

# COMPLAINTS POLICY

## Preamble to the policy

### **The governing body is required by the Education Act 2002 to have a policy for dealing with parents' complaints.**

The school's complaints policy allows parents' complaints about school issues to be dealt with efficiently and sensitively, and at the appropriate level.

Complaints can cover a wide variety of matters that concern parents. The school expects ALL parental complaints to be taken seriously and to be dealt with comprehensively and as far as possible in confidence.

### **Policy:**

- The policy aims to ensure that all complaints from parents, pupils and others are dealt with as quickly and sensitively as possible, and by the person best able to do so.
- As far as possible all concerns should be dealt with as informally as possible.
- A parent, pupil or other person (s) who expresses their complaint in writing should receive a response, even if not the final response, to their complaint within 24 hours of having made the complaint.
- If parents, pupils or other complainants wish to register a formal complaint they will be asked to complete the school's **Formal Complaint Form** and return it to the school. The task of dealing with the enquiry will be delegated to the Head of Department/ Year Tutor or Senior Manager who is linked to the appropriate subject or year.

### **Types of Concerns and Complaints covered by this policy:**

The majority of complaints received by the school fall into the following categories:

- **financial and administrative**, e.g. payment of educational visits
- **academic**, e.g. course programme, unsatisfactory teaching, too much/too little homework, progress in a particular subject, etc
- **pastoral**, e.g. discipline/indiscipline, inappropriate sanctions, bullying, overall progress of the child, unhappiness of child, etc
- **child protection**, e.g. allegations against staff, handling of sensitive issues

## Processes

### Defining the Stages:

- Stage 1 complaint heard by staff member (who is not subject of the complaint) (Procedures 1-3)
- Stage 2 complaint heard by Headteacher (Procedure 4)
- Stage 3 complaint heard by Governing Body's complaints appeals panel
- Stage 4 Local Education Authority

### Responsibilities of Personnel that could be involved:

**Governing Body:** for approving the policy, procedures, and guidelines, hearing and deciding on appeals, receiving reports, and advising the Headteacher. The Governing Body will monitor the level and nature of complaints and review the outcomes at termly meetings.

**Chair of the Governing Body:** to receive complaints at **Stage 3**, to nominate a governor or panel to hear the appeal, and to check that the correct procedure is followed..

### Nominated Governor or Chair of the Panel at Stage 3:

To ensure that:

- the parties understand the procedure
- the issues are addressed
- key findings of fact are established
- complainants are put at ease
- the hearing is conducted as informally as possible
- the panel is open-minded and acts independently
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously
- all parties have the chance to be heard
- any written material is seen by all parties

### Clerk to the Governing Body

The Clerk must act as the reference point for the complainant at **Stage 3**. The Clerk must:

- set convenient dates and times and venues for hearings
- collate any written material and forward it to the parties
- meet and welcome the parties
- record the proceedings
- notify the parties of the decision

**Headteacher:** for the overall internal management of the procedures at **Stages 1 to 3**, for hearing complaints at the second stage, ensuring that the procedures are monitored and reviewed and termly reports made to the Governing Body.

**Senior Management Team:** for the efficient operation and management of the policy and procedures, for training staff on how to deal appropriately with complaints, for keeping parents, pupils and others informed of the procedures, and for compiling reports for the Head as required at **Stage 1 and later**.

**Deputy Headteacher:** for administrative, environmental and financial queries and complaints, at **Stage 2 and later**

**Heads of Department/Subject:** for dealing with and where possible resolving complaints about academic matters/programmes of study/teaching methods at **Stage 1** of the procedures (and to assist in collecting information).

**Year Tutor:** for dealing with and where possible resolving complaints concerning overall pupil progress, discipline issues, pastoral care at **Stage 1** (and to assist in collecting information).

**Child Protection Officer:** for child protection issues – **at all stages**.

**All staff:** for hearing any concerns brought to them by parents and pupils and reassuring them that they will be dealt with as soon as possible by the appropriate member of staff, and for informing the relevant staff of the concerns. And for passing any complaints received from other people who are not parents or pupils to the Head of Department, Year Tutor and/ or Senior Manager linked to the subject or year at **Stage 1**. Staff will also assist in collecting information about the complaint.

## Procedures:

- Stage 1 complaint heard by staff member (who is not subject of the complaint)
- Stage 2 complaint heard by Headteacher
- Stage 3 complaint heard by Governing Body's complaints appeals panel
- Stage 4 Local Education Authority

## Guidelines:

All staff and governors should be conversant with the procedures for **FORMAL COMPLAINTS MADE IN WRITING**.

At Stage 1 the school should aim to resolve the complaint within 24 hours of receiving it. Where this is not possible, the member of staff will endeavour to inform the parties of the action being taken, and when it is expected to resolve it.

No complaint should normally be left unresolved at this stage after **THREE** days of receipt of the complaint. In abnormal circumstances the matter will be referred to the Headteacher who will determine the appropriate action, and will keep the parties informed.

(If a trivial/simple verbal complaint is made it might be possible in most cases to resolve it immediately. In more serious cases, or where a member of staff is uncertain, parents should always be asked to put their complaint in writing. This is to ensure that there is no conflict in determining what the complaint consists of and the action taken by the members of the school staff. In there is any doubt - ask)

## Stage 1

- All staff should listen carefully and patiently to parents' and pupils' complaints, recognising that however ill-founded the complaint might be it is a matter of great concern to the parent or pupil.
- If the matter is within the competence of the member of staff to resolve quickly this should be done. Otherwise the complainant should be reassured that the complaint will be passed to the relevant member of staff, who should be informed as soon as possible.
- The member of staff receiving the complaint should use the school's 'Complaints Form' and advise the complainant to do so, or at least write and sign a letter. This does not prevent the member of staff also speaking to the senior colleague or the Headteacher about the matter at the earliest opportunity.
- If the member of staff considers the issue to be serious and beyond their scope or brief to deal with, (excluding a child protection issue) he/she should inform the Headteacher via the school's 'Complaints Form', and inform the complainant of the action taken. The Headteacher will determine the next step to be taken.

- If the member of staff dealing with a **Stage 1** complaint considers that he/she can deal with it, he/she should attempt to do so. If a resolution cannot be found then the member of staff should inform the complainant of their right of appeal to the Headteacher (**Stage 2**) or Governing Body (**Stage 3**), and inform the Headteacher/Governing Body of the action taken. The complainant should be strongly advised to follow the procedure that is not to by-pass Stage 2.
- If the complaint concerns a child protection issue or involves an allegation of abuse by a member of the school staff the named person responsible for child protection complaint should be informed immediately.
- If a pupil makes a serious complaint about the conduct of a member of staff, the Senior Manager linked to the pupil's year should be informed. It will be the responsibility of the Senior Manager to initiate the consultation needed to determine the severity of the complaint. The nature of the complaint will determine the level of consultation required. Based on this information, the Senior Manager will decide on the next course of action, including referring the matter to the Head.

## Stage 2

- The Head will decide the outcome at this stage, but may delegate the collating of information to a Senior Manager, Head of Department and/ or Year Tutor.
- The Head must normally resolve the matter within THREE days of receiving notification of the complaint. In abnormal circumstances a longer time scale can be agreed, either by agreement with all parties, or by a decision of the Chair of the Governing Body if no agreement is reached.
- If the Head is unable to resolve the issue it is open to the complainant to make representations to the governing body. (Stage 3)

## Stage 3

### Appeals to the Governing Body

- Complainants who are not satisfied by the Headteacher's decision re the complaint can make representations to the governing body.
- The complainant must be advised by the Co-ordinator to write to the chair of the Governing Body giving details of the complaint. The Chair will nominate a governor or sub-committee to hear the appeal.
- The hearing must be within 10 days of the Chair receiving notice of the complaint.

- The complainant must be told of their right to be accompanied by a friend, and where relevant translations/interpreters must be arranged by the Clerk consultation with the parties.
- The nominated governor/sub-committee will make its own procedures, and will agree these with the Chair, who will report them to the next governing body meeting.
- The governor/panel will ensure that the complainant is heard in private, is welcomed, and as far as possible is put at ease.
- Careful consideration must be taken when the complainant is a pupil.
- The governor/panel will hear the appeal(s), consider all the views expressed and decide the outcome.

The governor/panel can:

- dismiss the complaint in whole or part
- uphold the complaint in whole or part
- decide on appropriate action to resolve the complaint
- recommend changes to the school's systems or procedures

The governing body's decision is usually binding. However, under some circumstances, the complainant may exercise their right to make an appeal to the Local Education Authority – **Stage 4**.

In this case, if the governing body cannot resolve the matter the complainant should be informed that representations can be made to the LEA, and be informed about the action that needs to be taken.

**The decision at this stage must be communicated to the parties within THREE days of the hearing.**

#### **Reporting and Recording:**

In all cases it is important for staff to use the school's 'Complaints Form' so that records of the complaint and the action taken can be recorded and traced. Supporting documents should be attached to the form.

The Head and Complaints Co-ordinator will consider the handling of complaints from time to time, and will discuss issues with staff as necessary.