



**NEWENT COMMUNITY SCHOOL  
AND SIXTH FORM CENTRE**

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

**Trustee Group: FULLTRUSTEE BOARD**

**Type of Policy: STATUTORY**

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# COMPLAINTS PROCEDURE AND POLICY

## For Parents and Carers

### Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Newent Community School and Sixth Form Centre about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

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 Even when a complaint has been made it can be resolved or withdrawn at any stage.

### The difference between a concern and a complaint

- A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.
- A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that concerns are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Newent Community School and Sixth Form Centre takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

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.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Principal, will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Newent Community School and Sixth Form Centre will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

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.

### **How to raise a concern or make a complaint**

Complainants should not approach individual trustees to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

Complaints against school staff (except the Principal) should be made in the first instance, to Mrs Dawn Burke (the Principal) via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Principal should be addressed to Mr Chris Germaine (the Chair of Trustees), via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Trustees, any individual trustee or the whole trustee board should be addressed to Mrs Jodie Gourlay (the Clerk to the Trustees) via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

### **Anonymous complaints**

We will not normally investigate anonymous complaints. However, the Principal or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

### **Time scales**

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

### **Complaints received outside of term time**

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### **Resolving complaints**

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

At each stage in the procedure, Newent Community School and Sixth Form Centre wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Throughout this procedure we will make every effort 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.

### **Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

### **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.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Newent Community School and Sixth Form Centre will take to resolve the complaint. The member of the school's Senior Leadership Team will also advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

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

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can 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 Trustee Board Complaints Appeal Hearing**

The complainant should write to the Chair of Trustees 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 Trustees and one member who is independent of the management and running of the school – i.e. not a Trustee 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 Trustees 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 Governing Body Complaints Appeal Hearing 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 Complaints Appeal Hearing 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 of the Complaints Appeal Hearing 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 Complaints Appeal Hearing**

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 trustees. 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;

- Ensure any recommendations are implemented
- 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.

### **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.

### **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.

### **Next Steps**

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. However, they will consider whether Newent Community School and Sixth Form Centre has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for Education

Piccadilly Gate

Store Street

Manchester

M1 2WD.

**NEWENT COMMUNITY SCHOOL AND SIXTH FORM CENTRE**

**COMPLAINT FORM FOR PARENTS AND CARERS**

Please complete and return to Mr Rhys Phillips, Acting Principal, 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:	
<i>Official use</i>		
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:

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Newent Community School and Sixth Form Centre other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>Admissions to schools</li> <li>Statutory assessments of Special Educational Needs</li> <li>School re-organisation proposals</li> </ul>	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Gloucestershire County Council 01452 425000</p>
<ul style="list-style-type: none"> <li>Matters likely to require a Child Protection Investigation</li> </ul>	<p>If you are worried or concerned about anyone under 18 who you think is being abused or neglected, or that a child and their family need help and support, please contact Gloucestershire Safeguarding Children Board.</p> <p>01452 42 6565 Option 1 - Urgent Concerns 01452 42 6565 Option 3 - Children's Practitioner Advice Line or childrenshelpdesk@gloucestershire.gov.uk</p>
<ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i></p>
<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure.</p>
<ul style="list-style-type: none"> <li>Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>
<ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>	<p>Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>