



## Complaints Policy

### General

The school's complaints policy allows parents' complaints about school issues to be dealt with efficiently and sensitively, and at the appropriate level.

Complaints can cover a wide variety of matters that concern parents. The school expects ALL parental complaints to be taken seriously and to be dealt with comprehensively and as far as possible in confidence.

Concerns about allegations of **child abuse and staff discipline will be dealt with through the separate agreed procedures that have been adopted for these purposes.**

### Aims

The policy aims to ensure that all complaints from parents, (and also pupils and others) are dealt with as quickly and sensitively as possible, and by the person best able to do so.

As far as possible, all concerns should be dealt with as informally as possible.

A parent, pupil or other complainant should be able to expect to have an acknowledgement of the receipt of the complaint within one working day (defined in this policy as **excluding** school holidays) of having made the complaint.

If parents, pupils or other complainants wish to register a formal complaint, they should be asked to complete the school's Formal Complaint Form and return it to the Complaints Coordinator.

### Types of concerns and complaints

The majority of complaints received by a school fall into the following categories:

- **financial and administrative**
- **academic** (course programme, unsatisfactory teaching, too much/too little homework, progress in a particular subject etc.);
- **pastoral** (discipline/indiscipline, inappropriate sanctions, bullying, overall progress of the child, unhappiness of child etc.); and
- **child protection** (allegations against staff, handling of sensitive issues).

### Responsibilities

**The Board of Governors:** for approving the policy, procedures, and guidelines, hearing and deciding on appeals, receiving reports, and advising the Headteacher. The Board of Governors will monitor the level and nature of complaints and review the outcomes annually or earlier if so determined by the Chair.

**Chair of the Board of Governors:** to receive complaints at Stage 3, to nominate a governor or panel to hear the appeal, and to check that the correct procedure is followed.

### **Nominated Governor or Chair of the Panel at Stage 3**

To ensure that:

- the parties understand the procedure;
- the issues are addressed;
- key findings of fact are established;
- complainants are put at ease;
- the hearing is conducted as informally as possible;
- the panel is open-minded and acts independently;
- no member of the panel has a vested interest in the outcome, or has been involved in the issues previously;
- all parties have the chance to be heard;
- any written material is seen by all parties;
- one member of the panel will be independent of the management and running of the school in accordance with The Education (Independent Schools Standards) (England) Regulations 2010, Schedule 1 Part 7)

### **Clerk to the Board of Governors**

The clerk will act as the reference point for the complainant at Stage 3. The clerk must:

- set convenient dates and times and venues for hearings;
- collate any written material and forward it to the parties;
- meet and welcome the parties;
- keep a written record the proceedings; and
- notify the parties of the decision.

**Headteacher:** for the overall internal management of the procedures, for hearing complaints at the second stage (see below), ensuring that the procedures are monitored and reviewed and reports made to the Board of Governors.

**Complaints Coordinator:** for the efficient operation and management of the policy and procedures, for organising the training of staff on how to deal appropriately with complaints, for keeping parents, pupils and others informed of the procedures and for compiling reports for the Headteacher as required.

**Finance Manager:** for administrative, environmental and financial queries and complaints.

**Heads of Department and other middle managers:** for dealing with, and where possible, resolving complaints about academic matters/programmes of study/teaching methods at Stage 1 of the procedures.

**Academic Heads of Year:** for dealing with and, where possible, resolving complaints concerning overall pupil progress, discipline issues, pastoral care.

**Named senior member(s) of staff:** for child protection issues.

**All staff:** for hearing any concerns brought to them by parents and pupils and reassuring them that they will be dealt with as soon as possible by the appropriate member of staff, and for informing the relevant staff of the concerns. Also for passing any complaints received from other people who are not parents or pupils to the Complaints Coordinator.

## **Information for parents**

The school will include on its website advice to parents that any complaints they may have should first be made to the Headteacher or the relevant member of the Senior Leadership Team, who may then delegate the matter to an appropriate colleague to investigate. The full procedure at each stage will be set out on the website.

### **Informal Procedure – Mediation**

On occasions, mediation can be a good way to resolve complaints because:

- It gives both complainant and Headteacher another opportunity to hear each other's points of view (with a third party facilitating)
- It gives the third party an opportunity to help Headteacher and complainant identify and build on areas of agreement
- It gives Headteacher and complainant a structure within which they can resolve remaining differences.
- If both complainant and Headteacher emerge from the mediation satisfied, that is the best foundation for a continuing positive relationship between them.
- Even if the complaint continues to a governors' panel, the issues to be considered are likely to be much clearer following the mediation.

Mediation may elicit one or more of the responses listed below from either party:

- an acknowledgment that the complaint is valid in whole or in part.
- an appropriate apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an acceptance that the complaint needs go no further
- a commitment to review school policies in light of the complaint.

Recourse to mediation must be with the agreement of both parties and is intended to help arrive at a mutually agreeable solution — it is not possible to impose this on either party. Nor does it prevent a complainant having recourse to formal appeals procedures as detailed. Where mediation is agreed as an appropriate way forward, a decision will be taken as to whether an in-house or external mediator would be most appropriate.

### **In-house mediation**

The mediator will have the:

- ability to listen impartially to both sides
- ability to control a dialogue so that both sides listen to each other
- ability to summarise the arguments and focus the dialogue
- ability to identify areas of agreement that might form a basis for resolving one or more of the issues relating to the complaint
- understanding that solutions cannot be imposed and that both parties need to be satisfied with whatever is resolved.
- understanding that mediation does not always work and there is a further step available to complainants.

## **Formal procedure**

Every attempt will be made to resolve complaints informally, but if this fails then this procedure will be followed:

- Stage 1 - complaint heard by staff member (who is not subject of the complaint);
- Stage 2 - complaint heard by Headteacher; and
- Stage 3 - complaint heard by Board of Governors' complaints appeals panel.

## **Guidelines**

All staff and governors should be conversant with the procedures.

### **Stage 1**

All staff should listen carefully and patiently to parents' and pupils' complaints, recognising that, however ill-founded the complaint might appear, it will be a matter of great concern to the parent or pupil.

If the matter is within the competence of the member of staff to resolve quickly this should be done. Otherwise the complainant should be reassured that the complaint will be passed to the relevant member of staff, and the relevant person should be informed by the member of staff as soon as possible.

The member of staff receiving/investigating the complaint should use the school's 'Complaints Form' to inform the relevant senior member of staff. But this does not prevent the member of staff also speaking to the senior colleague about the matter at the earliest opportunity.

If the senior member of staff considers the issue to be serious (but is not a child protection issue) he/she should inform the coordinator (or Headteacher) via the school's 'Complaints Form', and inform the complainant of the action taken. The coordinator (or Headteacher) will determine the next step(s).

If the coordinator or a relevant senior member of staff considers that he/she can deal with the complaint he/she should attempt to do so. If a resolution cannot be found the coordinator should inform the complainant of their right of appeal to the Headteacher (Stage 2) or Board of Governors (Stage 3), and inform the Headteacher/ Board of Governors of the action taken.

If the complaint concerns a child protection issue or involves an allegation of abuse by a member of the school staff the 'named person' responsible for child protection complaint should be informed by the member of staff receiving the complaint.

If a complaint is made by a pupil, the member of staff should immediately inform the coordinator, who will in turn inform the Pupil Development Manager. It will be the responsibility of the Pupil Development Manager to determine whether he/she can deal with the issue, or in consultation with the coordinator, what the next course of action should be, including referring the matter to the Headteacher.

If a trivial/simple verbal complaint is made it might be possible in most cases to resolve it immediately. In more serious cases, or where a member of staff is uncertain, parents should always be asked to put their complaint in writing. This is to ensure that there is no conflict in determining what the complaint consists of and the action taken by the members of the school staff.

In any cases of doubt, members of staff should seek the advice of the coordinator.

If the appropriate member of staff cannot resolve the complaint, the coordinator must refer the matter to the Headteacher (Stage 2).

At Stage 1 the school should aim to resolve the complaint within one working day of receiving it. Where this is not possible, the coordinator will inform the parties of the action being taken, and when it is expected to resolve it.

No complaint should normally be left unresolved at this stage after three working days of receipt of the complaint. In abnormal circumstances the matter will be referred to the Headteacher who will determine the appropriate action, and will keep the parties informed.

## **Stage 2**

The Headteacher will decide the outcome at this stage, but may delegate the collating of information to the Coordinator.

The Headteacher must normally resolve the matter within three working days of receiving notification of the complaint. In abnormal circumstances a longer time scale can be agreed, either by agreement with all parties, or by a decision of the chair of the Board of Governors if no agreement is reached.

If the Headteacher is unable to resolve the issue it is open to the complainant to make representations to the Board of Governors. (Stage 3)

## **Stage 3**

### **Appeals to the Board of Governors**

Complainants who are not satisfied by the Headteacher's decision re the complaint can make representations to the Board of Governors.

The complainant must be advised by the coordinator to write to the chair of the Board of Governors giving details of the complaint. The chair will nominate a governor (or panel) to hear the appeal.

The hearing must be within ten working days of the chair receiving notice of the complaint.

The complainant must be told of their right to be accompanied by a companion, and where relevant translations/interpreters must be arranged by the clerk in consultation with the parties.

The nominated governor/panel will make its own procedures, and will agree these with the chair, who will report them to the next Board of Governors' meeting.

The governor panel will ensure that the complainant is heard in circumstances which maintain appropriate confidentiality while allowing all interested parties to make their representations. The panel will also ensure that the complainant is welcomed, and as far as possible, is put at ease.

Careful consideration must be taken when the complainant is a pupil.

The governor/panel will hear the appeal(s), consider all the views expressed and decide the outcome.

The governor/panel can:

- dismiss the complaint in whole or part;
- uphold the complaint in whole or part;
- decide on appropriate action to resolve the complaint; or
- recommend changes to the school's systems or procedures.

It may:

- Consider and, if appropriate, criticise the way in which an operational decision was communicated — **but cannot overturn the decision itself**
- Consider the thoroughness with which the Headteacher investigated a complaint about a member of staff — **but cannot expect the Headteacher to provide details about confidential discussions with that staff member.**
- Consider the manner in which a complaint about any decision was addressed and ask for the decision to be reviewed — **but cannot expect the Headteacher to have changed the decision**
- Consider and, if appropriate, identify limitations in a policy or procedures —**but cannot make changes to the policy.** (It can, however, recommend that the policy be reviewed by the governing body to ensure that problems of a similar nature do not recur, and individual panel members can subsequently play their part in improving the policy) - Consider whether it should recommend that the governing body offer appropriate redress

The governing body's decision is binding.

If a parent feels that the school has acted unreasonably or not followed the correct procedures, they can write to the Secretary of State for Education and Skills, Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1 P 3BT.

The decision at this stage must be communicated to the parties within THREE working days of the hearing.

### **Unreasonable Complaints**

If the complainant remains dissatisfied after all stages have been properly followed, the chair is empowered to inform them in writing that the procedure has been exhausted and that the matter is now closed. Further complaints on the same matter may be regarded as unreasonable. For details of the policy which governs consideration of such complaints, please see the Unreasonable Complaints Policy.

### **Investigating complaints**

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 or 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; and - keep notes of the interview.

## **Resolving complaints**

At each stage in the procedure the person attempting to resolve the complaint 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;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again; and
- 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 at any stage. The governors acknowledge that an admission that the school could have handled the situation better is not the same as an admission of negligence.

The Headteacher and chair will attempt to identify areas of agreement between the parties, and to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

## **Reporting and recording**

In all cases it is important for staff to use the school's 'Complaints Form' so that records of the complaint and the action taken can be recorded and traced. Supporting documents should be attached to the form.

The Headteacher and complaints coordinator will consider the handling of complaints from time to time, and will discuss issues with staff as necessary.

## **Monitoring and Review**

The Headteacher will report to staff from time to time, and to the Board of Governors annually or earlier if the Chair so determines, on the number and type of complaints received and their outcomes.

# Complaint Form

Please complete and return to \_\_\_\_\_ (Complaints Coordinator) who will acknowledge receipt and explain what action will be taken.

<b>Complainant's name:</b>	
<b>Student's name:</b>	
<b>Complainant's relationship to the pupil:</b>	
<b>Address:</b>	
<b>Postcode:</b>	
<b>Day time telephone number:</b>	
<b>Evening telephone number:</b>	
<b>Email address:</b>	
<b>Please give details of your complaint:</b>	
<b>What action, if any, has already been taken to try to resolve your complaint. (Who did you speak to and what was the response?)</b>	

<p><b>What actions are felt might resolve the problem at this stage?</b></p>
<p><b>Is any paperwork attached? Please give details:</b></p>
<p>Signature:</p>
<p>Date:</p>
<p><b>Official use only:</b></p>
<p>Date complaint was received:</p>
<p>Date acknowledgement sent:</p>
<p>By who:</p>
<p>Complaint referred to:</p>
<p>Date:</p>

**Return to: The King's (The Cathedral) School, Park Road, Peterborough PE1 2UE**