

Complaints Policy

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Complaints Policy

Principles

Woodlands School is an open school which positively welcomes and actively encourages a home - school partnership. In that context information about the school is sent home on a regular basis, parents are encouraged to discuss issues with the relevant member of staff and the Headteacher. Parents are encouraged to discuss any issues at an early stage rather than the situation escalating. Through this ethos of openness, and through the systems in place, we would hope that any complaints are dealt with quickly on an informal basis rather than formal procedures having to be invoked. Our aim is for us all to work together to maximise pupil achievement. Whilst complaints about the school or staff at the school are very few it is important that we have a procedure in place which deals with complaints which is clear, systematic, transparent and efficient. The procedures set out in this document must be regularly communicated to parents. They must feel that the school listens. Although outside the scope of this policy it is also important that pupils have an avenue for expressing their views and concerns. These avenues exist through School Council, Year Councils, Heads of Year, Group Tutors and the Senior Management Team.

Scope of Policy

This policy is designed to deal with complaints that are concerned with the internal management of the school. Legislation exists which sets out procedures for parental complaints about breaches of law or not following regulations. Topics included in this category will include curriculum provision including RE and collective worship, implementation of the National Curriculum and its associated assessment programme, reporting to parents, qualifications offered, National Curriculum disapplication, exclusions, charging policy, admissions, provision of information and SEN disputes but may also include other issues. In the case of disputes on these legislative issues parents would first of all contact the school but if the matter is still not resolved then they have recourse to the Academy Trust and ultimately The Secretary of State for Education.

Stage 1 : The First Contact

- 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 to identify at this point what sort of outcome the parent is looking for.
- 1.2 If the member of staff first contacted cannot immediately deal with the matter, he/she makes a clear note of the date, name, 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. He/she will check later to make sure the referral has been dealt with.
- 1.4 If the matter is brought to the attention of the Headteacher, he/she may decide to deal with the concerns directly at this stage.
- 1.5 The staff member dealing with the matter should make sure that the parent is clear what, if any, action or monitoring of the situation has been agreed. (Although not always necessary, consideration should be given to confirming in writing what has been agreed - either by letter or a copy of a file note.)

- 1.6 Where no satisfactory solution has been found within ten days, parents are asked if they wish their concern to be considered further. If so they are advised to write to the Headteacher or, if the complaint relates to the Headteacher, to the Chair of Governors.

Stage 2 : Formal involvement of the Headteacher

- 2.1 The Headteacher (or designate) acknowledges the complaint in writing within three working days of receiving the written complaint. The acknowledgement gives a brief explanation of the school's complaints procedure and a target date for providing a response to the complainant - normally within ten working days. If thereafter it is not possible to respond within the ten days a letter is sent explaining the reason for the delay and giving a revised target date.
- 2.2 Ordinarily the Headteacher (or designate) provides an opportunity for the complainant to meet with him/her to supplement any information provided previously. It should be made clear to the complainant that he/she may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or her behalf. The Headteacher (or designate) may be accompanied by an advisor if the circumstances warrant this.
- 2.3 Where necessary, following the meeting, the Headteacher (or designate) will interview witnesses and take statements from those involved. If the complaint centres on a pupil the pupil concerned and others present at the time should be interviewed. Pupils would normally be interviewed with parents/guardians present unless this would seriously delay the investigation of a serious/urgent complaint or where a pupil has specifically said he/she would prefer that parents or guardians were not involved. In such circumstances another member of staff with whom the pupil feels comfortable should be present. If the complaint is against a member of staff, he/she must subsequently be allowed to explain his/her version of events.
- 2.4 The Headteacher (or designate) must keep written records of all meetings and telephone conversations - which should be signed and dated - and other related documentation.
- 2.5 Once all the relevant facts have been established, the Headteacher (or designate) may wish to meet the complainant to discuss/resolve the matter directly. In any event a written response should always be sent, including a full explanation of the decision and the reasons for it. Where appropriate, the letter will indicate what action the school will take to resolve the complaint. The complainant must be advised that should he/she wish to take the complaint further he/she should notify the clerk to the governors/designated governor within five weeks of receiving the letter.
- 2.6 If a complaint is against the action of a Headteacher (or if the Headteacher has been very closely involved at Stage 1) the designated governor will carry out all the Stage 2 procedures.

Stage 3 : Consideration by the Governing Body

- 3.1 When the Chair of Governors receives notice of a complaint, he/she will decide whether it appears appropriate to seek an informal resolution to the issue.
- 3.2 If so, the designated governor will:
either telephone and/or meet with the parent/guardian to hear their side of the story;
talk to the Headteacher to hear the other side of the story;
discuss with the Headteacher how the issue might be resolved;

agree with the Headteacher whether it would be helpful for the governor to act as facilitator/mediator between the head and the parent;

seek to resolve the matter to the satisfaction of both the Headteacher and the parent;

- 3.3 If the Chair of Governor decides that action as at 3.2 is not appropriate in the circumstances, or having tried this approach the matter is still not resolved, then he/she must write to the parent to let him/her know that the matter will be referred to the complaints review panel. The letter should also explain that the complainant has the right to submit any further documents relevant to the complaint.

