

# Complaints Procedure

**Agreed at: Full Governors Summer 2015**

**Signed:.....**

**Review: Annually for compliance**

## **Academy Complaints Procedure**

Under the Education Act 2002 schools are required to have an approved procedure for dealing with complaints relating to the school/academy and to any community facilities or services the school provides.

In this academy all staff are dedicated to giving all pupils the best possible education and caring properly for their health, safety and welfare at all times. We are committed to working closely with parents/carers and believe that the school and parents/carers must work together in partnership to help pupils gain the most from their time in school.

We are also happy to listen to complaints regarding 'school life' from people who have no children within or immediate contact with the Academy. These complaints will be dealt with in exactly the same way as parental complaints, using this policy as procedural guidance.'

Communication, written or spoken, is valued as part of the partnership between home and school. Co-operation between parents/carers, staff and governors leads to a shared sense of purpose and a good atmosphere in the school.

The school aims to provide as many opportunities to keep parents/carers informed and involved in pupil progress as it possibly can. However we recognise there will be times when parents/carers feel the school is not acting in the best interest of their child.

This procedure explains the process for parents/carers to follow if they have a concern or a complaint with the school. Appendix A of the complaints policy provides details on '**How to raise concerns or make a complaint about the school**'

We realise that some complaints can be very emotive, but in order to understand and deal with a complaint fully, we ask that the complainants remain calm in all dealings with Academy staff. Swearing or aggressive behavior will result in the immediate termination of any meeting. Meetings can be re-convened at a later date only with the complainants re-assurance that no-recurrence of poor behavior will occur.

In order to investigate your complaint as fully as possible the governing body has a staged process. Most issues are sorted out informally and we would recommend that you try this approach first. However, if you feel that there is nothing to be gained and you wish to make a formal complaint you have the right to go straight to stage 1 of the complaints procedure.

### **1. Resolving concerns informally**

- 1.1. Parents are always welcome to discuss any concerns with the appropriate member of staff, who will clarify with the parent the nature of the concern and reassure 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 at this point to identify what sort of outcome the parent is looking for.
- 1.2. If the member of staff first contacted cannot immediately deal with the matter, s/he will make a clear note of the date, name and contact address or phone number.
- 1.3. All members 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 the referral has been dealt with.

- 1.4. If the matter is brought to the attention of the head teacher s/he may decide to deal with the complaint. If the complaint is against the head teacher the parent will be advised to contact the chair of the governing body.
- 1.5. The member of staff dealing with the concern will make sure the parent is clear what action (if any) or monitoring of the situation has been agreed, putting it in writing if appropriate.
- 1.6. Where no satisfactory solution has been found, and the complainant continues to have concerns, they may wish to consider a formal complaint in writing to the head teacher.

## **2. Complaints Procedure Stage 1: investigation by the Head Teacher or the Chair of Governors**

- 2.1 Complaints at this stage need to be recorded in writing. A complainant may wish to write in themselves. Complainants may also make their complaint verbally and can expect help to put their complaint in writing.
- 2.2 The head teacher (or designated person) will acknowledge the complaint in writing within *three working days* of receiving the written complaint. The acknowledgement will give a brief explanation of the school's complaints procedure *and a target date for providing a response to the complaint*. This should normally be within *ten working days*. If this proves impossible, a letter will be sent explaining the reason for the delay and giving a revised target date. *This should be within a maximum of 20 working days unless it is a particularly complex issue*.
- 2.3 The head teacher will provide an opportunity for the complainant to meet the head teacher/member of staff to supplement any information provided previously or to record the complaint in writing if it has been made verbally. It will be made clear to the complainant that if s/he wishes s/he might be accompanied to any meeting by a friend, relative, representative or advocate who can speak on his/her behalf or to provide support.
- 2.4 If necessary the head teacher will interview other parties and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed unless this is judged not to be in the interests of the pupil's welfare. Pupils should normally be interviewed with parents/guardians present, but if this would seriously delay the investigation of a serious/urgent complaint or if the pupil has specifically said that s/he would prefer that parents/guardians were not involved, another member of staff with whom the pupil feels comfortable should be present. If a member of staff is complained against, they must have the opportunity to present their case and the complaint may also be investigated as appropriate under the school's disciplinary procedure.
- 2.5 The head teacher will keep written records of meetings, telephone conversations and other documentation.
- 2.6 Once all the relevant facts have been established as far as possible, the head teacher will then produce a written response to the complainant, including an explanation of the decision and the reasons for it. Where appropriate, this will include what action the school will take to resolve the complaint. The complainant will be advised that should s/he wish to take the complaint further s/he should notify the chair of governors *within 20 working days of receiving the letter*.
- 2.7 If the complaint is against the head teacher, or if the head teacher has been closely

involved in the issue, the chair of the governing body will carry out all the Stage 1 procedures.

### **3. Stage 2: Review by the Governing Body**

- 3.1 If the outcome is unsatisfactory the complainant will be advised to complete the standard complaints form (Appendix B) and send it to the chair of the governing body (c/o the school). The chair of the governing body will then write to the complainant to acknowledge receipt of the written request for the chair of governors to review the complaint.
- 3.2 The chair of the governing body may be able to resolve the problem, undertaking an independent investigation and meeting with each party involved in the complaint.
- 3.3 The chair of the governing body may feel it would be appropriate that an independent person is enlisted to investigate the complaint.
- 3.4 In the event the complainant is still dissatisfied with the outcome of the complaint the chair of the governing body will write to the complainant to acknowledge receipt of the written request for a panel which will include at least one completely independent person along with non-involved Governors to review the complaint.the governing body to review the complaint.
- 3.5 The acknowledgement will explain that the complainant has the right to submit any further documents relevant to the complaint. These documents must be received in time to be sent to the panel members and the head teacher. A meeting of the complaints committee will be convened which will consist of 2 or 4 members of the governing body and at least one completely independent person'. No governors with prior involvement in the issues complained about will be included on the panel. The head teacher will not sit on the panel.
- 3.6 The chair of the panel will ensure the panel hears the complaint within *20 working days of receiving the letter*.
- 3.7 The clerk will write and inform the complainant, head teacher, any relevant witnesses and members of the panel at least *seven* working days in advance of the date, time and place of the meeting. The notification will also inform the complainant of his/her right to be accompanied to the meeting by a friend/advocate/interpreter and explain how the meeting will be conducted and the complainant's right to submit further written evidence to the panel.
- 3.8 The head teacher will be invited to attend the panel meeting. All attendees, including the complainant, should receive a set of the relevant documents, including the head teacher's report and the agenda, at least five working days prior to the meeting.
- 3.9 Submission of additional documents or requests for additional attendees will be at the discretion of the chair of the panel.
- 3.10 At the panel hearing:
  - The complainant will have the opportunity to present their complaint.
  - The head teacher will explain the school's position.
  - Those present will have the opportunity to ask questions.

- Panel members will have the opportunity to ask questions of the complainant and the head teacher.
- The head teacher will be given the opportunity to make a final statement to the panel.
- The complainant will be given the opportunity to make a final statement to the panel.
- The chair will ask the complainant if he or she feels they have had a fair hearing.

The chair of the panel has responsibility to ensure that the meeting is properly minuted.

Any witnesses will be called into the meeting at the appropriate time and then requested to leave after they have provided their witness statement.

- 3.11 The chair of the panel will explain to the complainant and head teacher that the panel will consider its decision and that a written decision will be sent to both parties within *five working days*. The complainant and head teacher will then leave the meeting.
- 3.12 The panel will then consider the complaint and all the evidence presented and:-
- agree a decision on the complaint;
  - decide upon the appropriate action to be taken to resolve the complaint
  - where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.
- 3.13 A written statement clearly setting out the decision of the panel must be sent to the complainant and head teacher. The letter to the complainant should also advise how to take the complaint further in the event they should wish to do so.
- 3.14 The school should ensure that a copy of all correspondence and notes are kept on file in the school's records. These records should be kept separately from the pupil's personal records.

