



Complaints Policy & Procedure Kingsweston School

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Complaints Policy & Procedure

Rationale

Under Section 29 of the Education Act 2002 we are required to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that we provide. The law also requires the procedure to be publicised.

We welcome suggestions for improving our work in school and are keen to alleviate any concerns that parents/carers may have. It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage and most can be sorted out quickly through normal discussions with class teachers. It is only where a complainant remains dissatisfied with the outcome of such discussions that further steps may need to be taken. In such circumstances our Headteacher and Governors will become involved if necessary.

Purpose

The school will give careful consideration to all complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed and aim to resolve it through open dialogue and mutual understanding.

This document sets out the school's procedure in the event of a complaint being made. It should be used only when informal attempts to resolve problems have been unsuccessful.

This procedure is intended to allow concerns or complaints to be raised relating to the school, or the services that it provides.

An anonymous concern or complaint will not be investigated under this procedure, unless there are exceptional circumstances.

To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event, being complained of, will not be considered

Procedure

The complaints procedure is designed to:

- Encourage resolution of problems by informal means wherever possible.
- Be easily accessible and well-publicised.
- Be simple to understand and use.
- Be impartial.
- Be non-adversarial.
- Allow swift handling, with established time limits for action, and keep people informed of progress.
- Ensure a full and fair investigation by an independent person where necessary.
- Respect people's desire for confidentiality.
- Address all points raised, and provide an effective response and appropriate redress, where necessary.
- Provide information to school's governance and leadership team so that services can be improved.

At each stage, the person investigating the complaint will make sure that they:

- 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 of 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.

The stages of the complaint

Stage1: Complaint heard by staff member

- Parent/carer discusses concerns with a staff member using the following contact arrangements:
 - Napier Miles site - 0117 9030400
 - Shirehampton site - 0117 3533511
 - Brightstowe and Ashley Down - 0117 3532565
- If the staff member is unable to resolve the issue immediately, he/she will make a note of the subject raised and will advise the parent/carer that a response will be given as soon as possible and in any event within five school days. If more time is required to investigate the matter a 'holding' reply will be given within the same timescale.
- The staff member will agree with the parent/carer how the reply will be communicated; i.e. verbally, by e-mail or letter.
- The person raising the concern will be provided with written responses where appropriate and if requested. Written notes of concerns raised and agreed actions should be retained by all those involved to support the process should the concern be escalated.
- Inappropriate language as well as behaviour by anyone raising a concern (e.g. are malicious (that is, they are instituted without sufficient grounds and serving only to cause annoyance), the use of obscenities, racist or homophobic language or personally offensive remarks about members of staff) will be treated as unacceptable and in such instances the school reserves the right not to consider such concerns or they may have to be re-submitted.
- If the person raising a concern wishes to escalate their concern to Stage Two of this procedure, a complaints form (Appendix 2) must be completed and submitted with the accompanying correspondence. Should a form not be submitted, the Complainant will be asked to complete the form although it must be noted that this might result in a delay in the process.
- The Governing Body reserves the right to reject complaints raised more than 3 months after an incident occurs due to the difficulty in being able to carry out a thorough investigation although where practical, all safeguarding concerns will be investigated regardless of when these occurred.

Stage 2: Complaint heard by Headteacher

- The complaint will be acknowledged in writing within three school days.
- If the matter has not been resolved at Stage One, we will arrange, if necessary, a meeting with the Headteacher for further investigation within 10 school days followed by a verbal or written response within 10 schools days.
- If the concern is about the Headteacher, the matter should be referred to the Chair of Governors c/o the Clerk to the Governing Body. The Chair of Governors or nominated Governor will arrange a meeting with the person raising the concern for further investigation within 10 school days followed by a verbal or written response within 10 school days. The Headteacher/Chair will inform the person raising the concern as soon as practical should a longer timeframe be required.
- The Headteacher/Chair will investigate further and interview any witnesses. If a pupil is involved, any such interview will be done in the presence of the parent/carers or, if this is not possible, of an independent member of staff.
- The Headteacher/Chair will keep written records of all meetings and conversations.
- Once all relevant facts have been established, the Headteacher will provide a written response in line with the timeframe set out in the school's Complaints Procedure Summary (Appendix 1).
- If the complainant remains unsatisfied he/she will be advised to write to the Clerk to the Governing Body.

Stage 3: Complaint heard by Governing Bodies Complaints Appeal Panel

The complainant needs to write to the Clerk to the Governing Body giving details of the complaint and asking that it is put before the appeal panel. The Clerk will acknowledge receipt of the complaint within five school days, informing the complainant that the case will be heard by a committee of three members of the school's Governing Body within twenty school days.

The Chair, or if the Chair has been involved at any previous stage in the process, a nominated governor, will convene a GB complaints panel. The governors' appeal hearing is the last school-based stage of the complaints process and is not convened merely to rubber-stamp previous decisions.

Individual complaints would not be heard by the whole GB 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.

The governing body will nominate a number of members with delegated powers to hear complaints at this stage. Its terms of reference will be to:

- Follow agreed procedure;
- Hear individual appeals;
- Make recommendations on policy as a result of complaints.

The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own Chair. The Chair of the panel will write to the complainant giving at least five school days' notice of a meeting with the panel, and advising that he/she may be accompanied at the meeting and has the right to submit further written evidence.

The panel can:

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or in part;
- Decide on the appropriate action to be taken to resolve the complaint;
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

After the meeting the panel will consider all the evidence and write to the complainant and Headteacher with their decision within ten school days. The Chair of Governors/Clerk will inform the complainant as soon as practical should a longer timeframe be required. The letter will reference any further rights of appeal and, if so, to whom they need to be addressed.

There are several points which any governor sitting on a complaints panel needs to remember:

1. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
2. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
3. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel Chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
4. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
5. The governors sitting on the panel need to be aware of the complaints procedure.

Roles and responsibilities

The role of the clerk:

A panel or group of governors considering complaints will be clerked. The clerk would be the contact point for the complainant and be required to:

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- Collate any written material and send it to the parties in advance of the hearing (at least five school days in advance);
- Meet and welcome the parties as they arrive at the hearing;
- Record the proceedings;
- Notify all parties of the panel's decision.

As best practice, the Clerk will share copies of the panel meeting minutes with all parties involved in the panel hearing, providing a reasonable opportunity for the minutes to be agreed and if necessary, challenged.

It is not unknown for complainants to raise additional complaints because they do not agree with the record of the meeting.

The role of the Chair of the Governing Body or the nominated governor:

- Check that the correct procedure has been followed;
- If a hearing is requested, notify the clerk to arrange the panel.

The role of the Chair of the Panel:

The Chair of the Panel has a key role, ensuring that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;
- Key findings of fact are made;
- Parents and others who may not be used to speaking at such a hearing are put at ease;
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- The panel is open minded and acting independently;
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

The final stage of appeal is to the Secretary of State for Education.

Any complainant dissatisfied with the Governors' Complaints Appeal Panel's response to their complaint can bring the matter to the Secretary of State for Education. Further details can be found at <https://www.gov.uk/complain-about-school>.

APPENDIX 1 – COMPLAINTS PROCEDURE SUMMARY

Complaints Procedure Summary

We welcome all feedback that helps us to improve our school and take all concerns seriously.

Stage One: Initial Feedback (or Concern) to School

Parents/carers of school pupils should arrange an appointment to speak to us face-to-face or by phone. We will always do our best to meet with parents/carers as soon as possible.

Any other persons wishing to provide feedback or raise a concern should contact the reception.

We aim to resolve most concerns at this stage, offering our initial response within 5 school days. If more time is required to investigate the matter a 'holding' reply will be given.

The school will inform the person raising the concern as soon as practical should a longer timeframe be required.

Stage Two: Complaint Heard by Headteacher

The person raising the concern is required to complete a Complaints Form and submit it to the school.

Written concern acknowledged within 3 school days.

If the matter has not been resolved at Stage One, we will arrange a meeting with the Headteacher for further investigation within 10 school days followed by a verbal or written response within 10 schools days.

If the concern is about the Headteacher, the matter should be referred to the Chair of Governors c/o the Clerk to the Governing Body. The Chair of Governors or nominated Governor will arrange a meeting with the person raising the concern for further investigation within 10 school days followed by a verbal or written response within 10 school days.

The Headteacher/Chair will inform the person raising the concern as soon as practical should a longer timeframe be required.

Stage Three: Complaint Heard by Governing Body's Complaints Appeal Panel

The Complainant should write to the Chair of Governors c/o the Clerk to the Governing Body.

The Clerk will acknowledge receipt of the complaint within 5 school days.

The Chair or nominated Governor will ask the Clerk to convene a Governors' Appeal Panel if appropriate, to hear the appeal within 20 school days from receipt of the complaint.

The Governors' Complaints Appeal Panel will provide a written response within 10 school days of the appeal hearing.

The Chair of Governors/Clerk will inform the complainant as soon as practical should a longer timeframe be required.

Stage Four: Right of Appeal to the Secretary of State for Education

The Complainant should refer the complaint to the Secretary of State for Education. Further details can be found at <https://www.gov.uk/complain-about-school>.

APPENDIX 2 COMPLAINTS FORM – TO BE COMPLETED AT STAGE 2 OF THE COMPLAINTS PROCEDURE

Please complete and return to the school; the Headteacher/Chair of Governors will acknowledge receipt and explain what action will be taken.

Your name:	Pupil's name (if appropriate):
Your relationship to the pupil (if appropriate):	
Address:	Postcode:
Day time telephone number:	Evening telephone number:
Email:	
Please give concise details of your complaint, including where appropriate, dates, names of witnesses etc., to allow the matter to be fully investigated: <i>(You may continue on separate paper, or attach additional documents, if you wish)</i>	
What action, if any, have you already taken to try and resolve your complaint (e.g. who have you spoken to or written to and what was the outcome):	
What actions do you feel might resolve the problem at this stage:	
Are you attaching any paperwork? If so, please give details (e.g. how many additional pages attached):	
Signature:	Date:
Official use	
Date form received:	Received by who:
Date acknowledgement sent:	Acknowledgement sent by who:
Complaint referred to:	Date complaint referred: