

COMPLAINTS PROCEDURE

Procedure for raising concerns or complaints

Introduction

We value our relationships with parents and other members of the community and we encourage you to contact us if you have any concerns about any matter concerning school.

MISSION

We provide a safe and inclusive learning environment where everyone is valued and encouraged to reach their full potential.

RATIONALE

Under Section 29 of the [Education Act 2002](#), Board of Trustees of all maintained schools in England have been required to have in place a procedure to deal with complaints relating to the school. The law also requires the procedure to be publicised.

There is a difference between a concern and a complaint; taking informal concerns seriously at the earliest stage will reduce the number that develop into formal complaints. The formal procedures will need to be invoked only when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

AIMS

We will endeavour to be fair, open and honest when dealing with any complaint and will always put the interests of our children above all else. We will give careful consideration to all complaints and we aim to resolve any complaint through dialogue and mutual understanding.

Our complaints procedure will:

- 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 all the points at issue and provide an **effective** response and **appropriate** redress;
- provide **information** to the school's senior leadership team and Trustees so that services can be improved.

CONCERNS

It has been our experience that most concerns can be resolved by a discussion either over the phone or in person.

We will

- Listen to any concern raised carefully
- Acknowledge any concern raised and respond as soon as possible.
- We undertake to keep the correspondent informed of progress if appropriate
- Respect any need for confidentiality
- Work to find a resolution that is satisfactory to all parties and is in the best interest of the students

Points of contact;

- House Tutor
- Subject Teacher
- Head of Department
- Head of House
- Pastoral Learning Mentor
- Assistant Headteacher
- Deputy Headteacher
- Headteacher

For issues concerning a particular student, the first port of call should be the House Tutor, Pastoral Learning Mentor or Head of House. For issues concerning curriculum subjects, the first port of call should be the classroom teacher or Head of Department.

The person you contact is likely to;

- Establish with you what has happened so far and who has been involved
- Clarify the nature of the concern and what remains unresolved
- Speak with you on the phone or meet with you
- Clarify what you feel would put things right
- Agree with you an appropriate course of action and timescale
- Interview those involved
- Keep an open mind
- Work to resolve outstanding issues (this may be in a number of different ways) as quickly and efficiently as possible
- Record what happens for future reference

Many concerns and complaints can be resolved quickly and informally. There are many occasions where issues are resolved immediately through the teacher or another member of staff, depending on the nature of the complaint.

RESOLVING COMPLAINTS

At each stage in the procedure schools will want to 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;
- explanation;
- admission that the situation could have been handled differently or better;
- assurance that the event complained of will not recur;
- explanation of the steps that have been taken to ensure that it will not happen again;
- undertaking to review school policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Vexatious Complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the GB is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school to respond.

It is important to note however that, should a complainant raise an entirely new, separate complaint, it must be responded to in accordance with the complaints procedure. It is not the complainant who is vexatious; it is the correspondence.

The school values contact with parents and will also strive to resolve any issues or concerns about all aspects of school life.

COMPLAINTS

It may be that in spite of our normal procedures for dealing with concerns, you still do not feel satisfied with the outcome or that initial attempts to resolve the issue are unsuccessful. If this is the case a complaint may be made and the following procedure will be used;

Stage 1

Contact a member of staff

The issue may be referred to another staff member or a line manager. The ability to consider the complaint objectively and impartially is crucial. Where the complaint concerns the Headteacher it can be referred to the Chair of Trustees, please address your complaint to the Chair of Trustees at the School.

Stage 2

If the complainant does not feel the matter has been resolved at an earlier stage or is still dissatisfied, a member of the Senior Leadership Team will hear and deal with the complaint.

Stage 3

If the complainant does not feel the matter has been resolved at an earlier stage or is still dissatisfied, the **Headteacher** will hear and deal with the complaint. The Headteacher may delegate the task of collating information to another member of staff but not the decision on the action to be taken.

Stage 4

If the matter is still not resolved satisfactorily a **formal** complaint may be made to the **Chair of Trustees (or nominated Trustee)**. The Chair of Trustees (or nominated Trustee) will work to resolve the matter in liaison with the Headteacher.

Stage 5

If, after all these measures have been taken, the matter is not satisfactorily resolved, a complaint may be made to the **Board of Trustees Complaints Appeal Panel**. The complaint would need to write to the Clerk to the Trustees, who will convene a meeting of the panel.

The Clerk to the Trustees will be the contact point for the complainant and will;

- Set the date, time and venue, ensuring the dates are convenient to all parties
- Collate any written material and send it to the parties in advance of the hearing
- Record the proceedings
- Notify all parties of the panel's decision

Notes for guidance:

The Board of Trustees Complaints Appeal Panel

An individual complaint would not be heard by the whole Board of Trustees at any stage since this would compromise the impartiality of any panel set up for review.

The Board of Trustees will nominate a number of members from whom an individual panel; of three or five people can be drawn.

Remit of a Complaints Appeal Panel

The panel can;

- Dismiss the complaint in whole or part
- Uphold the complaint in whole or part
- Decide on appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur

Note

The appeal panel is impartial and independent and must be seen to be so.

No Trustee may sit on the panel if they have had prior involvement in the complaint or the circumstances surrounding it.

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 Chair of the Appeal Panel will ensure that;

- The remit of the panel is explained to all parties
- Each party has the opportunity to put their case and ask questions
- The issues are addressed
- The panel is open-minded and acts independently
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement at an earlier stage in the procedure
- The complainant is notified of the panel's decision in writing within 2 days of the panel hearing

Check list for a panel hearing

The panel must take the following points into account:

- the hearing is as informal as possible;
- after introductions, the complainant is invited to explain their complaint (with the support of parent partnership or other advocate if required);
- the panel members and head teacher (or Chair of Trustees) may ask questions;

- the head teacher (or Chair of Trustees) is then invited to explain the school's actions (with support of Deputy Headteacher, SENDCo (Special Educational Needs and Disabilities Co-ordinator) or other supporter if required);
- the panel members or complainant may ask questions;
- the complainant is then invited to sum up their complaint;
- the head teacher (or Chair of Trustees) is then invited to sum up the school's actions and response to the complaint;
- the chair of the panel explains that both parties will hear from the panel within 3 working days;
- both parties leave the meeting while the panel decides on the issues.

General Notes

- Where the first approach is made to a Trustee, that Trustee should refer the matter to the appropriate person in the school
- Trustees must be aware that they should not get involved in the early stages in case they are needed to assist on a review panel later in the procedure.

Investigating Complaints

The person investigating the complaint will make sure that they:

- 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;
- Keep notes of the interview.

Resolving Complaints

At each stage in the procedure as a school we want to 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;
- Explanation;
- Admission that the situation could have been handled differently or better;
- Assurance that the event complained of will not recur;
- Explanation of the steps that have been taken to ensure that it will not happen again;
- Undertaking to review school policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings in order to create a positive atmosphere in which to discuss any outstanding issues. We are committed to considering and resolving complaints as efficiently as possible. We will keep records of the progress of the complaint and will inform the complainant of the final outcome in writing.

Unresolved complaints

From 1 August 2012 complaints not resolved by the school that would have been considered by the Local Government Ombudsman or the LA should be addressed to the Secretary of State for Education.

The Secretary of State or another member of the Department's ministerial team can be contacted by email at: ministers@education.gsi.gov.uk or by telephone: 020 7925 5065

Reference

Cheshire West and Chester County Council School Complaints Procedure guidelines have been taken into consideration in this policy.

Name of Policy	Complaints Procedure
Reviewed on	14.3.2018
Date of next planned review	Spring 18/19