complaints Policy and Procedures**

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| **Date Ratified** | **Frequency of Review** | | **Next Review Date** |
| **20.04.17** | **Every two years** | | **Summer 2019** |
| **Staff Link** | | **Committee** | |
| **Ania Niedermaier-Reed** | | **Full Governing Body** | |

**A) Policy Context and Scope**

1. Polish Saturday School in Brighton and Hove’s complaints procedure, as detailed here, meets the requirements laid down under Section 29 of the Education Act 2002.

2. In order to reduce the incidence of formal complaints this procedure includes procedures and guidelines for effective handling of concerns expressed by parents/carers

3. The procedure is designed to support the school’s belief that concerns are often best addressed by the members of staff most directly involved in the issue.

4. The procedure is based on the assumption that at all stages described in the procedure, the best outcome to a concern that has been raised is agreement secured through a restorative approach.

5. Unless a pupil is aged 18 or over, formal complaints originated by a student should be made by a parent or carer on behalf of the student.

6. Staff grievance or disciplinary procedures are not within the scope of this policy.

7. The school may also deem it appropriate to address some concerns or complaints additionally through the school’s safeguarding policy.

**B) The Stages of Complaints**

1. It is in everyone’s interest that complaints are resolved at the earliest possible stage.

2. At each stage it must be clear exactly who will be involved, what will happen, and how long it will take.

3. Three school-based stages are likely to be sufficient for Polish Saturday School in Brighton and Hove

* **Stage one:** complaint heard by staff member (though not always the subject of the complaint);

The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they know what to do when the complaint is made.

The first contact for the complaint or concern should be the teacher concerned, unless there are safeguarding issues involved. The member of staff, who hears the complaint first, may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the member of staff dealing with any concerns, issues or problems considers them to be significant and in need of wider review they will forward details to the headteacher. This will be logged as a formal complaint to the headteacher, who will determine whether the concern had yet been adequately pursued through the earlier stages. Refer to the guidelines how to deal with the complaint in point F.

* **Stage two:** complaint heard by headteacher

The headteacher’s influence will already have shaped the way complaints are handled in the school. 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 head may delegate the task of collating the information to another staff member but not the decision on the action to be taken. The complainant might also choose to proceed to stage two if safeguarding issues are involved.

A formal complaint to the headteacher must be made using the ‘Formal Complaint Form’ below. Refer to the guidelines on how to deal with the complaint to the headteacher (point G)

* **Stage three:** concern not satisfactorily resolved by this process may be lodged as a formal complaint to the Governing Body.

The complainant can give details of the complaint to the member of Committee Management (The Trustee). This stage could be chosen if complaint has not been yet satisfactorily resolved or is against the headteacher.

A formal complaint to the Governing Body must be made using the ‘Formal Complaint Form’ below.

**C) Accelerating the Escalation of a Complaint**

On occasion, it might be appropriate for a concern to be escalated to a higher stage more quickly than the timescales otherwise indicated within the process

Criteria for accelerating escalation include:

1. If the concern raises safeguarding issues that suggest the possibility of significant harm to a child and there is substantial cause to believe that the most effective way for the issue to be resolved is through accelerated escalation.

2. The concern raises disciplinary issues that meet the threshold for an investigation as defined in the staff disciplinary policy.

The decision as to whether it is necessary to accelerate escalation lies with the headteacher.

**D) Publishing of Policy & Procedures for Concerns and Complaints**

1. This procedure and associated procedures and guidelines will be published on the school’s website and will be available on request from the school.

**E) Time-Limits**

1. Complaints need to be considered, and resolved, as quickly and efficiently as possible. An effective complaints procedure will have realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

**F) Handling Concerns – Guidelines for Staff**

1. Take all concerns seriously, whether expressed in writing, over the phone or in a meeting.

2. Keep a written record of any concern and your actions (as per school policy for keeping records).

3. If you are not able to deal with the concern for any reason pass it to someone who can as soon as possible.

4. Agreeing to differ, apologising, explaining how a set of circumstances arose and demonstrating that the situation will not be repeated are all valid ways of resolving a concern.

5. Do not take an adversarial or defensive approach.

6. If dealing with the concern is going to take a long time keep the person concerned informed about progress made and actions taken.

7. A concern is only satisfactorily resolved if the person expressing the concern deems it to be so.

8. If you feel that the issue you have dealt with merits wider review, forward details to the headteacher.

**G) Handling a Formal Complaint to the Headteacher – Guidelines**

1. Establish what has happened and who has been involved.

2. Clarify the nature of the complaint and what remains unresolved. This can be done in a meeting with the complainant or through telephone contact. Asking the complainant what would make things right is a way of clarifying what the complainant feels.

