

RODE AND NORTON ST PHILIP SCHOOL FEDERATION

COMPLAINTS POLICY & PROCEDURE

Introduction

The School recognises that a good partnership with parents is vital in the successful education of their child. We welcome feedback from parents and seek to establish positive relations between home and school to enable pupils to feel supported and to succeed. It is therefore natural that parents will want to share concerns about their child's education, and may occasionally feel the need to go further and complain formally.

This policy is available to parents of current and prospective pupils and other stakeholders. It allows a 3 stage process for resolving complaints: informal, formal and a review by a panel of Governors.

The underlying principle is that concerns should be handled, if at all possible, without the need for formal procedures.

Formal procedures should only be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

Who can make a complaint?

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (see **Appendix A**). Schools must not limit complaints to parents or carers of children that are registered at the school.

Framework of Principles

Our complaints procedure will:

- encourage resolution of problems by informal means wherever possible.
- be easily accessible and publicised
- be simple to understand and use
- be impartial
- be non-adversarial

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- allow swift handling with established time-limits for action and keeping people informed of progress
- ensure 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.

Investigating the Complaint

At each stage the personnel investigating a complaint will:

- establish what has happened so far and who has been involved
- clarify the nature of the complaint and what remains unresolved
- contact or meet the complainant if further information is required
- clarify what the complainant feels would put things right
- consider interviewing those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct any interviews with an open mind
- keep notes of any meetings.

Resolving complaints

At each stage in the procedure we 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
- Admission that the situation could have been handled differently or better
- An assurance that the event complained about 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. An admission that the school could have handled the situation better is not the same as an admission of negligence.

We will try to identify areas of agreement between the parties. We will also try to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

Serial and Persistent complainants (vexatious complaints)

If properly followed, our complaints procedure is expected to 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 the matter is now closed.

Time-limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. The complainant will be informed about the expected timescales associated with dealing with the complaint. Where further investigations are necessary, the complainant will be sent details of the new deadline and an explanation for the delay.

Complaints Procedure

The Informal Stage (Stage 1)

Most concerns are about specific issues and these are best dealt with by the person most closely associated with your child or a specific activity. The class teacher would usually be the first person to contact. Sometimes you may feel you wish to speak to the Assistant Headteacher or the Headteacher who might then ask an appropriate member of staff to investigate.

If your concerns relate to an SEN issue please contact the school SENCO in the first instance.

In all cases you can telephone, email or write or arrange an appointment to come into school to see someone.

In some matters we will be able to give you an instant reply. In most cases we will need time to look into your concern. Our response should normally be made within a few school days and offer an assessment of the situation and a suggested way forward which may also involve you in some way. If the school cannot respond within 5 working days you will be kept informed of the progress of the investigation and a response made within 10 working days or, in the school holidays, as soon as is practicable.

The Formal Stage (Stage 2)

If you are not satisfied that your complaint has been resolved, you may wish to take the matter further by making a formal complaint to the Headteacher. The complaint should be in writing and it must be made clear that this is a **formal** complaint.

It should be possible to arrange a follow up meeting, if required, within 10 working days to discuss any unresolved matter, and the School will respond to you in writing no more than 10 days following the meeting. If further investigation is required the School will keep you informed as this may delay the response. During school holidays, a response will be made as soon as is practicable and, if a complaint is received within 10 days of the end of term, a response may be delayed because personnel are unavailable.

If the Headteacher is the subject of the complaint, you should write directly to the Chair of Governors using the school's address. The Chair will then ask a Governor to deal with the matter and, if the complaint proceeds to stage 3, that governor would not be part of the review panel.

The Review Stage (Stage 3)

At this stage, if the Headteacher has not resolved the complaint at the Formal Stage, you have the right to request a formal review of your complaint by a panel of Governors, whose decision will be final. Full details will be supplied of the review procedure and how you will be involved. The complainant has the right to request an independent panel if they believe there is likely to be bias in the process. The Governors will consider the request but the final decision regarding the review panel will be made by the Chair of Governors.

Managing and Recording Complaints

We recognise that it is useful for us to record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone or in writing. At the end of a meeting or telephone call the member of staff involved will try to 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. (**see Appendix D**).

The school undertakes to keep all correspondence, statements and records relating to individual formal complaints confidential, except where the Secretary of State or a body conducting an inspection request access to them under Section 162 A of the Education Act 2002.

Complainants have the right to copies of records regarding their complaint as part of the Freedom of Information and Data Protection Acts.

The School will keep a written record of all serious concerns and formal complaints, including a note of whether they were resolved or proceeded to a hearing. That record of formal complaints will be reviewed annually by the Governors. The School will also keep a written record of any action taken as a result of any complaint (whether upheld or not). Information on complaints shared with the Governors will not name individuals.

The review of complaints by the School and by the Governors will be used to monitor and improve the School's performance and the effectiveness of procedures and policies.

Parents are entitled to be informed if the number of formal complaints registered during the preceding school year.

Publicising our Policy

The complaints procedure is publicised on our website and is included in information to parents when their children join the school.

Exceptions to this complaints procedure

Exceptions	Who to contact
Admissions to schools Statutory assessments of Special Educational Needs (SEN) School re-organisation proposals Matters likely to require a Child Protection Investigation	Concerns should be raised direct with local authorities (LA) For school admissions it depends who is the admitting authority (Norton St Philip admissions is the governing body and Rode is the LA)
Exclusion of children from school	Further information about raising concerns about exclusion can be found at www.gov.uk/school-disciplineexclusions/exclusions
Whistleblowing	The internal whistleblowing procedure for employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at whistleblowing@ofsted.gov.uk or by writing to: WBHL Ofsted Piccadilly Gate Store Street Manchester M1 2WD The Department of Education is also a prescribed body for whistleblowing in education.
Staff grievances and disciplinary procedures	These matters will invoke the schools internal grievance procedures. Complainants will not be informed of the outcome of any investigation.
Complaints about services provided by other providers who may use school premises or facilities.	Providers should have their own complaints procedure to deal with complaints about services. They should be contacted directly.

The Formal Stage (Stage 2)**School Complaints Form**

Your Name:

Address:

Postcode:

Daytime telephone number:

Evening telephone number:

Email:

Please give details of your complaint:

What action, if any, have you already taken to try to resolve your complaint?

Who have you already spoken with and what was the response?

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

Are you attaching any paperwork?

Signature:

Date:

School Use:

Date acknowledgement sent:

By Whom:

Complaint Referred to:

Date:

The Review Procedure

Aims

These procedures have been prepared for the information and guidance of all who may become concerned in reviewing a formal complaint. The aim of this procedure is to review a formal complaint which has not been resolved at Stage 2 and to ensure the review is conducted fairly.

Applying for a Review

The complainant must apply for the review of a formal complaint using the Request for a Review Form. This is available from the Clerk to the Governors to whom it must be returned within 10 days of receipt of the written notification of the decision in question. It is also attached to this note in Appendix D.

The complainant must state clearly in their letter the desired outcome and all the grounds for complaint. The panel will not consider any new area of complaint that has not previously been raised under the Complaints Procedure.

Unless there are exceptional circumstances, the Review Hearing will take place as soon as possible and, in any event, within 28 days of receipt by Governors of the request for a review. The Panel will not normally sit during the school holidays.

Each member of the Review Panel will be supplied with a copy of any relevant documents, including copies of all correspondence relating to the case. The complainant shall be entitled to copies of all those documents except any which should not be disclosed for the protection of the pupil or other children or members of staff and in accordance with the Data Protection Act.

The Review Panel

This will consist of a three member sub-committee of the Board of Governors. The Panel Members will have no previous detailed knowledge of the case or of the pupil, or parents, and will not normally include the Chair of Governors. Selection of the Review Panel will be made by the Chair of and running of the School.

The Review Hearing

This will take place at the school. Present at the hearing will normally be: Members of the Review Panel The Headteacher The person(s) making the complaint The Clerk to the Governors

The person(s) making the complaint may be accompanied. That person will attend to provide support but not to represent the complainant(s).

One member of the Review Panel will chair the hearing. It will be conducted in an informal manner and all statements made at the hearing will be unsworn. The Clerk will keep a minute of the main points that arise. All present will be entitled, should they wish, to write their own notes. The Chair of the panel will conduct the hearing in a manner which ensures all those present have the opportunity to ask questions and make comments. The requirement of natural justice will apply. All parties should treat the matters discussed as confidential.

Everyone attending the hearing is expected to show courtesy, good manners and restraint. The Chair of the panel may in his/ her discretion adjourn or terminate the hearing. If the hearing is terminated the original decision will stand.

In relation to each of the points in the complaint, the Panel will consider whether correct procedures were followed in handling the formal complaint and whether the Headteacher's decision was appropriate.

If the Headteacher considers that, in the interests of an individual or of the School, that the identity of any person should be withheld, the Chair of the Panel may require the name of that person and the reasons for withholding it be written down and shown to the Panel. The Chair in his/ her discretion may direct that the person be identified.

When the Chair of the Panel decides that all issues have been sufficiently discussed he/ she will close the hearing and the four members of the panel will meet in private to consider the case and to reach a decision.

The decision of the Review Panel will be final and a copy of any findings and recommendations will be notified to the complainant(s), the Head teacher, the Chair of Governors and, where relevant, the person complained about, by the Chair of the Review Panel in writing within 7 days of the hearing.

The Review Stage (Stage 3)**Request for Review by the Governing Board**

Your Name: Address: Postcode: Daytime telephone number: Evening telephone number: Email:
Please give details of your complaint:
What action, if any, have you already taken to try to resolve your complaint? Who have you already spoken with and what was the response?
What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork?
Signature: Date:
School Use: Date acknowledgement sent: By Whom: Complaint Referred to: Date:

