



Complaints Procedure

What is a Complaint?

A complaint is an expression of dissatisfaction, whether made orally or in writing. This policy addresses general complaints which may be made in person, by telephone, or in writing. Complaints about the curriculum, collective worship, racist incidents or provision for children with special educational needs are dealt with under separate procedures.

Principles and Procedures.

We believe that any comments, positive or negative, about how we function, can help us to improve.

Our principle aim is to deal with complaints:

- Openly
- Fairly
- Promptly
- Without prejudice

Our procedures for dealing with complaints will:

- Be publicised in the School Prospectus
- Appear on the School Website
- Be simple to understand and follow
- Be focused on outcomes
- Have established time limits for action
- Keep people informed at all stages
- Where necessary, respect peoples desire for confidentiality
- Be carefully monitored and evaluated
- Provide information to the school's senior management team so that the school's procedures can be improved
- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial;
- be non-adversarial;
- allow swift handling with established time-limits for action and keeping people informed of the progress;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide information to the school's senior management team so that services can be improved.

Resolving Complaints

At each stage in the procedure schools will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate for the complaints coordinator to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;

- an undertaking to review school policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Vexatious Complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Time Limits

Complaints should be made as soon as possible but no later than three months after the event unless there are specific circumstances why the complaints could not have been made within three months.

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

Role of the School's Complaint Co-ordinator

The school's Complaint Co-ordinator is Mr Graham Nagel-Smith, Head teacher. He is responsible for the operation and management of the school's complaint procedure.

It is suggested that at each stage, the complaints co-ordinator, makes sure that they:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.
- record the progress of the complaint and the final outcome
- At the end of a meeting or telephone call, it would be helpful if the member of staff ensured that the complainant and the school have the same understanding of what was discussed and agreed.
- A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record – with dates.
- The complaints co-ordinator will be responsible for the records and hold them centrally.

INFORMAL COMPLAINTS

Discuss concerns informally with the relevant teacher.

Complainants are advised to speak to the teacher concerned so everyone has a clear picture of the situation from all points of view. Most problems can be resolved at this informal stage.

If the complainant indicates that he/she would have difficulty in discussing the complaint with a particular member of staff, the complaint may be referred to another member of staff. This member of staff may not necessarily be more senior.

The member of staff dealing with the complaint should ensure that a complainant is reassured that the matter will be investigated and is clear what action has been agreed. All staff should be aware of the need for confidentiality.

A brief record of any telephone calls, meetings and agreed actions should always be kept – with dates - although it is not always necessary to provide the complainant with a written record at this stage. The Complaints Co-ordinator / Senior Teacher should monitor these records.

If either complainant or staff member feels the matter needs to be taken further, the head teacher or a senior member of staff should be contacted and a Formal Complaint procedure needs to follow.

FORMAL COMPLAINTS

Stage 1: Discuss concerns formally with the Head teacher or a senior member of staff.

More serious concerns which remain unresolved following an Informal Complaint should be referred to the head teacher or a senior member of staff. He /she will then investigate the matter further. Any meetings that are held with the complainant in relation to the complaint should be arranged within 10 school days. However, more complex complaints may require an extension to this time limit.

A log of all contacts relating to the complaint should be kept, with dates.

The Head teacher or senior member of staff should communicate the outcome of the complaint either verbally or in writing. Any agreed actions should be put in writing.

If, as a result of the investigation, issues arise relating to staff discipline or capability, details should remain confidential to the Head teacher. However, the complainant should be informed that the school has taken appropriate follow-up action.

If the complaint is not resolved then Stage 2 needs to be followed.

Stage 2: Make a formal complaint in writing to the Chair of Governors (or a nominated governor) who will then convene a Complaints Panel.

Governors should only proceed with this formal stage of the Complaints Procedure if they have received a complaint in writing addressed to the Chair of Governors and all previous stages have been exhausted.

Acknowledgement of the written complaint should normally be sent by the clerk of the governing body within 5 school days.

It is essential that this process is fair and objective. To avoid a conflict of interest, it is vital that the full governing body does not hear the complaint at this stage. Any governor who has been involved with the complaint at an earlier stage would be unable to give objective consideration to the issue and should therefore have no further involvement.

It is for the governing body to agree upon the procedures for the Complaint Appeal Panel meeting. However, the governing body will usually convene a small panel of 3 to 5 governors who have not previously been involved in the complaint. The panel will usually meet within 15 school days of receiving the complaint.

The Chair of the panel should notify the Head teacher and complainant as to whether they will be invited to attend the panel meeting. Alternatively, the panel may decide to consider written material only. Both parties must be treated equally. For example, if the Head teacher is invited to the meeting, so must the complainant.

If the complaint relates to a staff disciplinary or capability matter about which the Head teacher has already taken action, the governors should focus on how the original complaint was managed to avoid prejudicing any ongoing disciplinary or capability procedures.

The Head teacher and complainant should be informed of the panel's decision within 10 school days

The 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 any 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 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 need to try and ensure that it is a cross-section of the categories of governors and sensitive to the issues of race, gender and religious affiliation.
- 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. Extra care needs to 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 needs to 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, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- e. The governors sitting on the panel need to be aware of the complaints procedure.

Roles and Responsibilities

The Role of the Clerk

The Department strongly recommends that any panel or group of governors considering complaints 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 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 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.

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 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.

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. Preferably, complaints information shared with the whole 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 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.

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 can include:

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

The procedure adopted by the panel for hearing appeals would normally be part of the school's complaints procedure. The panel can be drawn from the nominated members and may consist of three to five people. The panel may choose their own Chair.

Agreed by the Full Governing Body

Signed  (Chair of Governors) 12 December 2018

Policy History/Review Log

Effective Date	Reason for change or revision	Authored/Reviewed by	Next review date
May 2012		LN	Sept 2015
November 2018	Review	GNS	Sept 2021

APPENDIX 1 -Example of a complaint form

Please complete and return to Mr Nagel-Smith (complaints co-ordinator) who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time 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 the response)?

What actions do you feel might resolve the problem at this stage?

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

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Notes: