

## **COMPLAINTS PROCEDURE**

### **Rationale**

This policy has been written to inform complainants of the procedures to follow should they wish to make a complaint. The governors recognize the value of setting down clear procedures so that any complaints are resolved as swiftly as possible.

### **Policy**

The aim of the school policy is to outline the stages that complainants should follow in the case of a complaint.

### **Guidelines**

#### **1 General Principles of Complaints**

All complaints should be dealt with as quickly and efficiently as possible.

Where the school receives an anonymous complaint there is no duty to pursue the matter. However, the school will consider such complaints and decide whether the complaint justifies further investigation.

#### **2 Formal Procedures**

These will need to be used when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

#### **3 Framework of Principles**

Our complaints procedure will aim to:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible to all;
- be simple to understand and use;
- be impartial;
- be 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 people's desire for confidentiality;

- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide information to the school's senior management team so that services may be improved.

#### **4 Investigating Complaints**

At each stage, the person investigating the complaint will ensure 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 if upheld following investigation;
- 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.

#### **5 Resolving Complaints**

A three stage process for considering complaints is in operation.

**Stage 1:** It is expected that the majority of complaints will be resolved at Stage 1 informally, through discussion with the appropriate people. If all concerned are satisfied the complaint will have been addressed.

**Stage 2:** If they are not satisfied with an informal procedure the complainant should be given a copy of the school's complaints procedure and should put their complaint in writing to the Headteacher. At this stage the complaint will be investigated by the Headteacher or member of SLT. If satisfied the complainant should say so and the matter is at an end. If they are not satisfied the complainant should be advised to put their complaint in writing to the Chair of Governors.

**Stage 3:** At this stage the complaint will be considered by a Governors' Complaints Appeal Panel. It will be considered, investigated and action will be determined by the governors who will inform the complainant of their decision in writing. Further guidance for the panel is attached.

At each stage in the procedure, the person investigating the complaint, should keep in mind ways in which a complaint may 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 procedures in light of the complaint.

## **6 Vexatious Complaints**

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 governing body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

## **7 Time-Limits**

Complaints need to be considered, and resolved, as quickly and efficiently as possible. An effective complaints procedure will have realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

## **Monitoring, Evaluation and Review**

- 1 The Senior Leadership team will monitor the policy.
- 2 The Senior Leadership team will triennially review and evaluate the effectiveness of the policy.

## **Dissemination of the Policy**

The policy will be available on the school website, on request to parents or others, the LA and Ofsted through the Principal. A copy of the policy will also be available for staff in Staff Files, School Policies.

Date approved by governors	Feb 2020
Date for review	Feb 2023

## **The Remit of the Governors' Complaints Appeals Panel**

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the 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.

There are several points which any governor sitting on a complaints panel needs to remember:

- It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in 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.
- An effective panel will acknowledge 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 will ensure that the proceedings are as welcoming as possible.
- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- The governors sitting on the panel need to be aware of the complaints procedure.

## **Roles and Responsibilities**

### **The Role of the Clerk**

The panel or group of governors considering complaints must be clerked. The clerk would be the contact point for the complainant and 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.

### **The Role of the Chair of the Governing Body or the Nominated Governor**

The nominated governor role:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the clerk to arrange the panel;

### **The Role of the Chair of the Panel**

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;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- each side is given 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.

## **Notification of the Panel's Decision**

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

## **Checklist for a Panel Hearing**

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The headteacher may question both the complainant and the witnesses after each has spoken.
- The headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.