Complaints Review Panel *

- 3.4 According to the arrangements concerning membership¹ of the complaints review panel as agreed by the governing body, the clerk to the governors will seek to convene the panel within 20 working days.
- 3.5 The clerk will ask the Headteacher to prepare a written report for the panel in response to the complaint. The head should additionally ask members of staff directly involved in matters raised by the complainant to prepare reports.
- 3.6 The clerk to the governors will write and inform the complainant, Headteacher, any relevant witnesses, and members of the panel at least five working days in advance of the date, time and place of the meeting. All relevant correspondence, reports and documentation about the complaint should be included with the letter. The complainant should also be informed of his/her right to be accompanied to the meeting by a friend/representative/advocate. The letter will also explain how the meeting will be conducted and the complainant's right to submit further written evidence to the panel.
- 3.7 Subject to the prior agreement of the chairman of the panel, the Headteacher may invite members of staff directly involved in matters raised by the complainant to attend the hearing.
- 3.8 It is the responsibility of the chairperson of the panel to ensure that the meeting is properly minuted.
- 3.9 The aim of the meeting should be to resolve the complaint and achieve a reconciliation between the school and the complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations which will satisfy the complainant that his or her complaint has at least been taken seriously.
- 3.10 The panel should remember that many parents are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the panel. The chairman of the panel will therefore ensure that the proceedings are as informal as possible.
- 3.11 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.

- 3.12 The meeting should allow for:
the complainant to explain his/her complaint and the Headteacher to explain the school's response;

the Headteacher to question the complainant about the complaint and the complainant to question the Headteacher and/or other members of staff about the school's response;

panel members to have an opportunity to question both the complainant and the Headteacher;

any party to have the right to call witnesses (subject to the approval of the chairman) and all parties having the right to question all the witnesses;

final statements by both the complainant and the Headteacher.
- 3.13 The chairperson of the panel will explain to the complainant and the Headteacher that the panel will now consider its decision, and that written notice of the decision will be sent to both parties within two weeks. The complainant, Headteacher, other members of staff and witnesses will then leave.
- 3.14 The panel will then consider the complaint and all the evidence presented in order to:
reach a unanimous, or at least a majority, decision on the complaint;
decide upon the appropriate action to be taken to resolve the complaint;
where appropriate, recommend to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.
- 3.15 A written statement outlining the decision of the panel will be sent to the complainant and Headteacher. The letter to the complainant should explain whether a further appeal can be made, and if so, to whom.
- 3.16 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.
- * Note that, on the grounds of possible bias, the Chair of Governors would subsequently be ineligible to sit on a complaints review panel but would be able to give evidence to the panel. The review panel would be made up of at least three governors who have not been in any way involved in the incident or the complaint investigation.
- 1 The panel members must be governors with no prior involvement with the complaint. If he/she has not previously been involved, the chairman of the governing body should chair the panel; otherwise the vice-chairman should do so. It is not appropriate for the Headteacher to sit on the panel. The advantages of having a parent governor on the panel should be considered.

Appendices

Appendix 1

Model letter where a complaint is made against a member of staff

(Initial acknowledgement of a concern)

Dear

Concern about member of staff

Thank you for letting me know of your concern about (.....). I am looking into the matter and will contact you again within the next ten working days to let you know how it is progressing.

Yours sincerely,

(Name)

Headteacher/Chair of Governors/Delegated Governor

(Following action taken:)

Dear

Concern about member of staff

Further to your letter about (...), I am writing to let you know that I have dealt with the matter in accordance with the appropriate procedures (and following the advice of the school's Personnel Adviser / our legal adviser).

If you wish to discuss the matter further, please let me know.

Yours sincerely,

(Name)

Headteacher / Chair of Governors / Delegated Governor

Appendix 2

Model letter informing complainant of the closure of a complaint

Dear

Complaint about (nature of complaint)

Further to your complaint and the action we have taken to address it, I am writing to inform you of our decision to close communications with you on this matter.

The school and governing body regret having to take this formal step. We are confident that we have done everything possible to try to resolve the problem but it is clear that we cannot do this to your satisfaction.

The continuing attention that you are asking us to give this matter is drawing on time and energy that we feel we need to direct towards the interest of all pupils and the school as a whole. For this reason we will not be pursuing the matter any further.

(We have kept the local education authority (LEA) (and the Diocese) informed of this case and they are in agreement with the decision to close the case at this time).

Yours sincerely,

(Name)
Chair of Governors

Model letter informing complainant of a ban, or warning of a ban from the school building or premises.

Dear

(Warning of an impending ban:)

I regret having to write to you in such a formal way but the governing body has decided that we may have to ask you not to enter the school building (school premises) in future if your current intimidating behaviour continues.

(Notification of an actual ban:)

I regret that I must inform you that the governing body has decided that we must ask you not to enter the school building (school premises) until further notice as your behaviour is intimidating to members of the administrative and teaching staff, as well as to the pupils. The Local Government Act regarding behaviour on school premises entitled us to take this action.

(In either case:)

We accept that you have concerns about (detail) and we are willing to discuss it with you in a reasonable and open manner. We cannot, however, allow you to continue to disrupt the smooth running of the school. If you would like to telephone the school office to arrange an appointment, we will be pleased to meet with you.

(If the complainant is persistently flouting a ban:)

We wrote to you previously to ask you not to enter the school building (premises). You have not complied with this request and so we have no choice but to take legal action to restrain you from continuing to disrupt the school by your enforced entry.

Yours sincerely,

5th June 2017

Signed: _____
Head Teacher

Dated: _____

Signed: _____
Chair of Governors

5th June 2017
Dated: _____

Updated June 2017

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