



Complaints Procedure Policy

Reviewed: January 2019
Next Review Date: January 2021

INDEX

8.1	Purpose of policy and guiding principles
8.2	Links with other policies or legislation
8.3	Raising a concern: guidelines for dealing with concerns and complaints informally
8.4	Formal complaints
8.5	Roles and responsibilities
8.6	Monitoring and evaluation
	Annex 1 – Procedure at Stage 2
	Annex 2 – Procedure at Stage 3
	Annex 3 – Procedure at Stage 4
	Annex 4 – Procedure at Stage 5
	Annex 5 – Procedure at Stage 6
	Annex 6 – Referral to the Education Funding Agency
	Annex 7 – Procedural Flowchart

Status: Statutory

Note: Where sections of the policy are indented it indicates that it is an action to be taken by a member of staff.

8.1 Purpose of policy and guiding principles

1.1. This policy is intended as a good practice guide applying to most general complaints which the School is likely to receive from parents.

1.2. The purpose of this policy is to address and resolve parental concerns and complaints. The aim of this complaints procedure is to:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial and 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 confidentiality;
- address the concerns raised and provide an effective response and appropriate redress, where necessary;
- provide information to senior leaders about where improvements can be made.

1.3. There are separate procedures for complaints about:

- the provision of religious education and collective worship;
- the Local Authority's special needs assessments;
- allegations of child abuse;
- financial improprieties;
- other criminal activities;
- contracted staff.

8.2 Links with other policies or legislation

2.1. The school is required by the Education Act 2010 to have a complaints procedure. Guidance on school complaints procedures can be found on the Department of Education website.

8.3 Raising a concern: Guidelines for dealing with concerns and complaints informally

3.1. The vast majority of concerns and complaints can be resolved informally. There are many occasions where concerns are resolved straight away through the tutor, teacher, Head of Department

/ Director of Faculty, Achievement Manager, Achievement Leader, administration staff, Senior Leader, Headteacher's PA; etc.

3.2. Parents must feel able to raise a concern with members of staff without any formality, either in person, by telephone or in writing. On occasions, it may be appropriate for someone to act on behalf of a parent. At first, it may be unclear whether a parent is asking a question or expressing an opinion rather than making a complaint. A parent may want a preliminary discussion about an issue to help to decide whether he or she wishes to take it further.

3.3. The normal response time to these issues is for an initial response to be made within 24 hours. Where this is not possible, an explanation must be given for the delay and an acknowledgement of the contact on the day of the complaint through phone or via email.

3.4. Members of staff dealing with these concerns should record the nature of the concern and the steps taken to resolve the matter.

3.5. If the parent is not satisfied by the actions taken to resolve the issue they should follow the formal complaints process.

8.4 Formal complaints

4.1. It is in everyone's interest that complaints are resolved at the earliest possible stage. The School has a six - stage formal complaint process.

4.2. As the Headteacher has responsibility for the day-to-day running of the School they have responsibility for the implementation of a complaints system, including the decisions about their own involvement at various stages. One of the reasons for having various "stages" in a complaints procedure is to reassure complainants that more than one person is hearing their grievance. The Headteacher will make arrangements to ensure that his/her involvement will not predominate at every stage of a particular complaint. If s/he is involved at stage 1, then stage 2 should be carried out by another senior leader.

4.3. Stage 1 – Complaint heard by a Teacher, Tutor or Achievement Manager

4.3.1. Parents have an opportunity for discussion of their concern with the appropriate member of staff (teacher, tutor or an Achievement Manager) who clarifies with the parent the nature of the concern, and reassures them that the School wants to hear about it. The member of staff may explain to the parent how the situation happened. It can be helpful to identify at this point, what sort of outcome the parent is looking for.

4.3.2. If the member of staff first contacted cannot immediately deal with the matter, s/he should make a clear note of the date, name, contact address and/or 'phone number.

4.3.3. Any member of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. S/he will check later to make sure that the referral has been received by the intended member of staff.

4.3.4. On certain major issues, the Headteacher may decide to deal with concerns directly at this stage.

4.3.5. If the concern relates to the Headteacher, the parent is advised to contact the Chair of the Governing Body, via the Headteacher's PA.

