



School Policy 32 - Complaints

This policy is being reviewed by Governors on 16th March 2016 – and subject to their final approval then.

This policy is the responsibility of the Full Governing Body.

The person in the school who prepares the text of this policy for the Governors is the Headteacher.

It will next be reviewed in February 2019.

Introduction

Our aim as a school is to do things so well that there is never any need for a complaint. Knowing through our Christian faith, however, something of our fallen and flawed human nature, we know also that there is sometimes cause for complaint and that sometimes such a complaint is justified. Mistakes can be made, even when intentions are good. In a school community of over 100 staff and 800 pupils, many things can go wrong and some of them do. We have to endeavour, therefore, to be alert to what has not been done as it should have been and determined to do everything we can to put it right. We have to have the humility to recognise what was not done well and what needs to improve.

This policy sets out how the school responds to any complaint which is made, whilst also acknowledging that problems which do arise do not usually start as complaints, but are, at first, concerns, which ought to be handled, if at all possible, without the need for formal procedures. We endeavour to take informal concerns seriously at the earliest stage and minimise the numbers that develop into formal complaints. We are also keen that our complaints procedure does not in any way undermine our efforts to resolve concerns informally. In most cases the class teacher or form tutor will be the first point of contact for concerns. We hope that teachers and other staff are able to resolve such issues on the spot, including apologising where necessary.

Formal procedures have to be followed when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. The school has nominated the Headteacher's PA, to have responsibility for the operation and management of the school complaints procedure.

Rationale

Our Complaints Procedure (which is summarised for parents and carers in Appendix A) aims to:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and simple to understand and use;
- be impartial and show as much understanding as possible of the reason for the complaint;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality;
- address all points at issue;
- provide an effective response and an appropriate resolution;
- provide information to the school about how things can be improved.

Resolving complaints: at each stage in the procedure the school wants 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;

- 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.

Complainants are 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.* We want to 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 It is possible that all stages of the procedures are followed and that still the complainant remains dissatisfied. If he/she tries to reopen the same issue, the Chair of Governors has to inform them in writing that the procedure has been exhausted and the matter is now closed.

Responsibilities

- The Governors are responsible for this policy and for reviewing its effectiveness.
- The Headteacher is responsible for implementing this policy and for ensuring both that staff are aware of the procedures for dealing with a complaint and that they adhere to them.
- Other senior leaders support the Headteacher with implementing the policy correctly.
- All those staff with middle leadership responsibilities (teaching and support staff) may have to handle complaints relating to their area of the school.
- Anyone who complains is expected to do so respectfully and courteously and to give the school and Governors a proper opportunity to respond to their complaint fully.

Principles

In practice at Archbishop Tenison's the Complaints Procedure has four stages -

- **Stage 1:** The complaint is received by the Head of Department or Head of Year or person responsible for the particular aspect of the school's work to which the complaint relates.
- **Stage 2** The complaint is received by one of the school's Assistant Headteachers, the School Business and Development Manager or, in certain circumstances, where other staff have already been directly involved with the matter concerned, by the Deputy Headteacher. At this stage an investigation is conducted into the circumstances of the complaint by one of the school's Senior Leadership Team; a meeting is held with the complainant, once the facts have been established and an appropriate outcome agreed.
- **Stage 3** A formal complaint is made by letter and received by the Headteacher. The letter sets out why the complainant remains dissatisfied and what outcomes he/she is seeking. Serious concerns about the behaviour of a staff member are included in those matters which are referred directly to the Headteacher. Examples of serious concerns include those involving violence, anything of a sexual nature or persistent bullying or humiliation.
- **Stage 4** In the event that the complainant is not satisfied that the school and the Headteacher have not dealt satisfactorily with the matter, as referred to, the complaint is made to the Governors of the school through a letter to the Chair of Governors c/o the School within 10 school days of the response from the the Headteacher to the previous formal complaint. This letter explains why the complainant remains dissatisfied and what outcomes he/she is seeking.

At all stages the following principles apply:

- the Headteacher's PA is informed of any complaint which is received by the school.
- the school acknowledges receipt of the complaint within 48 hours and informs the complainant who will be dealing with it.
- the person responsible for dealing with the complaint ensures that any necessary investigation is carried out before responding directly to the complainant by letter, through a telephone conversation or at a meeting arranged for this purpose.
- where a meeting is held to review the complaint the school follows this with a letter summarising its response to the complaint within 7 days of this meeting.

At **Stage 4** the Governors' Complaints Panel normally consists of three people none of whom will have been previously involved in dealing with the complaint. The Clerk to the Governors communicates to the complainant when the complaint is to be considered. If a meeting with the complainant and others involved is considered appropriate, seven days' notice is given of the meeting. The panel chooses its own chair, makes its decision in private and writes to the complainant afterwards with their findings and any recommendations. It should be recognised that the Governors' panel hearing is the last school-based stage of the complaints procedure. As such it is not convened merely to rubber-stamp previous decisions.

Unresolved complaints: If all attempts to resolve the complaint have been unsuccessful, the complainant may refer the complaint to the Secretary of State for Education at the Department for Education (DfE), Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

Records of complaints - the school records the progress of the complaint and the final outcome. At the end of a meeting or telephone call, the member of staff ensures that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record. The Headteacher's PA co-ordinates complaints, is responsible for the records and holds them centrally. In accordance with the Race Equality Policy, complaints relating to racial or racist incidents are logged separately. Where there is an issue which affects the safeguarding of a young person, this is referred directly to the school's Designated Safeguarding Lead and any record kept appropriately confidential.

Review, monitoring and evaluation

The Governing Body monitors the level and nature of complaints and reviews the outcomes annually to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole Governing Body does not name individuals. The monitoring and review of complaints by the school and Governors can be a useful tool in school self-review.

Appendix A

Archbishop Tenison's C.E. High School

COMPLAINTS PROCEDURE – Guidance for parents and carers

There may be an occasion when you need to tell us that something has gone wrong. If you have a serious concern about the safety or welfare of your child or another student it should be dealt with under our Child Protection procedures. All other complaints, including those that may point to poor practice by a member of staff, will be dealt with firstly through the Complaints Procedure.

You should take any **serious concerns** about the behaviour of a staff member directly to the Headteacher. Examples of serious concerns include those involving violence, anything of a sexual nature or persistent bullying or humiliation. Otherwise, the Complaints Procedure has three stages.

Stage 1

You may firstly speak to the Head of Department or Head of Year. For example, your child may have told you that she has been upset by Mrs X shouting at her. If you are able to telephone, or come into school at an agreed time to speak to the Head of Department or Head of Year, you may be able to resolve your worries. A brief record of any telephone calls, meetings and agreed actions will be kept. If speaking to this member of staff does not resolve the issue, you should then move to Stage 2.

Stage 2

You should now discuss your complaint with the Assistant Headteacher for your child's year group or Deputy Headteacher. You can do this by telephone, letter, or arrange to meet at the School. The Assistant Headteacher or Deputy Headteacher may need to make enquiries into your concern, including speaking with any people involved. You will want the member of staff to find out what has happened, and the time this takes will depend on a number of things. The member of staff will agree with you the date by which she or he will contact you again. At this second contact, the Assistant Headteacher or Deputy Headteacher will either tell you that enquiries are continuing, or report that enquiries are complete and offer a suggested resolution.

Stage 3

Complaints rarely reach this formal level but should you need to, you should make a formal complaint to the Headteacher within 10 school days of the decision from the school.

Your letter to the Headteacher needs to set out why you remain dissatisfied and what outcomes you are seeking.

Stage 4

If you consider your complaint should be dealt with by the Governing Body you may write a letter to the Chair of Governors c/o the School within 10 school days of your telephone conversation or meeting with the Headteacher. Your letter to the Chair of Governors needs to set out why you remain dissatisfied and what outcomes you are seeking.

At all stages the following principles apply:

- the Headteacher's PA is informed of any complaint which is received by the school.
- the school acknowledges receipt of the complaint within 48 hours and informs the complainant who will be dealing with it.
- the person responsible for dealing with the complaint ensures that any necessary investigation is carried out before responding directly to the complainant by letter, through a telephone conversation or at a meeting arranged for this purpose.
- where a meeting is held to review the complaint the school follows this with a letter summarising its response to the complaint within 7 days of this meeting.

A Governors' Complaints Panel will normally consist of three people none of whom will have been previously involved in your complaint. They will let you know when your complaint is to be considered. If a meeting with you and others involved is considered appropriate, you should be given seven days' notice. The complaints panel will make their decision in private and write to you with their findings and any recommendations within seven school days.

If all attempts to resolve the complaint have been unsuccessful, for most schools you may refer your complaint to the Secretary of State for Education at the Department for Education (DfE), Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

APPENDIX B – The role of the Governors' Panel

Individual complaints will not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The remit of the Complaints Appeal Panel is as follows:

- The panel can dismiss the complaint in whole or in part;
- It can uphold the complaint in whole or in part;
- It can decide on the appropriate action to be taken to resolve the complaint;
- It can recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

There are several points any Governor sitting on a Complaints Panel needs to remember:

- The hearing has to be independent and impartial and seen to be so. No Governor with a prior involvement in the complaint or the circumstances around it may sit on the panel.
- The aim of the hearing, held in private, is to resolve the complaint and achieve reconciliation between the school and the complainant. However, the complainant still might not be satisfied with the outcome if the hearing does not find in their favour.
- An effective panel acknowledges that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel Chair has to ensure that proceedings are as welcoming as possible. The layout of the room sets the tone; the setting should be informal and not adversarial.

The **Chair of Governors** has to check that the correct procedure has been followed and, if a hearing is appropriate, notify the clerk to arrange the panel.

The clerk is the contact point for the complainant and is 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 and notify all parties of the panel's decision.

The Chair of the panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed and key findings of fact are made;
- parents and others not used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with respect and courtesy;
- the panel is open minded and acting independently; no panel member has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure; each side has the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.
- ensuring that the complainant is notified of the panel's decision, in writing within 7 days.

APPENDIX C

COMPLAINT FORM

Please complete and return to the Headteacher's PA who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Mobile telephone number:

Email address:

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint? Whom did you speak to and what was the response?

Time Line- Complaints Procedure

Stage 1 timeline:

- Parents should have an opportunity for informal discussion of their concerns with an appropriate member of staff. This discussion should aim to clarify the nature of the parent's/carer's concern and assure them that the school wishes to hear about it. The discussion should also aim to clarify what kind of outcome the parent/carer is seeking.
- If the member of staff contacted cannot deal with the matter immediately, he/she should make a firm arrangement to deal with it at a future date or refer the matter to the Headteacher or another appropriate member of staff. In either case a note of the name, date and contact details of the complainant should be taken. The first person contacted should check to make sure the referral has been successful. Parents will receive a response within **48 hours**.
- The Headteacher will ensure that staff are provided with guidelines about when to refer a matter and who to.
- Should the matter not be resolved within **7 school days** or in the event that the member of staff and the parent fail to reach a satisfactory resolution, then parents/carers , will be advised to proceed with their complaint in accordance with **Stage 2 of** this procedure .

Stage 2 timeline:

- Headteacher to meet with parents within **3 working days** of receiving the complaint. If possible a resolution will be reached at this stage, within **14 days in term time** and **28 days** if the school has received the letter **during the school holidays**.

Stage 3 timeline: – Formal Complaint to the Complaints Panel (if parents are still not satisfied with the decision they should be in stage 3 of the Procedure)

- Upon receipt of a written request from the complainant for the complaint to proceed to **Stage 3**.
- The following procedure will be followed. A suitable clerk to the panel should be appointed and a complaints panel formed, comprising of at **least 3 members**.
- The clerk should write acknowledging receipt of the written request, informing the complainant that it will be heard by the panel as soon as possible but at least within **14 school days of receipt**.
- The clerk should convene a meeting of the complaints panel at a time which is convenient for the complainant of the school.
- The clerk should ensure that the complainant, Headteacher and any other witnesses are given at **least 5 school days' notice in writing**, of the date, time, and place of the hearing. A shorter timescale may be arranged if all parties are in full agreement.
- The letter of notification to the complainant should inform him/her of their right to be accompanied by another adult if they so wish.
- All relevant documents should be received by all parties (including the complainant) at **least 5 days before the meeting of the panel**. This provides adequate opportunity to read them prior to the start of the meeting.

- The Headteacher should try to ensure that the proceedings are sufficiently informal to allow the complainant and other participants to feel at ease.
- At the conclusion of the representations and questions the Headteacher should explain that the panel will consider the issues and write to both parties with their decision or judgement. The complainant will be informed of the outcome of a full investigation within **28 days**.