



COMPLAINTS POLICY

Policy Reference Number:	Issue Date: July 2020	Review Date: July 2022
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Introduction

Governing bodies are required by law to have a procedure in place to deal with complaints relating to aspects of the school or the provision of facilities or certain services at the school. The law requires that this procedure must be publicised. A complaint can be brought by a parent of a registered child at the school or any person who has been provided with a service or a facility at the school. The procedure refers to this person as a complainant.

The vast majority of complaints and concerns can be resolved informally. The complainant must feel able to raise concerns and complaints with members of staff without formality, either in person, by telephone or in writing. At first it may be unclear whether a complainant is asking a question or expressing an opinion rather than making a complaint. A complainant may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.

A concern or unresolved problem becomes a complaint only when the complainant asserts that school has acted wrongly in some significant decision, action or failure to take action. Even when a complaint has been made it can be resolved or withdrawn at any stage.

Special Circumstances

Any complaint or other notice 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 Children's Social Care 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.

Dealing with Concerns Informally

The complainant should be given an opportunity to discuss their concern with the appropriate member of staff or a member of senior staff. An appointment may need to be made. The complainant should be allowed to bring a supporter to any discussion. The member of staff dealing with the concern should make sure that the complainant is clear what action (if any) or monitoring of the situation has been agreed. This stage should be completed speedily and concluded in writing with appropriate detail.

Where no satisfactory solution has been found, the complainant should be informed that s/he will need to consider whether to make a formal complaint in writing to the Head Teacher.

The School takes all complaints seriously and endeavours to achieve positive outcomes for children, parents and the school in all situations. The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. Our school is committed to taking concerns seriously, at the earliest stage, in order to resolve small issues from escalating into formal procedures. However, depending on the nature of the complaint, it may be necessary to follow the school's formal complaints procedure. The primary aim of our policy is to resolve complaints to the satisfaction of all parties involved and to deal with any issues raised in an efficient and professional way. Formal complaints will be dealt with in a sensitive, impartial and confidential manner.

Stage 1 – Referral to the Head Teacher for Investigation

1.1 The Head Teacher should acknowledge the complaint in writing. In some cases the Head Teacher will have already been involved in looking at the matter; in others it will be his/her first involvement.

1.2 The Head Teacher should consider providing an opportunity to meet with the complainant to supplement any information previously provided.

1.3 If the complaint is against a member of staff the Head Teacher should talk to the staff member against whom the complaint has been made.

1.4 If necessary, the Head Teacher should interview witnesses and take statements from those involved.

1.5 The Head Teacher should keep reasonable written records of meetings, telephone conversations and other documentation.

1.6 Once all the relevant facts have been established, the Head Teacher should produce a written response to the complainant. The Head Teacher may wish to meet the complainant to discuss/resolve the matter before confirming the outcome in writing.

1.7 The written response should include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action the school will take to resolve the complaint.

1.8 Stage 1 should be completed in 15 school days. However, it is recognised that where the case is complex, it may prove difficult to meet this timetable. In such cases, the Head Teacher should write to the complainant giving a revised target date.

1.9 Schools will not pay financial compensation as a response to complaints, though may spend money on a relevant purpose (eg replacement of damaged belongings).

1.10 The formal Stage 1 response should also advise the complainant that if s/he is not satisfied with the response and wishes to take the matter further, s/he should write to the Chair of the Governing Body within 15 school days of receiving the outcome letter. The outcome letter should set out the name of the Chair of the Governing Body and the address to which the complainant can send the letter.

1.11 Complaints against the Head Teacher. If the complaint is wholly or mainly about the Head Teacher, the Governing Body should consider the complaint in accordance with Stage 2 of the procedure described below. However, before Stage 2 is instigated the Chair of the Governing Body will invite the Head Teacher to respond to the complaint in writing within ten school days. The Chair will send a copy of the Head teacher's response to the complainant who will be asked to indicate within five school days of receipt of the response whether s/he is satisfied with the response. If the complainant is not satisfied with the response Stage 2 should commence as described in paragraph 2.1 below.

Stage 2 – Consideration by the Governing Body

2.1 If the complainant decides to take the matter further, the Chair of the Governing Body should write to the complainant to acknowledge the complaint within five school days of receipt of the complaint. A copy of the acknowledgement and the complaints form should be sent to the the Clerk to the Governing Body.

2.2 Investigating the complaint – If the complaint has been investigated at Stage 1, the result of the investigation must be made available to the Clerk/Chair by the Head Teacher. However, where the complaint is against the Head Teacher and the complaint is referred to Stage 2, the Chair of the Governing Body must decide how the complaint should be investigated. Where the facts of the complaint are clearly established, it is unlikely for the Chair of the Governing Body to order an investigation. The matter may instead be escalated directly to the Complaints Appeal Panel.

2.3 Governing bodies are advised to establish a Complaints Appeal Panel (CAP) drawing on three governors with no prior, direct involvement with the complaint. In deciding the make-up of the CAP, where possible the governing body 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.

2.4 The Head Teacher should not serve on the CAP. If the Chair of the governing body has had any prior involvement in the complaint then the Chair must not sit on the CAP.

2.5 The CAP should consider the complaint on the basis of the written evidence and set up a hearing to hear both parties. The CAP should reconsider the issues raised in the original complaint and not confine themselves to consideration of procedural issues.

2.6 The Chair of the CAP should take a decision at the beginning of Stage 2 on whether to seek the services of a Clerk to:

- Deal with the administration of the procedure;
- Provide independent advice on procedure and evidence;
- Ensure that the relevant facts are established;
- Minute the meeting; and
- Draft the decision letter.

2.7 The Clerk/Chair of the CAP should write to the complainant to explain how the review will be conducted. The letter should be copied to the Head Teacher.

2.8 The Clerk/Chair of the CAP should confirm the date of the meeting with the other governor(s).

2.9 The complainant and Head Teacher should be invited to attend the meeting. The date and time of the meeting should be convenient to the complainant and Head Teacher, within reason. The notification should inform the complainant and the Headteacher of their right to be accompanied to the meeting by a supporter/representative. It should also explain how the meeting will be conducted and of the complainant's right to submit further written evidence to the committee.

2.10 The Head Teacher should also be invited to prepare a written report for the CAP in response to the complaint.

2.11 All relevant correspondence regarding the complaint should be circulated to the CAP; the complainant and the Head Teacher in advance of the meeting.

2.12 If the Head Teacher and/or the complainant wish to call witnesses, the agreement of the Chair of the CAP should be obtained in advance of the meeting.

2.13 It is the responsibility of the Chair of the CAP to ensure that the meeting is properly conducted. However, the proceedings should be as informal as possible.

2.14 The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. However, at the end of the meeting the CAP will

need to issue a finding in writing either upholding or not upholding the complaint or upholding some parts and not others.

2.15 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interest of natural justice to adjourn the meeting so that the other side has time to respond to the new evidence. Late evidence of witnesses should not be accepted unless there is a good reason for the lateness.

2.16 The meeting should allow for:-

- The complainant to explain his or her complaint and the Head Teacher to explain the reasons for his or her decision;
- The Head Teacher to question the complainant about the complaint and the complainant to question the Head Teacher;
- The CAP to have an opportunity to question both the complainant and the Head Teacher;
- Any party to have the right to bring witnesses (subject to the approval of the Chair of CAP) and all parties having the right to question all the witnesses; and
- A final statement by the Head Teacher and complainant.

2.17 The Chair of the CAP should explain to the complainant and the Head Teacher that the CAP will consider its decision, and a written response will be sent to both parties as soon as possible. The complainant, Head Teacher and any witnesses will then leave.

2.18 The CAP will consider the complaint and all the evidence presented and reach a unanimous, or at least a majority, decision on the complaint. Where appropriate the CAP can decide on the action to be taken to resolve the complaint and/or suggest recommended changes to the school's system or procedures to ensure that problems of a similar nature do not happen again.

2.19 As in Section 1.9 above, the CAP will not pay financial compensation as a response to a complaint, though may spend money on an appropriate educational purpose.

2.20 The Clerk/Chair of CAP will send a written statement outlining the decision with reasons to both the complainant and the Head Teacher.

2.21 Stage 2 should be completed in 15 school days. However, it is recognized that this timetable is likely to prove impossible for complaints which are complex. In such cases the Chair of the Complaints Committee should write to the complainant and Head Teacher giving a revised target date.

Vexatious Complaints

There will be occasions when despite all stages of the procedure having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Governing Body can inform the complainant in writing that the procedure has been exhausted and that the matter is now closed.

Agreed By Governors: July 2020

Presented to staff: September 2020

Signed by Head Teacher _____ Date _____

Signed by Chair of Governors _____ Date _____

Review date: July 2022

School Complaint Form for Stage 1 complaints

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the Head Teacher. {If your complaint is against the Head Teacher you will need to complete the form on page 9}

Your Name: _____

Address: _____

Post Code _____

Telephone Number (Day): _____

Telephone Number (Mobile): _____

Name of Child (if applicable) _____

What is your complaint about and what would you like the Head Teacher to do?

(Continue on a separate sheet as necessary)

When did you discuss your concern/complaint with the appropriate member of staff?

(Continue on a separate sheet as necessary)

What was the result of the discussion?

(Continue on a separate sheet as necessary)

What would you like the outcome of the complaint to be

(Continue on a separate sheet as necessary)

Signed: _____ Date _____

School Complaint Form for Stage 2 complaints

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the Chair of the Governing Body, via the school office.

Your Name: _____

Address: _____

Post Code _____

Telephone Number (Day): _____ (Mobile) _____

Name of Child (if applicable) _____

What is your complaint about and what would you like the Governors to do?

(Continue on a separate sheet as necessary)

When did you discuss your concern/complaint with the Head Teacher?

(Continue on a separate sheet as necessary)

What was the result of the discussion?

(Continue on a separate sheet as necessary)

What would you like the outcome of the complaint hearing to be

(Continue on a separate sheet as necessary)

Signed: _____ Date _____