



## **Complaints Policy**

Version: 3.02

Date Released: 8<sup>th</sup> January 2015

## **The School's Complaint Co-ordinator**

The School's Complaint Co-ordinator is the Head Teacher.

## **The Staged Approach**

The staged approach is designed to ensure that every effort is made to deal with complaints informally at school level and in partnership with parents. The formal stages should only be triggered in exceptional circumstances.

- Stages 1, 2 and 3 are informal stages, which are dealt with at school level.
- Stages 4, 5, 6 are formal stages, involving the Governing Body (The Hearings Committee), the LEA and the Secretary of State.

This policy is designed to manage all complaints. Complaints vary in their nature and complexity. Therefore the school will need to consider at which stage a complaint should be dealt with when it is initially raised and which member of staff is best placed to deal with it.

### **Our principal aim is to deal with complaints:**

- Openly
- Fairly
- Promptly
- Without prejudice

### **Our procedures for dealing with complaints will:**

- Be publicised on the School Website
- Be simple to understand and use
- Be focused on outcomes
- Have established time limits for action
- Keep people informed at all stages
- Where necessary, respect people's desire for confidentiality
- Be carefully monitored and evaluated.

## Complaints Procedure

### An Overview

<p style="text-align: center;"><b>Stage One</b></p> <p style="text-align: center;">Meet and/or speak to the relevant class tutor</p>
<p style="text-align: center;"><b>Stage Two</b></p> <p style="text-align: center;">Meet and/or speak to the Assistant Head Teacher and or Head of Education</p>
<p style="text-align: center;"><b>Stage Three</b></p> <p style="text-align: center;">Meet and/or speak to the Head Teacher</p>
<p style="text-align: center;"><b>Stage Four</b></p> <p style="text-align: center;">Discuss with the Chairperson of the Governing Body, a nominated Governor or an LEA Officer</p>
<p style="text-align: center;"><b>Stage Five</b></p> <p style="text-align: center;">Refer formally, in writing, to the Chairman of the Governing Body. Governors will convene a panel (The Hearings Committee) to hear the complaint</p>
<p style="text-align: center;"><b>Stage Six</b></p> <p style="text-align: center;">Refer to the Secretary of State</p>

## Guidance on the Staged Approach to Managing Complaints

There are seven stages to this procedure:-

- Stages 1, 2 and 3 are **informal**
- Stages 4, 5, 6 are **formal**

Any person expressing continued dissatisfaction should be advised of the next stage in the procedure.

### Stage One: Meet and/or speak to the relevant Class Tutor

- Complainants are advised to speak to the class tutor concerned so that everyone has a clear picture of the situation from all points of view. Most problems can be resolved at this informal stage.
- Complainants would only speak to the class tutor if that member of staff was not the subject of the complaint. In this case the complainant would need to speak to the relevant Head of Education and or Assistant Head Teacher and go to Stage 2.
- The member of staff who is dealing with the complaint should ensure that the person 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.
- If either the complainant or staff member feels the matter needs to be taken further, the relevant Head of Education or Assistant Head Teacher should be contacted.
- Records of any actions should always be kept although it is not always necessary to provide the complainant with a written record at this stage. The Head of Education or Assistant Head Teacher will monitor these records.

### Stage Two: Meet and/or speak to the Assistant Head Teacher and or Head of Education.

- If the concern is more serious, the complainant is dissatisfied with the outcome, or those concerns that remain unresolved at the end of Stage 1 should be referred to either the Assistant Head Teacher (for primary pupils) or Head of Education (secondary pupils). 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 ten school days.
- Complainants would only speak to the Head of Education or Assistant Head Teacher if that member of staff was not the subject of the complaint. In this case the complainant would need to speak to the Head Teacher and go to Stage 3.
- A log of all contacts relating to the complaint should be kept.
- The Head of Education or Assistant Head Teacher should communicate the outcome to the complainant either verbally or in writing. In some cases, the 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.

### **Stage Three: Meet and/or speak to the Head Teacher**

- More serious complaints or those that remain unresolved at the end of Stage 2 should be referred to the Head Teacher. 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 ten school days.
- Complainants would only speak to the Head Teacher if that member of staff was not the subject of the complaint. In this case they would need to speak to the Chairman of the Governing Body and go to Stage 4.
- A log of all contacts relating to the complaint should be kept.
- The Head Teacher should communicate the outcome to the complainant either verbally or in writing. In some cases, the 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.

