



My Lord! Increase my knowledge (20:114)

Orchard School Complaints Procedure

If two parties among the believers fall into a disagreement, make ye peace between them with justice, and be fair:(49.9)

The believers are but a single brotherhood: So make peace and reconciliation (49:10)

This procedure covers complaints made by parents or carers of children who attend the school.

A complaint made by a member of staff will be dealt with using the Staff Grievance Procedure.

A complaint made by a governor about a member of staff is dealt with through the complaints procedure outlined in this document. The governor concerned would have to withdraw from any meeting at which the complaint or its outcome was being discussed. If the complaint is related to the *conduct* of a member of staff, it would invoke the school's Disciplinary Procedures.

A complaint by a member of staff against an individual governor acting in a personal capacity would be dealt with by the Chair of the Governing Body (or the Vice-Chair if the complaint is against the Chair) who will attempt to resolve the matter informally. If such a resolution is not possible, and with the agreement of the governor concerned, a panel of

governors will set up to consider the matter as under the normal complaints procedure in this document.

A complaint by a member of staff against the action/decision of the governing body would be dealt with as follows: If the decision was taken at a meeting of the full governing body the matter will be put on the agenda for review at another meeting and if the decision was then confirmed that would be the end of the matter.

A complaint by a member of the public (not a parent) will be dealt with by the Headteacher and beyond that the Chair of Governors.

At Orchard school we are committed to working with parents to provide a stimulating, safe and caring environment for the children. The school recognises the importance of taking parent's concerns seriously at the earliest stage thus reducing the numbers that develop into formal complaints.

Staff are encouraged to be approachable and to deal with concerns, resolving any issues as soon as possible at source. Every effort will be made to address concerns aired by parents and to ensure that procedure and systems are either implemented or adapted to reduce the likelihood of a similar concern.

The formal complaints procedure which has four well-defined stages will be invoked when initial attempts to resolve the issue are unsuccessful. Should the person raising the concern remain dissatisfied, they will have the right to take the matter further by completing the **School Complaints Form** (see Appendix 1) available from the **Senior Admin Officer** who is the **Complaints Coordinator**.

The Formal Complaints Procedure

The **complaints procedure** is comprised of four stages (**see Appendix 2 for a flowchart summary**).

Stage One: Complaint heard by a member of the Senior Leadership Team

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 can be crucial in determining whether the complaint will escalate.

Training ensures that all staff are aware of the procedures and they know what to do in the event of a complaint.

The school respects 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 coordinator will refer the complainant to another staff member. Where the complaint concerns the headteacher, the complaints coordinator will refer it to the chair of governors. The aim will always be to consider the complaint objectively and impartially.

Where the first approach is made to a governor, the next step will be to refer the complainant to the appropriate person, e.g. the complaints coordinator, and advise them about the procedure. Governors are advised against acting outside the formal procedure or being involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

Every effort will be made to resolve the issue but if the complainant remains dissatisfied a complaint form will have to be filled in.

Stage Two: Complaint Heard by Headteacher

A meeting will be arranged by the complaints coordinator and information will be collated. The complainant will be advised to bring a friend or family member with them should they wish. The head will listen to the complaint and a decision will be made on the action to be taken. A written response will be sent to the complainant within five working days.

Stage Three: Complaint Heard by a member of the Al-Risalah Trust

This is the last stage before the complaint is heard by the Governing body's complaints panel.

This will be a joint meeting involving a member of the Al-Risalah Trust, the headteacher, complaints coordinator and the complainant who may bring a friend or family member.

The Director will arrange to meet both parties in order to mediate from an Islamic perspective and to see if an amicable resolution acceptable to both parties can be achieved. Any evidence collated to date by either party will be reviewed to assist and conclude the matter. If this mediation does not lead to a solution, the complainant has the right to appeal to the Chair of Governors.

Stage Four: Complaint Heard by Governing bodies Complaints Appeal Panel

The complainant needs to write to the chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a 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.

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

- Drawing up its procedures;
- Hearing individual appeals;
- Making recommendations on policy as a result of complaints

The panel may consist of three or five people who may choose their own chair. The appeals panel will include one or two members who are independent from the school.

Remit of the Complaints Appeal Panel

The 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.

There are several points which a governor sitting on a complaints panel needs to remember:

- a) It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor with prior involvement in the complaint or in the circumstances surrounding it may sit on the panel.
- b) The aim of the hearing, which needs to 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 that 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) An effective 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) The governors sitting on the panel need to be aware of the complaints procedure.

Roles and Responsibilities

The Role of the Clerk

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 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 and understood 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

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 14 days.

APPENDIX 1

Orchard School – School Complaints Form

Please complete and return to the Complaints Coordinator who will acknowledge receipt and explain what action is to be taken.

Your Name

Pupil's Name

Your relationship to pupil

Address

.....

Daytime telephone number

Evening telephone number

Please give details of your complaint

What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was their response?)

Are you attaching any paperwork? If so please give details.

Signature

Date

.....

For Official use only

Date Received

Date acknowledgement sent

By who

Complaint referred to

Date

Outcome

APPENDIX 2 Flowchart Summary of dealing with complaints