3. Interview all concerned with the issue allowing those being interviewed to be accompanied if they wish. Make notes of interviews and conduct them with an open mind. Provide interviewees with a copy of the notes in order to verify them and confirm their accuracy.

4. Complaints should be considered and resolved as quickly and efficiently as possible using a full range of responses. In this context, an admission by the school that a situation could have been handled better is not the same as an admission of negligence.

5. Realistic timescales should be set for each stage of the procedure. Where further information is needed the timescales must be reset and the complainant given an explanation for the delay.

6. Ensure that records of the investigation and outcome are forwarded to the CC.

**H) Handling a Formal Complaint to the Governing Body – Guidelines**

1. At **stage three**, Governing Body nominate a number of members with delegated powers to hear complaints. These delegated powers are:

a. Hearing complaints appeals

b. Making recommendations on policy as a result of complaints

2. The minimum size of a Governing Body Complaints and Appeal Panel (GBCAP) is 3 members.

3. The members of the GBCAP for a particular complaint must not have had any prior involvement with the complaint or the circumstances surrounding it.

4. The GBCAP for a particular appeal will choose which member of the panel is chair. The panel chair is responsible for the overall conduct of the hearing process.

5. The Clerk to the Governors is responsible for the administration of the hearing process.

6. The purpose of the hearing is to resolve the complaint and achieve reconciliation between the school and the complainant.

7. The hearing must be independent and impartial.

8. The headteacher attends the hearing.

9. An adult complainant may be accompanied at the hearing by prior arrangement with the chair of the GBCAP.

10. A student complainant must be accompanied at the hearing by a parent/carer.

11. The recommended hearing process is:

a. Witnesses are only required to attend for the part of the hearing in which they give their evidence.

b. After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.

c. The headteacher may question both the complainant and the witnesses after each has spoken.

d. The headteacher is then invited to explain the school’s actions and be followed by the school’s witnesses.

e. The complainant may question both the headteacher and the witnesses after each has spoken.

f. The complainant is then invited to sum up their complaint.

g. The head teacher is then invited to sum up the school’s actions and response to the complaint.

h. Both parties leave together while the panel decides on the issues.

i. The chair explains that both parties will hear from the panel, in writing, within a set time scale.

12. The Complaint and Appeal Panel can:

- 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.

**I) Roles and Responsibilities**

**The Role of the Clerk to the Governors**

**1.** It is recommended that any panel or group of governors considering complaints to be clerked. The clerk would 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 Panel**

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

- that the correct procedures have been followed;

- the hearing is appropriate, notify the clerk to arrange the panel;

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case forward 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.

**Notification of the Panel’s Decision**

1. The chair of the panel needs to ensure that the complainant is notified of the panel’s decision, in writing, with the panel’s response; this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

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| **POLISH SATURDAY SCHOOL IN BRIGHTON AND HOVE FORMAL COMPLAINT FORM** | | | |
| Use this form to make a FORMAL COMPLAINT to the headteacher or to the Governing Body. You can ask for help to complete this form from the school’s Complaints Co-ordinator. The completed form should be returned to the headteacher. You will be told that your form has been received. Please contact the school if you do not hear from us within 2 weeks of posting or delivering this form. | | | |
| Your name/Imię i nazwisko: | | Your relationship to the student:/Kim jesteś dla dziecka? | |
| Student’s name/imię i nazwisko ucznia: | | | |
| Your address/adres: | | Your email address/adres emailowy: | |
| Do you want us to write to you by email?  Czy możemy się kontaktować emailowo? | | | |
| Contact Phone Number(s)/Nr telefonu: | | | |
| When is it best for us to phone you?  Kiedy najlepiej jest się skontaktować telefonicznie? | | | |
| Please give details of your complaint/Proszę podać szczegóły skargi: | | | |
| What action, if any, have you already taken to try and resolve your complaint? (Who did you contact? How? When? What was the response?)/ Czy podjęła Pani/podjął Pan już jakieś wcześniejsze działania w celu rozwiązania problemu? (Z kim Państwo rozmawialiście i jakie były rezultaty tej rozmowy?) | | | |
| What action do you feel might resolve the complaint at this stage? Czy uważacie Państwo, że na tym etapie można rozwiązać skutecznie Państwa problem? W jaki sposób? | | | |
| Are you attaching any paper work? If so please give details./Czy do sprawy są dołączonej jakieś dodatkowe dowody na piśmie? | | | |
| Signature/Podpis: | | Date/Data: | |
| **Official use/Do wypwłnienie przez dyrektora lub Zarząd** | | | |
| Date form received: | Complaint referred to\* and date: | | Date form acknowledged:  (include \* in letter) |