#### **4. Stage 3 The Secretary of State**

- 4 If a complainant wishes to go beyond the governors' complaints panel, they should be advised to contact the Secretary of State for Education. More information and a link to an on line complaint form is available at [www.education.gov.uk/schoolcomplaints](http://www.education.gov.uk/schoolcomplaints). for both maintained schools and academies. Complaints about academies are handled by the Education Funding Agency (EFA) on behalf of the Secretary of State for Education.

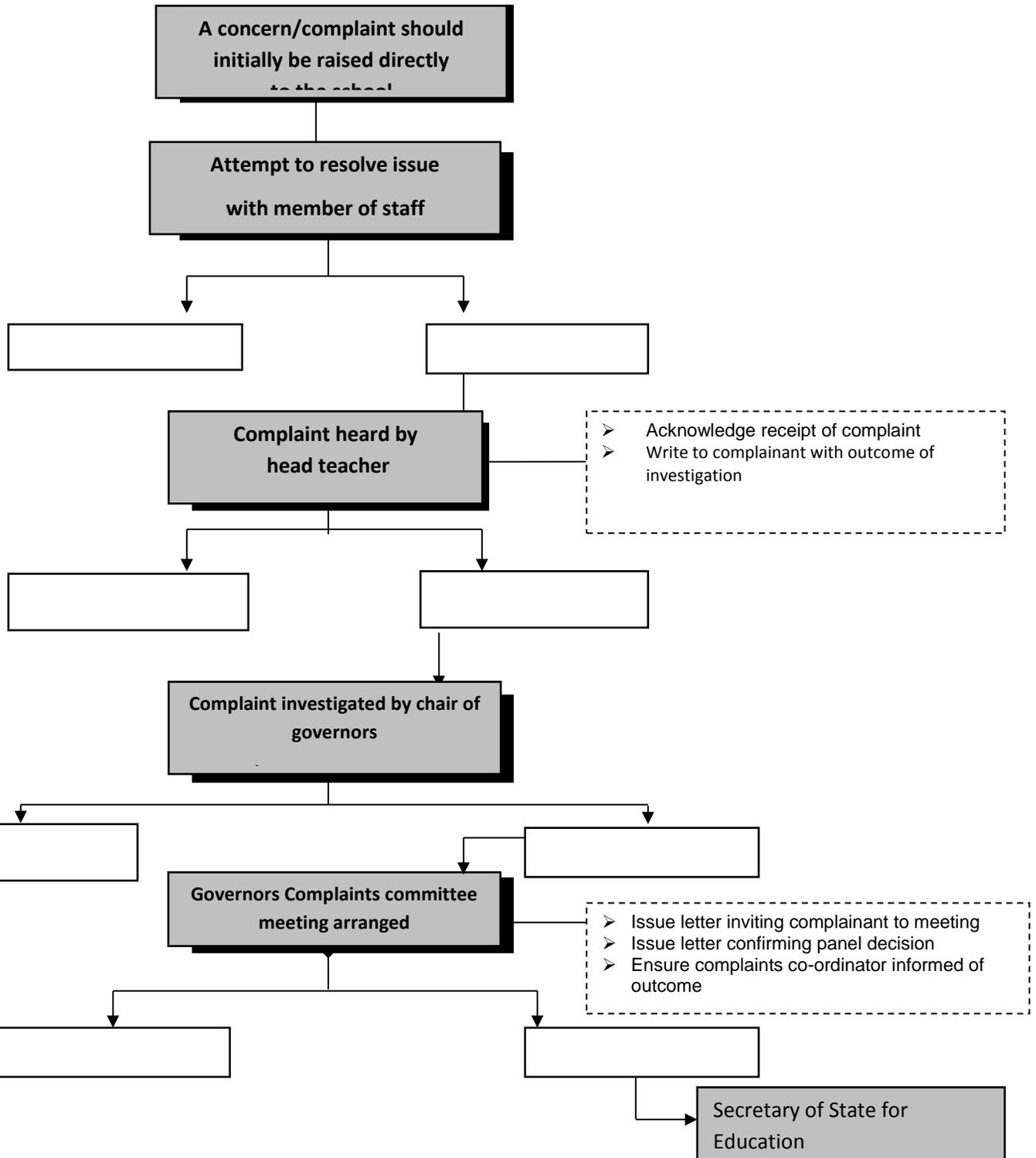
#### **Appendices –**

How to raise concerns or make a complaint about the school - Appendix A

Complaint form – Appendix B

Practical guidance for staff and governors on complaints handling – Appendix C

# Flowchart of Complaints



## Appendix A

### How to Raise Concerns or to Make a Complaint about the School

#### **If you have a Concern or Complaint**

We would like you to tell us about it. Be assured that no matter what the problem is, our support and respect for you and your child in school will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate properly an incident or problem that happened some time ago.

#### **What to do first**

Most concerns and complaints can be sorted out quickly by speaking with your child's class teacher/head of year. Any teacher or member of the administrative staff can put you in contact with the right member of staff.

If you have a complaint that you feel should be looked at by the head teacher in the first instance you can contact him/her straightaway if you prefer. It is usually best to discuss the problem face to face. You may need an appointment to do this, and can make one by ringing or calling into the school office. You can take a friend or relation to the appointment with you if you would like to.

All staff will make every effort to resolve your problem informally. They will make sure that they understand what you feel went wrong, and they will explain their own actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case they will come round to your point of view but it will help both you and the school to understand both sides of the question. It may also help to prevent a similar problem arising again.

#### **What to do next**

If you are dissatisfied with the initial response, or if you do not want to discuss the matter informally, you can make a complaint. This will need to be in writing. Contact the school office if you would like some help putting your complaint in writing.

You may find it helpful at this stage to have a copy of the full statement or the school's complaints procedure as this explains in details what processes are followed. *This is available from the school office and on the school website.*

If your complaint is about an action of the head teacher personally, then you should refer it to the chair of governors. Contact details can be obtained from the school office.

The head teacher will ask to meet you to discuss the problem. You may bring a friend or someone else for support. The head teacher will arrange a full investigation of the complaint and may interview any members of staff or pupils involved. You will receive a written response to your complaint.

#### **If you are Still Unhappy**

Most complaints are resolved at this stage. However, if you are still not satisfied you may wish to contact the chair of the governing body to ask for an investigation by the chair of governors or a referral of your complaint to complaints committee. It will then be heard by a group of two or four governors along with one completely independent panel member who have no previous knowledge of the problem and so will be given a fresh assessment. You will be invited to attend and speak to the panel at a meeting that the head teacher will also attend, you are fully entitled to bring someone along with you for support. The complaints procedure sets out in more detail

how these meetings operate.

**Further Action**

Complaints about school problems are almost always settled within schools but if they remain unresolved they can be referred to the Secretary of State for Education. The Department for Education will expect the complaint to have been considered by a panel consisting of at least one independent member alongside school governors first. Complaints about academies are handled by the Education Funding Agency (EFA) on behalf of the Secretary of State for Education. There is more detail in the full complaints procedure, on the school's website or on the Department for Education website ([www.education.gov.uk/schoolcomplaints](http://www.education.gov.uk/schoolcomplaints)).

**Complaint Form (*suggested template*)**

**Please complete and return to the school/academy office, marked 'CONFIDENTIAL' for the attention of the Head Teacher/Chair of Governors**

<b>Your name:</b>
<b>Pupil's name:</b>
<b>Your relationship to the pupil:</b>
<b>Address:</b>
<b>Postcode:</b>
<b>Daytime telephone number:</b>
<b>Evening telephone number:</b>
<b>Please give details of your complaint.</b>
<b>What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to and what was the response?)</b>

**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:**