

COMPLAINTS' PROCEDURE



General Principle

The County High School, Leftwich recognises the clear difference between a *concern* and a *complaint*. Accordingly, our key message is that *concerns* will be taken seriously and handled without the need for formal procedures. Therefore, in most cases the class teacher – or the individual delivering the service in the case of extended provision – will receive the first approach and will work to resolve the issue straightaway and straightforwardly.

The following formal procedure will be invoked only when the person raising the concern remains dissatisfied and wishes to progress the matter formally. The complainant will then be referred to this Policy and asked to complete a School Complaints Form.

Stage One: Complaint Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. Therefore, the academy will respect the views of a complainant who indicates that s/he would have difficulty discussing a complaint with a particular member of staff. In these cases, the colleague co-ordinating the complaint (usually a member of Senior Leadership Team) will refer the complainant to another staff member. Where the complaint concerns the Principal or a member of the Governing Body, the complainant will be referred to the Chair of Governors or to the Governing Body Complaints' Panel if the complaint is about the Chair.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complainant will be referred to another staff member. The member of staff may be more senior, but does not have to be. It is the ability to consider the complaint objectively and impartially that is crucial. A response will be made within ten working days of the written complaint being received.

Where the first approach is made to a governor, the next step will be to refer the complainant to the appropriate person and advise them about the procedure. Governors will not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages.

Stage Two: Complaint Heard by the Principal

If the complainant remains dissatisfied with the way the complaint has been handled at stage one, as well as pursuing their initial complaint, s/he will be referred to the Principal who may delegate the task of collating the information to another staff member, but not the decision on the action to be taken. Within ten working days, the Principal will arrange a meeting with the complainant and with the Staff Member involved at Stage One. A written record will be kept and shared with the complainant. If the complaint concerns the Principal, the Chair of Governors will nominate a member of the Governing Body to meet with the complainant and the Principal. A written record will be kept and shared with the complainant.

Stage Three: Formal Complaint Heard by the Chair of Governors

If still dissatisfied, the complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a Governing Body complaints' panel, consisting of a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation. The Governors' appeal hearing is the last school-based stage of the formal complaints' process in striving to achieve reconciliation between the Academy and the complainant.

Stage Four: Complaint Heard by a panel set up by the Academy Trust

To comprise of at least 3 people not directly involved in the matters detailed in the complaint, one of whom must be independent of the management and running of the school.

The Complaints' Appeal 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 Academy's systems or procedures to ensure that problems of a similar nature do not recur.

The Clerk to the Governing Body will be the contact point for the complainant at this stage and will:

- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- ensure the complainant is aware of his/her right to be accompanied (The Academy must be notified 5 days in advance of the meeting who is supporting the complainant);
- collate any written material and send it to the parties in advance of the meeting;
- meet and welcome the parties as they arrive at the meeting;
- record the proceedings;
- notify all parties of the panel's decision.

The Chair of the panel will ensure that the complainant is notified of the panel's decision, in writing, within ten working days following the meeting.

Serial and/or Persistent and/or Unreasonable Complaints

This procedure is intended to limit the number of complaints that become protracted. However, unfortunately there can be occasions when, despite all stages having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the complainant may be regarded as serial and persistent and the Chair of the Governing Body will inform him/her in writing that the procedure has been exhausted and that the matter is now closed.

Anonymous Complaints will not be investigated unless the allegation is a safeguarding issue.

APPEALS BEYOND THE SCHOOL

ESFA www.gov.uk/education.gov.uk

The Secretary of State for Education will investigate complaints where a Governing Body has acted 'unreasonably' or illegally in coming to their decision. The Secretary of State can be contacted by writing to the ESFA at:-

Sanctuary Buildings, Great Smith Street, London, SW1P 3BT

Tel: 0870 000 2288

www.gov.uk/complain-about-school

Ofsted www.ofsted.gov.uk

Ofsted will not usually consider a complaint if a complainant has not first followed the schools' complaints procedure and will not normally investigate cases to do with individual students. Contact details are:-

Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD

Tel: **0300 123 1231**

Academy Complaints' Procedure

Complaint Form

Please complete and return to **Mrs A Pimlatt (PA to the Principal)** who will acknowledge receipt and explain what action will be taken.

Your name:

Student's name:

Your relationship to the student:

Address:

Postcode:

Daytime 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?
(Whom did you speak to and what was the response)?

Academy Complaints' Procedure

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 whom:

Complaint referred to:

Date:

CONCLUSION

1. Complaint resolved to the complainant's satisfaction
Give brief details below.
2. Complaint not resolved but agreed that it will not be referred
to the next stage of the Complaints' Procedure
3. Complaint not resolved and referred to _____

Signed: _____

Date : _____

Academy Complaints' Procedure

Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Principal may question both the complainant and the witnesses after each has spoken.
- The Principal is then invited to explain the academy's actions and be followed by the academy's witnesses.
- The complainant may question both the Principal and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up his/her complaint.
- The Principal is then invited to sum up the Academy's actions and response to the complaint.
- The Chair explains that both parties will hear from the panel within a set time scale.
- Both parties leave together while the panel decides on the issues.

Approved at Resources Committee: 12th February 2019

Review Date: Summer Term 2020

This document is part of the group which includes the Freedom of Information Policy.