

## COMPLAINTS POLICY

### Introduction

Raising concerns and resolving complaints

Any person, including members of the public, may make a complainant about any provision of facilities or services that a school provides, unless statutory procedures apply (such as exclusions or admissions). School must not limit complaints to parents or carers of children that are registered at the school. However, anonymous complaints will be dealt with under a different procedure.

The procedure is devised with the intention that it will:

- Usually be possible to resolve problems by informal means
- Be simple to use and understand
- Be non-adversarial
- Provide confidentiality
- Allow problems to be handled swiftly
- Address all the points at issue
- Inform future practice so that the problem is unlikely to recur.

### Aims of the Policy

- To deal with any complaint against the school or any individual connected with it by following the correct procedures.
- To deal with all complaints thoroughly and by being open, honest and fair when dealing with the complainant.
- To work with other schools and the Local Authority to share good practice in order to improve this policy.

#### a) Investigating complaints

Schools must ensure that at each stage, the person investigating the complaint:-

- Establishes what has happened so far
- Identifies who has been involved
- Understands the nature of the concern or complaint
- Knows what issues remain unresolved
- Have contacted the complainant to establish and clarify information
- Have spoken to or interviewed those involved as required
- Conducts meetings with an open mind and be prepared to persist with questioning and finding the answer
- Keeps accurate records of the complaint including notes of any meetings, discussions and if required arrange for a minute/note taker.

#### b) Resolving complaints

Schools must acknowledge and register complaints from complainants. The possible outcomes of a complaint will be one or more of the following (this list is not exhaustive):-

- An apology
- An explanation of what actually happened, clarification of the facts
- An admission that the situation could have been handled differently or more appropriately
- An assurance that the event complained of will not reoccur
- 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.

c) Dealing with vexatious complaints

On occasions, despite all stages of the procedures having been followed, the complainant continues to be dissatisfied. If the complainant tries to reopen the same issue, the Chair of the School Governing Body 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 a new, separate complaint, it must be responded to in accordance with the school complaints procedure.

### **Complaints Procedure**

In order to resolve any complaints in a speedy and satisfactory way, parents should follow the following procedure:

#### Stage 1 Talk to the teacher

1. First of all make an appointment to see the class teacher. The class teacher will know your child well and may know the details of any incident about which you may have a concern. Please see the teacher before, or after, the school teaching. It is hoped you can reach an agreement that satisfies you and the school. If you cannot then you can go to stage two.

#### Stage 2 – Meet a member of the Strategic Leadership Team (SLT) or the Head Teacher

2. This can only happen if you have been through Stage One. However, we do recognise that some complaints may go straight to the head teacher because of the nature or seriousness of them.

The school office will arrange for you to meet with the head teacher or another senior member of staff, who will investigate the complaint. The school will then write to you within five working days of the meeting setting out its response. It is hoped that the decision will satisfy you. However if you cannot accept what the school says, then go to Stage Three.

#### Stage 3 – Go to the Governors

3. This can only happen if you have been through both Stage One and Stage Two. If you feel that your complaint has not been properly dealt with then you should write to the Chair of Governors, Ms Alex Rhys-Jones with details of the complaint, within ten working days of getting the head teacher's decision. This should be through the school office.

### **The Stages of a Complaints Procedure**

Schools and nurseries must have in place a complaints procedure which is clearly defined. The information below summarises each stage of the process. Below is a model which schools can adopt that sets out 4 stages of a school complaints procedure that includes 3 formal stages..

a) Stage 1 – Informal

The complaint is dealt with by an appropriate staff member or designated Stage 1 Complaints Officer (who is not the subject of the complaint).

In the vast majority of cases, a concern can and should be resolved by contacting the appropriate member of staff. This may be the class teacher, Year Group Lead, assistant head or other designated staff member directly involved with the reported problem.

The initial communication from the complainant to the member of staff may be by letter, telephone conversation or in person by appointment. The complainant must allow the designated staff member at least 5 days to respond to the concern.

If this does not lead to a resolution of the problem then the concern/complaint must be referred to the next stage of the process which is the commencement of the formal process.

b) Stage 2 – Formal (if unresolved at Stage 1)

The complaint is heard by a member of SLT or the Head Teacher.

If the complainant is dissatisfied with the response from the member of staff at Stage 1 they should be advised to put their complaint in writing to the Head Teacher who will deal with it formally at Stage 2. Where the Head Teacher is the subject of the complaint, the complainant should be advised to address it to the Chair of Governors. If the complaint is being dealt with by the Chair of Governors this will bypass Stage 2 and go to Stage 3 of the formal procedure and heard by the Chair of Governors or other appropriate person.

The complainant must ensure that they include details of why they are still dissatisfied and what action they would like to resolve the complaint. They can also attach any evidence to support their concerns.

The Head Teacher must acknowledge the complaint within 5 days by writing to the complainant. The acknowledgement should state a further communication will follow, within 20 school days that will set out the actions taken to investigate the complaint and the findings.

The Head Teacher can delegate another senior member of staff to carry out the investigation and report their findings to them. The Head Teacher will then reach a conclusion based on the investigation. All notes relating to the investigation should be kept on file. The investigating officer may feel it necessary to meet with the complainant. If this happens, then notes should be produced of the meeting.

The investigating officer will then compile a report detailing their findings. Any recommendations or actions proposed must be considered by the Head Teacher.

Once satisfied that the investigation has been concluded and a decision has been reached, the Head Teacher must notify the complainant in writing of the conclusion and any actions that will be taken as a result. The decision can be communicated by the Head Teacher to the complainant in writing or, if they may feel it appropriate, meet with them first to communicate their findings and then confirm in writing afterwards.

The complainant must also be informed if they are still dissatisfied with the outcome they can write to the Chair of Governors or other appropriate person outlining why they are still unhappy.

c) Stage 3 – Formal (if not resolved at stage 2)

The complaint is heard by the Chair of Governors or other appropriate person for academies and free schools (this will be delegated to the vice-chair or other nominated governor/person if appropriate).

If the complainant is dissatisfied with the response from the Head Teacher at Stage 2 they should be advised to put their complaint in writing to the Chair of Governors or other appropriate person for academies or free schools for consideration at Stage 3 of the procedure.

The complainant must ensure that they include details of why they are still dissatisfied with the decision, the recommendations and actions of the Stage 2 complaint and what they require to resolve the matter. They may also attach any evidence to support their concerns that can be additional to that submitted at Stages 1 and 2.

The Chair of Governors must write to the complainant within 5 days of receipt of the complaint to acknowledge this. The letter should state that another letter will follow within 20 school days setting out the actions taken to investigate the complaint and the findings.

The Chair of Governors will look at all the information pertaining to the complaint submitted by the complainant and the investigatory evidence by the school at Stages 1 and 2. The Chair may want to talk with the complainant or investigating staff members to establish facts and obtain further information.

Once satisfied that the investigation has been concluded and a decision has been reached on the complaint, the Chair of Governors will notify the complainant in writing of the conclusion.

The conclusion could be:

- The evidence indicates that the complaint was substantiated and therefore upheld
- The complaint was substantiated in part and what action will be taken
- The complaint is not substantiated by the evidence and therefore not upheld

The complainant is also informed if they are still dissatisfied they can write to the Governing Body directly via the school or, Governor Services or School Management

Support at Newham Partnership Working outlining why they feel the complaint is unresolved.

d) Stage 4 – Formal (if not resolved at Stage 3)

The complaint is heard a committee of Directors. This is the final stage of the process..

If the complainant is dissatisfied with the response from the Chair of Governors (or Vice-Chair) at Stage 3 they should be advised that the next stage is to put their complaint in writing to the MAT Directors (care of CEO Rebekah Iyambo) at Stage 4.

The complainant must ensure that they include details of why they are still dissatisfied with the decision of the Chair, recommendations and actions of the Stage 3 complaint and what they feel would resolve the matter. They can also attach any evidence to support their concerns in addition to that submitted at Stages 1, 2 and 3.

The complaint will be acknowledged within 10 school days.

The complaint is considered by a panel of Directors who form a complaints appeal panel. The panel must be independent and impartial. No Director may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. The panel must have a cross-section of categories of governors and sensitive to the issues of race, gender and religious affiliation. If appropriate the panel can be made up of governors from another school. Complaints should not be shared with the whole governing body/board of directors, except in very general terms

The panel must convene a meeting to discuss the complaint and all the investigation evidence to make a final decision on how to progress. A clerk should be appointed to take notes of the meeting and records must be kept. A useful checklist for a panel hearing is attached in Appendix 2.

The head teacher has a statutory duty for the internal organisation and management of the school, which they must carry out in accordance with any rules, regulations or policies laid down by the governing body. Therefore the remit of governors' consideration of a complaint about a matter of internal organisation and control will be as to whether the head teacher has followed any relevant school policies; it is not to substitute its own operational judgement for that of the head teacher.

The panel can decide:

- To convene a meeting with the complainant. If a meeting is to be convened, the person chairing the meeting either the Chair or Vice-chair (whomever did not deal with the complaint at Stage 3), will write to the complainant to acknowledge the complaint within 10 school days. The letter would also include the date, time and venue of the convened meeting to hear the complaint.
- Decide on the appropriate action to be taken to resolve the complaint
- For non-complex complaints, not to meet with the complainant, but to use all the information available to them and make a decision on the complaint as there is enough information to allow for a decision to be made.

Possible outcomes for the Panel

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Recommend changes to school systems or procedures to ensure that similar do not occur

An outcome letter will be sent to the complainant within 20 school days of the meeting.

### **FURTHER INFORMATION**

The outcome letter from the School Complaints Panel exhausts the Stage procedures. If the complainant is dissatisfied with the process, they are able to contact:

The Secretary of State for Education,  
The School Complaints Unit (SCU)  
Department for Education  
2nd Floor, Piccadilly Gate  
Manchester

The SCU will examine if the school complaints policy and any other relevant processes were followed. The SCU will also examine policies to determine if they adhere to education legislation. However, the SCU will not re-investigate the substance of the complaint.

Complaint forms available at the School Office