4.3.6. The staff member dealing with the concern makes sure that the parent is clear what action (if any) or monitoring of the situation has been agreed, putting this in writing only if this seems to be the best way of making things clear.

4.3.7. Where no satisfactory solution has been found within 10 school days, parents are asked if they wish their concern to be considered further. If so, they are given clear information about how to proceed.

4.4 Stage 2 – Complaint heard by an Achievement Leader or Director of Faculty

4.4.1. At this stage it has become clear that the concern is a definite complaint. In some cases the Assistant Headteacher has already been involved in looking at the matter; in most cases, however, the complaint will be delegated to a middle leader to respond to.

4.4.2. The procedure at Stage 2, with more information regarding, who will be involved and the timescales for the process, is listed in Annex 1.

4.4.3. If a complaint is against the action of an Achievement Leader or Director of Faculty, the Headteacher will designate a member of the SLG to investigate.

4.4.4. If a complaint is against the action(s) of the Headteacher, the Chair of the Governing Body should carry out the Stage 2 procedures.

4.5 Stage 3 – Complaint heard by an Assistant Headteacher

4.5.1 If the complainant indicates in writing that their complaint has not been addressed by the Achievement Leader or Faculty Director, the Assistant Headteacher will carry out a review of the investigation and arrange to meet the complainant. In some cases, the Assistant Headteacher may wish to interview students and gather more information.

4.5.2. After the formal meeting, the Assistant Headteacher will send a written response detailing the outcome of the meeting as well as the formal minutes taken from the meeting.

4.5 Stage 4 - Complaint Heard by a Deputy Headteacher

4.5.1 If the complainant indicates in writing that their complaint has not been addressed by the Assistant Headteacher, the Deputy Headteacher will carry out a review of the investigation and arrange to meet the complainant.

4.5.2. After the formal meeting, the Deputy Headteacher will send a written response detailing the outcome of the meeting as well as the formal minutes taken from the meeting.

4.6 Stage 5 – Complaint heard by the Headteacher

4.6.1 If the complainant indicates in writing that their complaint has not been addressed by the Assistant Headteacher, the Deputy Headteacher will carry out a review of the investigation and arrange to meet the complainant.

4.6.2. After the formal meeting, the Deputy Headteacher will send a written response detailing the outcome of the meeting as well as the formal minutes taken from the meeting.

4.7 Stage 6 – Complaint heard by the Governing Body Appeal Panel

4.7.1. If the complainant indicates, in writing, that they wish to appeal against the outcome of the investigation into their complaint, this is referred to an appeal panel.

4.7.2. It is important that this review not only be independent and impartial but that it is seen to be so. The review is the last stage of the internal complaints process and is not there to merely rubber stamp previous decisions. Therefore, the full Governing Body should not consider individual complaints as serious conflicts of interest can arise; for example, in exceptional circumstances a complaint may result in disciplinary action against a member of staff, and governors may be required to give an unprejudiced hearing to an appeal by the member of staff concerned. Similarly, some governors might have knowledge of the problem, which led to the complaint and would be unable to give unbiased consideration to the issue.

4.7.3. The hearing with a panel set up by the School, comprising at least three people not directly involved in the matters detailed in the complaint, one of whom must be independent of the management and running of the School. Parents must be allowed to attend the panel and be accompanied if they wish.

4.7.4. Many complaints are inevitably seen by parents as being “against” a particular member of staff and their actions. However, all complaints that reach this stage will have done so because the complainant has not been satisfied at the earlier stages of the procedure. Therefore, it may be

appropriate for the Governing Body to consider that the complaint is against the School rather than against the member of staff whose actions led to the original complaint.

4.7.5. The procedure at Stage 4, with more information on who will be involved and the timescales of the process are listed in Annex 2.

4.7.6. When the panel to make findings and recommendations, a copy will be provided to the complainant and, where relevant, the person complained about.

4.7.7. The findings and recommendations of the panel will be available for inspection on the school premises by the Headteacher.

8.5 Roles and responsibilities

5.1. The role of the Headteacher

5.1.1. The Headteacher will ensure that staff are familiar with this policy and receive appropriate training in complaint handling.

5.1.2. The Headteacher will assign a Middle Leader or a member of SLG to deal with formal complaints.

5.2. The role of the Governing Body

5.2.1. The Governing Body will monitor complaints (nature and level) to review any improvements to current School processes or systems.

5.2.2. The Governing Body will convene an Appeal Panel for complaints under Stage 4 of the policy.

5.3. The role of the employee/other staff

5.3.1. All staff should deal with complaints, queries or concerns from parents in a professional manner and in line with the timescales of this policy.

5.3.2. The HR Lead will keep a complaints log to record formal complaints.

8.6 Monitoring and Evaluation

6.1. 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 to make changes where necessary. Complaints information shared with the whole Governing Body will not name individuals.

6.2. 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, the School 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 the school's performance.

6.3 The school will record the action it takes as a result of complaints (regardless of whether they are upheld).

6.4. A written record will be kept of all complaints that were not resolved as part the informal complaints process, along with details of whether they were resolved following a formal procedure, or progression to a panel hearing.

6.5. Correspondence, statements and records relating to individual complaints are to be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Lead member of staff:	Headteacher
GB Committee responsible:	Standards
Date presented to the GB:	11 December 2013
Date adopted by the GB:	1 January 2014
Reviewed:	January 2018

Annex 1 – Procedure at Stage 2

1. An Achievement Leader acknowledges the complaint orally, or via email, within 5 school days of receiving confirmation that the complaint is now to be dealt with at Stage 2. The acknowledgement gives a brief explanation of the school's Complaint Procedure and a target date for providing a response to the complaint. This should normally be within 10 school days; if this proves impossible, the leader communicates via email, explaining the reason for the delay and giving a revised target date.
2. The Achievement Leader provides an opportunity for the complainant to meet him/her to supplement information provided previously. It is made clear to the complainant that if s/he wishes, s/he may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or her behalf, and that interpreting facilities are available if needed.
3. If necessary, the Achievement Leader should interview witnesses and take statements from those involved. If the complaint centres on a student, the student should also be interviewed (ensuring that any written statements are written by the student). Students would normally be interviewed with parents/guardians present. In some situations, circumstances may prevent this, e.g. where this would seriously delay the investigation of a serious/urgent complaint or where particular circumstances mean that a student has specifically said s/he would prefer that parent/guardians were not involved. In such circumstances, another member of staff with whom the student feels comfortable may be asked to attend. If a member of staff is complained against, the needs of that person should be borne in mind.
4. The Achievement Leader keeps written records of meetings, telephone conversations and other documentation. Once all the relevant facts have been established, the Achievement Leader should then produce a written response to the complainant to discuss/resolve the matter.
5. A written response includes a full explanation of the decision and the reasons for it. Where appropriate, this includes what action the School will take to resolve the complaint. The complainant is advised that should s/he wish to take the complaint further s/he should notify the Headteacher within two weeks of receiving the outcome letter.

Annex 2 - Procedure at stage 3

If the complainant indicates in writing that their complaint has not been addressed by the Achievement Leader, the Assistant Headteacher will carry out a review of the investigation and arrange to meet the complainant. This will be completed within 10 days of received the formal letter from the complainant.

After the formal meeting, the Assistant Headteacher will send a written response detailing the outcome of the meeting within 10 school days of the meeting, as well as the formal minutes taken from the meeting.

Annex 3 – Procedure at Stage 4

If the complainant indicates in writing that their complaint has not been addressed by the Assistant Headteacher, the Deputy Headteacher will carry out a review of the investigation and arrange to meet the complainant. This will be completed within 10 days of received the formal letter from the complainant.

After the formal meeting, the Deputy Headteacher will send a written response detailing the outcome of the meeting within 10 school days of the meeting, as well as the formal minutes taken from the meeting.