### **Stage Four: Discussion with the Chairman of the Governing Body, a nominated Governor or an LEA Officer**

- If matters still remain unresolved the Head Teacher will refer the matter to the Chairman of the Governing Body.
- If the complaint is about the Head Teacher, the complainant should refer the matter to the Chairman of the Governing Body.
- The Chairman of the Governing Body may decide to:
  - Refer the complaint to a nominated governor in case he/she is needed to sit on the formal Hearings Committee at Stage 5.
  - Request that an LEA Officer be appointed to investigate the complaint and make recommendations to the Hearings Committee at Stage 5. This is an option for the Governing Body if it is faced with the investigation of a particularly complex complaint. In such cases the Governing Body might feel that they lacked the capacity to investigate the complaint as objectively and systematically as possible and necessary.

In this case the Governing Body would still have ownership of the complaint process and the Hearing Committee would respond to the complainant based on the advice given by the investigating officer.
- The Governor or LEA Officer will explore the matter further. This may involve meeting with the complainant and/or member of staff. The outcome and agreed actions should be recorded. The complainant should be informed of the outcome within ten school days.
- If the complainant is not satisfied with the outcome, move to the formal stage of the Complaints Procedure.

### **Stage Five: Formal Complaint to the Chairman of the Governing Body**

If a complainant has ignored the informal stages and referred a matter immediately to the Chairman of the Governing Body, the Chairman may decide initially to revert to Stage 2 and ask the Head Teacher or a senior member of staff to investigate.

- Governors should only proceed with the formal stage of the Complaints Procedure if they have received a complaint in writing addressed to the Chairman of the Governing Body and all previous stages have been exhausted. However, it is important that this does not disadvantage people who may experience difficulty with putting their complaint in writing.
- The Clerk should send a copy of the acknowledgement of the complainant's written complaint to the Governing Body within five 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.
- The Clerk to the Governing Body will convene the Hearings Committee (a panel of 3 Governors) who have not previously been involved in the complaint. This Committee will meet within 15 school days of receiving the complaint.
- 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 on-going disciplinary or capability procedures.
- The Head Teacher and complainant should be informed of the Panel's decision within ten school days.

### **Stage Six: Refer to the Secretary of State**

- Complainants who believe that their concerns have not been addressed by the Governing Body can make a further representation or appeal to the Secretary of State.

## Managing and Recording Complaints

### Investigating a Complaint

During the course of an investigation into a complaint, members of staff will:

- Try to ensure that the complaint is put in writing in either letter format or by using the Schools' Complaint Form (**see Appendix A**)
- 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 all interviews with an open mind and be prepared to persist when questioning;
- Keep notes of all interviews, meetings and telephone conversations relating to the investigation.

### Resolving a Complaint

- At each stage in the procedure the school will 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 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.
- Complainants will be encouraged to state what actions they feel might resolve the problem at any stage.
- Members of staff will clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.
- Members of staff will use the Staff Guide to managing complaints (**see Appendix C**).
- The Governing Body will refer to the Complaints Guidance for Governing Bodies (**see Appendix B**)

### Time Limits

Complaints will be considered, and resolved, as quickly and efficiently as possible. However, where further investigations are necessary, new time limits can be set and the complainant will be sent details of the new deadline and an explanation for the delay.

## **Recording Complaints**

- The school will record the progress of the complaint and the final outcome. At the end of every meeting or telephone call, members of staff will ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.
- The Senior Admin Officer will be responsible for the complaint record whilst the complaint is being investigated. Once the complaint has been resolved and a response sent to the complainant the completed records will then be held centrally within the school office.
- Copies of all letters sent in response to or regarding a complaint will be kept on file (***see Appendix D - Sample Letters***)

## **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 whole Governing Body will not name individuals.

## **Publicising the Procedure**

The school's Complaints Procedure is published:

- On the School website;
- In a Complaints Leaflet which includes a form on which a complaint can be made;

**APPROVAL & ADOPTION**

This policy was formally approved and adopted at a Full Governing Body Meeting held on:

---

Signed:

---

Signed:

---

## **UPDATE SCHEDULE**

<b>Version</b>	<b>Date</b>	<b>Reason for Update</b>
1.00	01/11/05	First Version of Policy
2.00	13/07/09	Amendments in line with current management structure and general typing/grammar changes
3.00	01/09/09	Complete revision in line with current guidance
3.01	20/11/12	Amendments in line with current management structure and general typing/grammar changes
3.02	08/01/15	Amendments in line with current management structure and general typing/grammar changes