

## COMPLAINTS PROCEDURE

*Last update: May 2017*

The aim of this procedure is to deal with complaints speedily and efficiently. This procedure applies to all aspects of the school's operation, including the actions of personnel and the content and delivery of the curriculum.

If this procedure is invoked, complainants will be kept informed of the progress of their complaint. At the end of the process, the aim is to ensure that if the complaint is not upheld, the complainant understands and accepts the school's actions and related procedures. If the complaint is upheld in whole or in part, one or more of the following will be offered:

- 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 should be noted that an acceptance that the school could have handled the situation better is not the same as an admission of negligence.

In many cases, taking initial concerns seriously and dealing with them in a speedy and sensitive way will avoid issues becoming formal complaints. Before invoking the procedure described below, it is hoped that parents will discuss the matter informally with the relevant teachers and/or the Headteacher in order to resolve the dispute.

At each stage, the person(s) investigating the complaint will (without unnecessary duplication):

- 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;
- respect people's desire for confidentiality;
- ensure that relevant correspondence, notes of interviews and records of the date, time and a summary of the content of telephone conversations are retained.

The Governing Body take complaints against the school very seriously. An outline of any formal complaints which are upheld will be reported to the full Governing Body by the Headteacher (upheld at Stage 1 or 2) or the Chair of Governors (upheld at Stage 3) at their next meeting.

### **Stage 1**

If a parent, guardian or child wishes to make a formal complaint, they should contact the school in writing. The letter should make clear that a formal complaint is being made and describe the nature of the complaint as clearly as possible.

The member of staff receiving the complaint will inform the Headteacher that the complaint has been received. The Headteacher will then decide whether the matter falls within the complaints procedure and which member of staff will deal with the complaint at this stage. In most cases, this will be the Headteacher or a Deputy Headteacher. The Headteacher will ensure that a letter is sent to the complainant within 2 school days acknowledging receipt of the complaint, confirming the name of the member of staff dealing with the complaint and outlining the next steps to be taken.

If the Headteacher considers that the matter falls outside the scope of this procedure, this will be explained together with advice as to how the matter will be dealt with.

The Headteacher or Deputy Headteacher dealing with the complaint will respond to the complainant in writing within 10 school days of receiving the written complaint. The response will include the decision reached, the reason for the decision and any action taken or proposed.

If the Headteacher is the subject of the complaint, then the parent or guardian should write directly to the Chair of Governors and the procedure will start at Stage 2 as described below with the Chair of Governors taking the place of the Headteacher.

## **Stage 2**

If the complainant is unhappy with the outcome at Stage 1, the Headteacher will inform the Chair of Governors that the complaint has been made. The complainant will be given the opportunity to discuss the matter with the Headteacher in order to bring the matter to a satisfactory conclusion. If such a meeting takes place, the complainant may be accompanied by a friend or representative. The opportunity for such a discussion will be made within 10 school days of the Headteacher receiving the complaint. A written response following the discussions at this stage will be provided to the complainant within 5 school days of a meeting involving the Headteacher and the complainant. If the offer of a meeting is not taken up by the complainant, the Chair of Governors and the Headteacher will discuss the matter and inform the complainant of their findings within 15 school days of complaint progressing to Stage 2.

If the complaint is against the Headteacher, and so passes straight to Step 2, the Chair of Governors will acknowledge the complaint, conduct an investigation, respond in writing to the complainant with their initial findings and offer to meet the complainant to talk this through. This will be done within 15 school days of the receipt of the complaint. The detail of how the investigation is done will depend on the nature of the complaint, but could include scrutiny of relevant school records and files; interviews with any staff and/or students involved and reference to relevant policies and procedures and statutory frameworks.

## **Stage 3**

If the complainant remains dissatisfied, the complaint will be formally considered by the Complaints Committee of the Governing Body. The complainant should write to the Clerk to the Governors in order to request such consideration within 10 school days of receipt of the written outcome of Stage 2. The Complaints Committee must be independent and impartial. It will include 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.

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 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.

The Complaints Committee will be clerked and the clerk will be contact point for the complainant. The clerk will 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.

Once they are in receipt of the existing papers, the Panel will conduct any further investigation they feel appropriate before the panel hearing takes place.

The complainant and the Headteacher (or Chair of Governor if the complaint concerns the Headteacher) will have the opportunity to express their positions at the hearing of the Complaints Committee. If the complainant does not wish to attend the meeting, information supporting the complaint may be submitted in advance of the meeting to the Complaints Committee. Such information must be submitted to the Clerk to the Complaints Committee at least two days before the meeting is scheduled to take place. The meeting of the Complaints Committee will take place within 10 days of the complaint being received by the Clerk to the Complaints Committee.

The order of proceedings for the Complaints Committee will be as follows:

- The chair of the committee will welcome the complainant and any accompanying friend or relative. The chair will then introduce those present.
- The complainant will be given the opportunity to restate the nature of the complaint;
- The complainant may be asked questions by the committee and by the Headteacher (CofG);
- The Headteacher may be asked to make a statement to the committee regarding the complaint and may be asked questions by the committee or by the complainant;
- The Headteacher (or Chair of Governors), complainant and any friend or representative will be asked to leave the meeting

The committee will consider the complaint and any other relevant information. They shall only reach a decision after the Headteacher (or Chair of Governors), complainant and any friend or representative have withdrawn from the meeting. The committee shall decide:

- to reject the complaint in whole or in part;
- to uphold the complaint in whole or in part;
- decide upon appropriate action to be taken to resolve the complaint;
- recommend changes to the school's system, policy or procedures to ensure that problems of a similar nature to not recur.

The Clerk to the Complaints Committee will inform the complainant and the Headteacher (or Chair of Governors if the complaint involved the Headteacher) of the decision in writing within 5 school days.

#### **Stage 4**

If the complainant is dissatisfied by the outcome of Stage 3, the complaint may be taken to the Education Funding Agency (EFA).

The responsibility of the EFA is to ensure academies comply with their funding agreements.

If a complaint goes to the EFA they will check whether the complaint has been dealt with properly by the academy. They will consider complaints about academies that fall into any of the following three areas:

1. where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint
2. where the academy is in breach of its funding agreement with the Secretary of State
3. where an academy has failed to comply with any other legal obligation

They will not overturn an academy's decision about a complaint. However, if they find an academy did not deal with a complaint properly they will request the complaint is looked at again and procedures meet the requirements set out in the Regulations.

If the academy's complaints procedure does not meet the Regulations, the EFA will ask the academy to put this right. They may seek to enforce the decision under the terms of the funding agreement on behalf of the Secretary of State, if appropriate.

Details of the role of the EFA are given on the DfE website at:

<http://www.education.gov.uk/aboutdfe/complaintsprocedure/b00212240/making-complaint-school>

Complaints about Academies should be made in writing to:

Department for Education  
Castle View House  
East Lane  
Runcorn  
Cheshire  
WA7 2GJ

or by using the complaints form available from the above page on the DfE website.

*Revised with reference to the:*

- *School Complaints Procedure Toolkit – DfE, 2014*
- *Procedure for dealing with complaints about Academies – DfE, Jan 2015*

*Associated policies:*

*Safeguarding*  
*Child Protection*  
*Behaviour and Discipline*  
*Search of Students and Confiscation*

*Approved by full Governing Body: 17 May 2017*