Upon receipt of a written request by the complainant for the complaint to proceed to Stage 4, the procedures outlined below should be followed:

Annex 4 – Procedure at Stage 5

If the complainant indicates in writing that their complaint has not been addressed by the Deputy Headteacher, the Headteacher will carry out a review of the investigation and arrange to meet the complainant. This will be completed within 10 days of received the formal letter from the complainant.

After the formal meeting, the Headteacher will send a written response detailing the outcome of the meeting within 10 school days of the meeting, as well as the formal minutes taken from the meeting.

Upon receipt of a written request by the complainant for the complaint to proceed to Stage 4, the procedures outlined below should be followed:

Annex 5 – Procedure at stage 6

1. The Headteacher's PA should write to the complainant within 5 school days to acknowledge receipt of the written request. The acknowledgement should inform the complainant that the complaint is to be heard by two members of the Governing Body and a **person independent of the management and running of the school**, within 20 school days of receiving the complaint. No further written submissions are allowed after 5 school days from the GB receiving the complaint.

2. The Headteacher's PA should arrange to convene a Governors' Complaints Panel elected from members of the Governing Body. The Panel members should be governors who have had no prior involvement with the complaint and a person independent of the management and running of the school. If s/he has not previously been involved, the Vice-Chair of the Governing Body should chair the Panel. If not, a Chair must be elected for this purpose. It is not appropriate for the Headteacher to have a place on the Panel. Governors will want to bear in mind the advantages of having a parent (who is also a Governor) on the Panel. Governors will also be sensitive to equality issues.

3. The Chair of the Panel will ensure that the Panel hears the complaint within 20 school days of receiving the letter. All relevant correspondence regarding the complaint should be given to each Panel member when the composition of the panel is confirmed at least 5 day before the hearing.

4. The Chair of the Panel will write and inform the complainant, Headteacher, any relevant witnesses and members of the Panel at least 5 school days in advance, of the date, time and place of the meeting. The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/advocate/interpreter. The letter will also explain how the meeting will be conducted.

5. The Chair of the Panel should invite the Headteacher (or other SLG member who responded to the complaint at Stage 2), to attend the panel meeting and prepare a written report for the panel in response to the complaint. The SLG member may also invite members of staff directly involved in matters raised by the complainant to respond in writing, or in person, to the complaint. All concerned should receive any relevant documents including the Headteacher's report, including the complainant, at least 5 school days in advance of the meeting.

6. The involvement of staff other than the Headteacher is subject to the discretion of the Chair of the Panel.

7. It is the responsibility of the Chair to properly delegate the taking of minutes for the hearing.

8. The aim of the meeting should be to resolve the complaint and achieve reconciliation between the School and the complainant. However, it has to be recognised that sometimes it may only be possible

to establish facts and make recommendations which will satisfy the complainant that his or her complaint has at least been taken seriously.

9. The Panel should remember that many parents are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the Panel. It is therefore recommended that the Chair of the Panel ensure that the proceedings are as informal as possible.

10. The meeting should allow for:

- the complainant to explain their complaint;
- the Panel and/or the Headteacher to question the complainant;
- the Headteacher to explain the School's response;
- the Panel and complainant to question the School and/or other members of staff about the School's response;
- any party to have the right to call witnesses (subject to the approval of the Chair);
- final statements by both the complainant and the Headteacher.

12. The Chair of the Panel will explain to all concerned that the Panel will now consider its decision, and a written decision will be sent to both parties within 10 school days.

13. The Panel will then consider the complaint and all the evidence presented and (a) reach a unanimous, or at least a majority, decision on the complaint and (b) decide upon the appropriate action to be taken to resolve the complaint and (c), where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.

14. The written statement outlining the decision of the Panel must be sent to the complainant and Headteacher. The letter to the complainant should explain whether a further external appeal can be made, and if so, to whom.

15. The School should ensure that a copy of all correspondence and notes are kept. These records should be kept separately from the student's personal records.

Annex 6 – Referral to the Education Funding Agency

Complaints about academies should be sent:

- Via the Department for Education's online school complaints form.
- By post to Department for Education, Castle View House, East Lane, Runcorn, Cheshire, WA7 2GJ

Annex 7 – Procedural Flowchart

