



**Individually Strong, Collectively Stronger**

## Complaints Policy



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### COMPLAINTS POLICY & PROCEDURE POLICY

The School's Governors and the Headteacher are committed to providing the best educational experience they can for all pupils attending this school. They recognise the value to all concerned of dealing fairly, speedily and effectively with any complaint against their decisions, actions or omission, which a pupil or parent/carer or other aggrieved person may have. To this end, they have adapted the underlying principles and procedures set out in this document.

Purpose: To establish a procedure for dealing with complaints relating to the school as required by section 29(1) (a) of the Education Act 2002

#### GENERAL PRINCIPLES

- The procedure is designed to ensure that wherever possible, an informal resolution is attempted
- All stages of the complaints procedure should be investigatory rather than adversarial
- To allow for proper investigation, complaints should be brought to the attention of the school as soon as possible. Any matters raised more than 6 months after the event complained of will not be considered, save in exceptional circumstances
- All complaints will be treated as confidential. Only those members concerned with investigating the complaint will have access to the file. No information regarding the investigation will be made available publicly.

#### DEFINITION OF A COMPLAINT

A complaint is a clear expression of dissatisfaction, however made, by a person or persons with a legitimate interest in the school (but not being employed at the school or on the governing body unless they are acting in their capacity as the parent/carer of a child 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. This also includes anybody else working under the direction of the Headteacher, which affects an individual or group.

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

#### ANONYMOUS COMPLAINTS

There is no duty for Headteachers or Governors to pursue anonymous complaints because there is no named complainant to respond to. 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 Headteacher's discretion to consider whether a case needs further investigation or not. Further investigation may be carried out in exceptional circumstances such as child protection issues or bullying allegations, where the school would involve appropriate external agencies.

#### VEXATIOUS COMPLAINTS



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There will be occasions when despite all stages of the procedure having been followed, the complainant remains dissatisfied and wishes to reopen 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.

### **STAGE ONE**

A formal complaint is made by telephone, in person or in writing to the Headteacher. The Headteacher is responsible for dealing with the complaint. The Headteacher will record the exact nature of the complaint. The Headteacher will make every effort to settle any complaint quickly and, if possible informally. In our experience most problems can be dealt with at this level.

If it is not possible to deal with the complaint immediately the Headteacher will:

1. Make enquiries of the member of staff directly concerned with the issue
2. Meet with any other parents or children involved
3. Take care that you are kept informed of the outcome of the enquiries
4. Check that deadlines are met for settling the complaint.

Note: Where the complaint concerns the Headteacher or a governor and cannot be satisfactorily resolved by the Headteacher/Governor, then a written complaint must be passed to the Chair of Governors to be dealt with as in

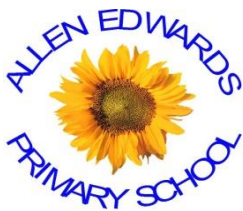
Where an incident has resulted in personal injury the Headteacher must inform the Chair of Governors and the Executive Director of Education through the normal procedures with particular reference to the child protection procedures if applicable. Where a complaint involves injury to a child, either by a member of staff or another child, the Headteacher, when investigating must be careful about taking statements which could undermine any investigation by the Police or Social Services.

### **STAGE TWO**

If the complaint is not resolved at the informal stage the complainant must put the complaint in writing and pass it to the Headteacher. The complaint should include details that might assist the investigation, such as; names of potential witnesses, dates and times of events and copies of relevant documents. In addition the Headteacher may meet with the complainant to clarify the complaint. The Headteacher will decide whether to delegate the investigation of the complaint to another member of staff or whether to undertake the investigation him/herself. The Headteacher will collect such other evidence, as he/she deems necessary. Where this involves an interview with a member of staff, who is the subject of the complaint, a work colleague or trade union representative may accompany that member of staff if they wish.

When the investigation has been concluded all parties will be informed in writing of the outcome. This will include an outline of the complaint, the main findings of the investigation and the decision reached and where appropriate, what action the school is proposing to take to resolve the complaint, if any. The response should also inform the complainant that should they remain dissatisfied, they would have the right for their complaint to be reviewed by the Chair of Governors.

### **STAGE 3**



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Where the complainant is dissatisfied with the outcome of the school's investigation then a written request should be sent to the Chair of governors for the complaint to be reviewed.

Any such request must include a statement specifying any perceived failings in either procedure or decisions made. **STAGE 3** process based solely on dissatisfaction with an outcome will not be accepted.

An acknowledgement should be sent within 5 working days of receiving the request and should inform the complainant that a panel of three members of the Governing Body (not including the Headteacher or school staff governors) would be set up to review the complaint within 30 working school days from the date of the acknowledgement.

The Chair of Governors will write and inform all appropriate parties of the date, time and place of the review meeting at least five working days in advance of it. Any relevant documentation relating to the complaint should also be issued to parties at this time.

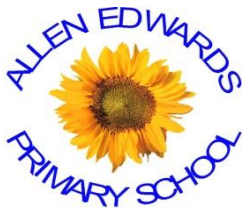
### **Complaints concerning Headteacher/Governor – referred to the Chair**

Where the complaint concerns a Headteacher or a Governor and has been directly addressed to the Chair of Governors, the matter should be referred to the Headteacher/Governor and a written response invited. The Chair or Headteacher will then respond to the complainant who, if they are still dissatisfied can request that a panel of Governors review the complaint. At this stage the complainant may also request that the Chair of Governors arranges a conciliation meeting with the Headteacher/Governor.

### **Review Process**

The Review Process will be carried out by a Panel of three members of the Governing Body. The panel will hear the complaint at a meeting attended by the complainant. Written evidence will be submitted in advance to all parties at least seven days before the hearing. The Governors' Panel will decide whether evidence submitted after that time will be accepted.

1. The meeting will be conducted in an informal manner.
2. The Chair of the Panel will ensure that all parties have copies of the documentation submitted by the complainant, as well as the names of any witnesses the complainant has indicated they wish to call.
3. The complainant will present his/her complaint.
4. The panel will have the opportunity of asking the complainant questions regarding the complaint.
5. The complainant will call any witnesses
6. After the witness(es) have given their statements the panel may then ask any questions to the witness(es) regarding their statements.
7. 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 school working days
8. The 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 similar nature are not made in the future.



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9. A letter setting out the Panel's decision and the reasons for it will be sent to all the parties within 2 days of the date of the Panel hearing.

### FURTHER STAGES

Following the Governor's complaints hearing at **STAGE 3**, it is open to the complainant to pursue their complaint with the Secretary of State for Education or the office of the Ombudsman. The Governing Body will give full consideration to any recommendations or directions the Secretary of state may make. The complainant will be advised of this course of action should they remain dissatisfied with a decision made by the Governor's Panel.

### MANAGING AND RECORDING COMPLAINTS

Schools should record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing (including e-mail). At the end of a meeting or telephone call, the member of staff should ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings telephone calls can be kept and a copy of any written response added to the record

### GOVERNING BODY REVIEW

The Governing Body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the Governing Body will not name individuals. As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual's complaints are heard, schools may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Body can be a useful tool in evaluating a school's performance.

### ADDENDUM

**Scope:** This policy applies to all matters relating to actions of staff and application of school procedures where they affect the individual pupils concerned, except matters relating to;

- Admissions to schools
- Exclusions
- Special education provision
- School re-organisation
- Matters concerning the curriculum under Section 19 and 23 of the Education Reform Act 1988
- Child protection
- Public examinations
- School records on individual pupils

**Reviewed: October 2017**

**Review Date: November 2019**

**Headteacher Signature: L. Robertson**