



## **Complaints Policy**

Date Released: 16<sup>th</sup> March 2018

## The School's Complaint Co-ordinator

The School's Complaint Co-ordinator is the Head Teacher.

## The Staged Approach

The staged approach is designed to ensure that every effort is made to deal with complaints informally at school level and in partnership with parents. The formal stages should only be triggered in exceptional circumstances.

- Stages 1, 2 and 3 are informal stages, which are dealt with at school level.
- Stages 4, 5, 6 are formal stages, involving the Governing Body (The Hearings Committee), the LA and the Secretary of State.

This policy is designed to manage all complaints. Complaints vary in their nature and complexity. Therefore the school will need to consider at which stage a complaint should be dealt with when it is initially raised and which member of staff is best placed to deal with it.

### Our principal aim is to deal with complaints:

- Openly
- Fairly
- Promptly
- Without prejudice

### Our procedures for dealing with complaints will:

- Be publicised on the School Website
- Be simple to understand and use
- Be focused on outcomes
- Have established time limits for action
- Keep people informed at all stages
- Where necessary, respect people's desire for confidentiality
- Be carefully monitored and evaluated.

## Complaints Procedure

### An Overview

<b>Stage One</b> Meet and/or speak to the relevant class tutor
<b>Stage Two</b> Meet and/or speak to a member of the Senior Leadership Team
<b>Stage Three</b> Meet and/or speak to the Head Teacher
<b>Stage Four</b> Discuss with the Chairperson of the Governing Body, a nominated Governor or an LEA Officer
<b>Stage Five</b> Refer formally, in writing, to the Chairperson of the Governing Body. Governors will convene a panel (The Hearings Committee) to hear the complaint
<b>Stage Six</b> Refer to the Secretary of State

## Guidance on the Staged Approach to Managing Complaints

There are seven stages to this procedure:-

- Stages 1, 2 and 3 are **informal**
- Stages 4, 5, 6 are **formal**

Any person expressing continued dissatisfaction should be advised of the next stage in the procedure.

### Stage One: Meet and/or speak to the relevant Class Tutor

- Complainants are advised to speak to the class tutor concerned so that everyone has a clear picture of the situation from all points of view. Most problems can be resolved at this informal stage.
- Complainants would only speak to the class tutor if that member of staff was not the subject of the complaint. In this case the complainant would need to speak to the relevant member of the SLT and go to Stage 2.
- The member of staff who is dealing with the complaint should ensure that the person is reassured that the matter will be investigated and is clear what action has been agreed. All staff should be aware of the need for confidentiality.
- If either the complainant or staff member feels the matter needs to be taken further, the relevant member of the SLT should be contacted.
- Records of any actions should always be kept although it is not always necessary to provide the complainant with a written record at this stage. The Senior Leader Teacher will monitor these records.

### Stage Two: Meet and/or speak to a member of the SLT.

- If the concern is more serious, the complainant is dissatisfied with the outcome, or those concerns that remain unresolved at the end of Stage 1 should be referred to a member of the SLT. He/she will then investigate the matter further. Any meetings that are held with the complainant in relation to the complaint should be arranged within ten school days.
- Complainants would only speak to the Senior Leader if that member of staff was not the subject of the complaint. In this case the complainant would need to speak to the Head Teacher and go to Stage 3.
- A log of all contacts relating to the complaint should be kept.
- The Senior Leader should communicate the outcome to the complainant either verbally or in writing. In some cases, the agreed actions should be put in writing.
- If, as a result of the investigation, issues arise relating to staff discipline or capability, **details should remain confidential to the Head Teacher**. However, the complainant should be informed that the school has taken appropriate follow-up action.

### Stage Three: Meet and/or speak to the Head Teacher

- 🌱 More serious complaints or those that remain unresolved at the end of Stage 2 should be referred to the Head Teacher. He/she will then investigate the matter further. Any meetings that are held with the complainant in relation to the complaint should be arranged within ten school days.
- 🌱 Complainants would only speak to the Head Teacher if she was not the subject of the complaint. In this case they would need to speak to the Chair of the Governing Body and go to Stage 4.
- 🌱 A log of all contacts relating to the complaint should be kept.
- 🌱 The Head Teacher should communicate the outcome to the complainant either verbally or in writing. In some cases, the agreed actions should be put in writing.
- 🌱 If, as a result of the investigation, issues arise relating to staff discipline or capability, **details should remain confidential to the Head Teacher**. However, the complainant should be informed that the school has taken appropriate follow-up action.

### Stage Four: Discussion with the Chair of the Governing Body, a nominated Governor or an LEA Officer

- 🌱 If matters still remain unresolved the Head Teacher will refer the matter to the Chair of the Governing Body.
- 🌱 If the complaint is about the Head Teacher, the complainant should refer the matter to the Chair of the Governing Body.
- 🌱 The Chair of the Governing Body may decide to:
- 🌱 Refer the complaint to a nominated governor in case he/she is needed to sit on the formal Hearings Committee at Stage 5.
- 🌱 Request that an LA Officer be appointed to investigate the complaint and make recommendations to the Hearings Committee at Stage 5. This is an option for the Governing Body if it is faced with the investigation of a particularly complex complaint. In such cases the Governing Body might feel that they lacked the capacity to investigate the complaint as objectively and systematically as possible and necessary.  
  
In this case the Governing Body would still have ownership of the complaint process and the Hearing Committee would respond to the complainant based on the advice given by the investigating officer.
- 🌱 The Governor or LA Officer will explore the matter further. This may involve meeting with the complainant and/or member of staff. The outcome and agreed actions should be recorded. The complainant should be informed of the outcome within ten school days.
- 🌱 If the complainant is not satisfied with the outcome, move to the formal stage of the Complaints Procedure.

## Stage Five: Formal Complaint to the Chair of the Governing Body

If a complainant has ignored the informal stages and referred a matter immediately to the Chair of the Governing Body, the Chair may decide initially to revert to Stage 2 and ask the Head Teacher or a senior leader to investigate.

- 🌱 Governors should only proceed with the formal stage of the Complaints Procedure if they have received a complaint in writing addressed to the Chair of the Governing Body and all previous stages have been exhausted. However, it is important that this does not disadvantage people who may experience difficulty with putting their complaint in writing.
- 🌱 The Clerk should send a copy of the acknowledgement of the complainant's written complaint to the Governing Body within five school days.
- 🌱 It is essential that this process is fair and objective. **To avoid a conflict of interest, it is vital that the full Governing Body does not hear the complaint at this stage.** Any Governor who has been involved with the complaint at an earlier stage would be unable to give objective consideration to the issue.
- 🌱 The Clerk to the Governing Body will convene the Hearings Committee (a panel of 3 Governors) who have not previously been involved in the complaint. This Committee will meet within 15 school days of receiving the complaint.
- 🌱 If the complaint relates to a staff disciplinary or capability matter about which the Head Teacher has already taken action, the Governors should focus on how the original complaint was managed to avoid prejudicing any on-going disciplinary or capability procedures.
- 🌱 The Head Teacher and complainant should be informed of the Panel's decision within ten school days.

## Stage Six: Refer to the Secretary of State

Complainants who believe that their concerns have not been addressed by the Governing Body can make a further representation or appeal to the Secretary of State.

## Managing and Recording Complaints

### Investigating a Complaint

During the course of an investigation into a complaint, members of staff will:

- 🌳 Try to ensure that the complaint is put in writing in either letter format or by using the Schools' Complaint Form (**see Appendix A**)
- 🌳 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 all interviews with an open mind and be prepared to persist when questioning;
- 🌳 Keep notes of all interviews, meetings and telephone conversations relating to the investigation.

### Resolving a Complaint

- 🌳 At each stage in the procedure the school will 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 will be encouraged to state what actions they feel might resolve the problem at any stage.
- 🌳 Members of staff will clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.
- 🌳 Members of staff will use the Staff Guide to managing complaints (**see Appendix C**).
- 🌳 The Governing Body will refer to the Complaints Guidance for Governing Bodies (**see Appendix B**)

### Time Limits

Complaints will be considered, and resolved, as quickly and efficiently as possible. However, where further investigations are necessary, new time limits can be set and the complainant will be sent details of the new deadline and an explanation for the delay.

## Recording Complaints

- 🌱 The school will record the progress of the complaint and the final outcome. At the end of every meeting or telephone call, members of staff will ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.
- 🌱 The Senior Admin Officer will be responsible for the complaint record whilst the complaint is being investigated. Once the complaint has been resolved and a response sent to the complainant the completed records will then be held centrally within the school office.
- 🌱 Copies of all letters sent in response to or regarding a complaint will be kept on file (*see Appendix D - Sample Letters*)

## Governing Body Review

The Governing Body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole Governing Body will not name individuals.

## Publicising the Procedure

The school's Complaints Procedure is published on the School website.



## APPROVAL & ADOPTION

This policy was formally approved and adopted at a Full Governing Body Meeting held on:

---

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

## UPDATE SCHEDULE

<b>Version</b>	<b>Date</b>	<b>Reason for Update</b>
1.00	01/11/05	First Version of Policy
2.00	13/07/09	Amendments in line with current management structure and general typing/grammar changes
3.00	01/09/09	Complete revision in line with current guidance
3.01	20/11/12	Amendments in line with current management structure and general typing/grammar changes
3.02	08/01/15	Amendments in line with current management structure and general typing/grammar changes
4.0	29/03/18	Revision in line with new guidance.



**Appendix A**

**Complaint Form**

Please complete and return to Alison Maddison-Roberts.....(complaints co-ordinator) 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:**

**Please give details of your complaint.**

**What action, if any, have you already taken to try and resolve your complaint.  
(Who did you speak to and what was the response)?**

**What actions do you feel might resolve the problem at this stage?**

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

## Appendix C

### Complaints Policy Good Practice Guidance for School Staff

#### **What is a Complaint?**

A complaint is an expression of dissatisfaction, whether made orally or in writing. It is important to distinguish between differences of opinion (e.g. about policies and procedures in school), the very natural concern of parents and carers for their children and real complaints. The model procedure makes it clear that those in school are usually best placed to help resolve concerns and complaints. Where possible if a member of staff can resolve a complaint on the spot, they should do so, including apologising where necessary.





The manner in which complaints are handled is crucial to achieving a successful resolution. Recognition, by all school staff, of parents' sensitivity, and sometimes over-sensitivity, about their child(ren) is very important. At the same time it is essential that all staff are protected from the over-reaction and abusive attitude adopted by a minority of parents when they have grievances. It is, therefore, essential that all staff are aware of the internal procedure for dealing with complaints and that all health and safety considerations are met (e.g. not meeting with parents whilst alone in the building).

Sometimes complaints involve the reporting of racist incidents. It is important that these are addressed promptly and sensitively. The LEA has issued separate guidance on the recording and reporting of racist incidents.





Complaints concerning Child Protection issues should be managed according to the advice given in the County LEA's Child Protection Procedures Manual.

#### **Why do Parents Complain?**

Parents and carers may make complaints for a number of reasons, some of which may seem trivial, but all are important to the complainant. These reasons include:-

-  Greater government and media emphasis on education, causing parents to be more questioning and schools and the LEA to be more accountable.
-  A litigation-conscious society in which there is an expectation that people will fight for their rights, as they perceive them.
-  Misunderstandings by stressed and anxious parents.
-  On-going personal feuds between children and families which can lead to vexatious and frivolous complaints.

#### **Practical Suggestions**

-  Make it very clear to parents that it is vital to talk about any issues which arise, as and when they happen, rather than store them up until they reach a flashpoint. Parents need to be reminded that their concerns are taken seriously and that staff will always respond by investigating and/or explaining.
-  It is very natural to feel defensive and dismayed whenever someone announces that they want to make a complaint, but it is important to remember that if there is a genuine issue, it is better to resolve it immediately rather than allow it to recur.
-  Opinions about the school are spread by word of mouth and it is important to be seen to be responsive, making it clear that things are not "swept under the carpet". This can have a huge effect on individual complaints and on the parent's future attitude towards the school.
-  Always deal with complaints as quickly as possible. Grievances can fester if left too long without response or explanation.

- Make sure policies and procedures are readily available for parents to read, if required.
- Keep a log of everything (i.e. copies of letters, dates of incidents, notes of telephone calls etc.) and keep parents informed of progress in investigating their complaint. A follow-up call or informal meeting, to confirm that the issue has been resolved satisfactorily, is usually worthwhile.
- Whatever the nature of the complaint, in most cases parents will be anxious and a sympathetic hearing can make all the difference, even if the complaint is felt to be unfounded.
- It is possible to let someone know how sorry you are that they are distressed about an issue without admitting any fault, so "I'm sorry you are upset about this" is preferable to "I'm sorry this has happened" until an investigation has taken place.
- If an obvious mistake has been made, a genuine apology, given as soon as possible, will often defuse any anger quickly and effectively. It is important that staff do not see the giving of an apology as a weakness, but rather as an honest response in the belief that we all get things wrong sometimes.
- However time-consuming a complaint may be, it usually saves time in the long run to invest that time at the beginning. Making sure that the complainant has time to express his/her anxieties, preferably in a quiet place where they can sit down and feel that their complaint is being given full attention, is very important.
- Some complaints are, by their very nature, impossible to resolve. Alternatively, some parents may find it difficult to accept the outcome of the school's investigation. In such cases, it is crucial that the complaints procedure has been followed carefully so that this cannot be open to question.
- If the school receives a complaint that may lead to media interest, call the Education Press Office based at County Hall in Maidstone.

### Investigating a Complaint

- 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 the school should 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.

- 🌱 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.

### **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.

### **Recording Complaints**

***The school's Complaint Co-ordinator is the Head Teacher.***

A complaint may be made in person, by telephone, or in writing. A copy of our complaint form can be found in at the end of this guidance. At the end of every meeting or telephone call, members of staff should ensure 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 Complaints Co-ordinator is responsible for the complaint record whilst the complaint is being investigated. Once the complaint has been resolved and a response sent to the complainant the completed records will then be held centrally within the school office.

### **The Role of the Local Education Office**

When dealing with complaints from parents, the Local Education Office has a duty to:

- 🌱 Refer the matter back to the school to be dealt with at the appropriate level.
- 🌱 Offer advice and information to schools and parents on request.
- 🌱 Provide details of procedures and statutory duties etc. as requested.
- 🌱 Investigate the complaint, and the background to the complaint, fully and impartially when requested to do so (Stage 4 only).

LEA Officers may also assist with formal complaints at the invitation of the Governing Body. Complaint panels meet only rarely and many Governing Bodies will have little or no experience of the procedure. LEA officers are available to support Governors with this process and their involvement may help to reassure the complainant that everything has been carried out correctly and fairly, even if the complainant dislikes the outcome. The Chairman of the Governing Body should make a request for the support of an LEA Officer to the Area Education Officer.

Appendix D

**Standard Letters**

These letters are provided as a guide only.

**Initial Response**

Dear

Thank you for coming to see me about .....

I can assure you that the matter you have raised will be fully looked into within the school. As you know, we always try to deal with any parental concerns as quickly and thoroughly as possible and I will contact you again by ..... to let you know the outcome.

Thank you again for bringing this matter to my attention.

Yours sincerely,

**Response after Investigation**

Dear

Further to our meeting on ....., I have now had an opportunity to look into your concerns. The results of my investigations are:-

I hope you are satisfied that the matter has now been dealt with appropriately. If, however, you feel that your concerns have not been fully addressed, you may wish to contact the Chair of the Governing Body.

Yours sincerely,



## Advising Complainant about the Complaints Panel Meeting where Complainant is not invited in person

Dear

Thank you for your letter dated ..... indicating that you wish to make a formal complaint about Elms School.

I am now writing to advise you that the School Governing Body Hearings Committee will be meeting to discuss your complaint in order to reach a decision which produces a fair and reasonable outcome in the circumstances. The Committee will consist of three governors who have had no prior involvement with the complaint.

The Committee will be discussing in full all the points made in your formal letter of complaint. They will not be able to consider any new issues which have not been made available to the Committee prior to the meeting. Please ensure, therefore, that any additional papers that you would like considered at the meeting are sent to me by .....

May I take this opportunity to assure you that the Hearings Committee will listen carefully to both your views and those of the School, and will make every effort to find a mutually acceptable solution to the situation which has led to your complaint.

Yours sincerely,

## Invitation to Meeting with Governors at Stage 5

Dear

Thank you for your letter dated ..... indicating that you wish to make a formal complaint about Elms School.

I am now writing to invite you to a meeting with the School Governing Body Hearings Committee to discuss your complaint and to reach a decision which produces a fair and reasonable outcome in the circumstances. The Committee will consist of three governors who have had no prior involvement with the complaint. You may wish to bring a friend or relation to the meeting.

The meeting will be held on *(date)* at *(time)* at *(location)*. We shall be discussing in full all the points made in your formal letter of complaint. We will not be able to consider any new issues which have not been made available to all the participants prior to the meeting. Please ensure, therefore, that any additional papers that you would like considered at the meeting are sent to me by .....

May I take this opportunity to assure you that the Hearings Committee will listen carefully to both your views and those of the School, and will make every effort to find a mutually acceptable solution to the situation which has led to your complaint.

Yours sincerely,