



**NEWENT COMMUNITY SCHOOL
AND SIXTH FORM CENTRE**

**COMPLAINTS POLICY AND PROCEDURE
FOR PARENTS AND CARERS**

Governor Group : EXECUTIVE

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COMPLAINTS PROCEDURE AND POLICY

For Parents and Carers

1. INTRODUCTION

Governing bodies are required by law to have a procedure in place to deal with complaints relating to aspects of the school or the provision of facilities or certain services at the school. The procedure outlined in this document is based upon current Department for Education guidance.

A complaint can be brought by a parent of a registered child at the school or any person who has been provided with a service or a facility at the school.

IS IT A 'COMPLAINT'?

It is important that everyone connected with our school feels able to raise concerns or seek further clarification with members of staff without formality, either in person, by telephone or in writing. Whilst the following procedures have been put in place to deal with formal complaints, it is hoped that, in the majority of instances, where a concern has been raised with a member of staff, it will be resolved to the satisfaction of all parties involved without the need for formal procedures. Even when a complaint has been made it can be resolved or withdrawn at any stage.

At first it may be unclear whether a complainant is asking a question or expressing an opinion rather than making a formal complaint. Therefore we advise that a potential complainant seek a preliminary discussion about an issue to help decide whether he or she wishes to take it further.

The complainant is encouraged to discuss their concern with the appropriate member of staff. This will usually be a class teacher, Head of Subject, Head of House or Vice Principal.

- The complainant may bring a friend/representative to this initial discussion.
- The member of staff dealing with the concern should make sure that the complainant is clear what action (if any) or monitoring of the situation has been agreed.

Where no satisfactory solution has been found, the complainant should be informed that s/he will need to consider whether to make a formal complaint in writing to the Principal. A concern or unresolved problem becomes a complaint only when the complainant asserts that a school has acted wrongly in some significant decision, action or failure to take action, and the complainant remains dissatisfied and wishes to take the matter further using the formal complaints procedure.

Any complaint or concern that suggests that a child has been, or is at risk of significant harm through violence, emotional abuse, sexual abuse or neglect should be referred without delay through the school's safeguarding processes. If Gloucestershire Social Services decide to investigate a situation this may postpone or supersede investigation of the complaint by the school.

2. FORMAL COMPLAINTS PROCEDURE

Throughout this procedure every effort should be made to achieve a positive resolution to the issue as quickly as possible and avoid involving the parent/carer, and the school, in a lengthy formal procedure.

The formal Complaints Procedure has three stages: -

Stage 1 - Complaint heard by the member of the Senior Leadership Team linked to the area of concern

Stage 2 - Complaint is heard by the Principal

Stage 3 - Complaint is heard by a Governing Body Complaints Appeal Panel

However, if a complaint that involves a member of staff is of a significant and serious nature (e.g. physical assault) it will be dealt with through the Staff Disciplinary Procedure. If the complaint concerns the Principal, the complainant should contact the Chair of Governors.

- **Stage 1 – Complaint heard by relevant member of the Senior Leadership Team**

A complaint may be made in person, by telephone, email or in writing. Irrespective of how the complaint is received, we advise that the complainant complete a copy of the Complaint Form (copy attached). Although completing this form is not a requirement it does ensure consistency and aid record keeping.

At Stage 1 the complaint is dealt with by the member of the school's Senior Leadership Team (SLT) who has oversight responsibility for the area about which the complaint has been made. Their role is to:

- acknowledge receipt of the complaint in writing
- inform the Principal of the complaint and keep them informed of the progress of the investigation and the outcome
- keep a chronological log of their actions throughout the entire process
- clarify the nature of the complaint and what remains unresolved;
- produce a chronological activity log of what has happened so far and who has been involved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- explain the complaints procedure and provide a copy for the complainant – ensuring they are aware that the complaint is being dealt with formally at Stage 1
- 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 any interview or meeting;
- reply to or contact the complainant;

This process should take no longer than ten working school days from the receipt of the complaint. Where further investigations are necessary, new time limits should be set and the complainant sent details of the new deadline and an explanation for the delay.

If an approach is made to a governor, the next step is to refer the complainant to the appropriate person in the school and advise them about the procedure. Governors must not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage. It is also possible that the Governor, on hearing the complaint, is not in possession of the full facts of the issue.

- **Stage 2 – Complaint heard by the Principal**

At this point, the complainant may be dissatisfied with the way the complaint was handled at Stage 1, as well as pursuing their initial complaint. The complainant can then request to escalate the complaint to Stage 2. This will be actioned by SLT member who dealt with Stage 1 who will inform the Principal. The SLT member will then inform complainant in writing / by e-mail that the complaint has been progressed to Stage 2.

The Principal will review the action taken by the relevant member of the SLT and repeat any stage which the Principal feels is appropriate. The Principal may delegate the task of collating the information to another staff member but not the decision on the action to be taken. This process should be completed within ten days of the complaint being taken to Stage 2 and the Principal should then contact the complainant, notifying them of the outcome.

- The Principal will provide an opportunity to meet with the complainant to supplement any information previously provided.

- If the complaint is against a member of staff, the Principal will talk to and if necessary take a written statement from the staff member against whom the complaint has been made.
- If necessary, the Principal will interview witnesses and take statements from those involved.
- The Principal will keep reasonable written records of meetings, telephone conversations and other documentation.
- Once all the relevant facts have been established, the Principal will produce a written response to the complainant. The Principal may wish to meet the complainant to discuss/resolve the matter before confirming the outcome in writing.
- The written response will include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action the school will take to resolve the complaint.

- **Stage 3 – Complaint heard by the Governing Bodies Complaints Appeal Hearing**

The complainant should write to the Chair of Governors giving details of the complaint. Upon receipt of the letter the Chair will send, within 3 working school days, an acknowledgement and commitment to investigate the complaint. The Clerk will then convene a panel for a Complaint Appeal Hearing. The panel will consist of at least three members (usually two Governors and one member who is independent of the management and running of the school – i.e. not a Governor or a member of staff). Members of the panel must have no detailed previous knowledge of the case. The panel will meet within 10 working school days from acknowledgement of the complaint.

The complainant and Principal will be invited to attend the meeting. The date and time of the meeting should be convenient to the complainant and the Principal, within reason. The notification will inform the complainant of his/her right to be accompanied to the meeting by a friend/representative. It will also explain how the meeting will be conducted and of the complainant's right to submit further written evidence to the committee.

The aim of the meeting will be to resolve the complaint and achieve reconciliation between the school and the complainant.

The Clerk to the Governors will: -

- set the date, time and venue for a hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible. The complainant may request a neutral venue if desired.
- 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 meeting of the CAC is the last school-based stage of the complaints process. 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. If the Principal and/or the complainant wish to call witnesses, the agreement of the Chair of the CAC will be obtained in advance of the meeting. If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interest of natural justice to adjourn the meeting so that the other side has time to respond to new evidence. However, submission of late evidence and/or witnesses at the meeting will not be accepted unless there is a good reason for the lateness.

The panel shall:

- determine whether the complaint should be upheld or not, or that some parts are upheld and not others;
- determine whether appropriate action has been taken in response to the complaint;
- make any appropriate recommendations regarding complaint handling and any action to be taken in response to the complaint.
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

The outcome of the panel meeting

The Chair of the Panel will ensure that the complainant is notified of the panel's findings and recommendations in writing within 5 working school days. The letter will be sent by post, electronically or otherwise given to the complainant and where relevant the person complained about. The letter will explain if there are any further possibilities to appeal.

This stage of the procedure will take longer than the previous stages because of the need to convene a meeting of governors. Our aim is to complete the process from receipt of complaint to notification of result as quickly as possible, but within a maximum of four working weeks.

If a complaint has reached this stage, once process has been completed, it will be tabled at the appropriate group meeting to;

- a. Ensure any recommendations are implemented
- b. Review - could it have been avoided?

If it is deemed that a policy/procedure/protocol is either not fit for purpose or not clear or not followed, it will be immediately reviewed rather than waiting for next review date.

3. VEXATIOUS COMPLAINTS

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, 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.

4. MONITORING COMPLAINTS

The Principal will monitor formal complaints and report in line with policy arrangements to the Governing Body, maintaining the anonymity of the complainant and any staff involved.

5. CONFIDENTIALITY

All correspondence, statements and records of complaints will be kept confidential.

**NEWENT COMMUNITY SCHOOL AND SIXTH FORM CENTRE
COMPLAINT FORM FOR PARENTS AND CARERS**

Please complete and return to Alan Johnson, Headteacher, who will acknowledge receipt and explain what action will be taken.

Your name:
Student's name:
Your relationship to the student:
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.
What outcome are you hoping for by raising this complaint?
Signature: _____ Date: _____
Official use Date acknowledgement sent: _____ By who: _____ Stage 1 Complaint referred to: _____ Date: _____ Resolved or Stage 2 Stage 2 Complaint referred to: _____ Date: _____ Resolved or Stage 3 Stage 3 Complaint referred to: _____ Date: _____ Outcome: