

Complaints Policy

Designated Teacher:	Headteacher
Adopted:	Date: Jan 2016
Review Period:	Three Years
Review Date:	Date: Jan 2019

“Educating for Life”

Our Values



Rationale:

To provide guidance to teachers, governors and parents in respect of a procedure for dealing with complaints relating to the school as required by section 29(1a) of the Education Act 2002

General Principles:

Rationale: There may be occasions where parents or other interested parties have concerns regarding an aspect of the school curriculum or the actions of a member of staff. These guidelines provide a process for dealing with and resolving such concerns.

1. It is generally considered best practice that complaints be settled informally, as quickly as possible, and directly with the relevant member(s) of staff.
2. If informal procedures do not resolve the issue, then there must be procedures in place to allow the matter to be brought to more formal intermediate or formal stages.
3. An anonymous complaint will not be considered under this procedure unless there are exceptional circumstances (to be decided by the Chair of Governors). The school does have a Whistle Blowing Policy in place to deal with relevant matters.
4. To allow for proper investigation, complaints should be brought to the school’s attention as soon as possible. Any matter raised three months or more after the event being complained of will not be considered other than in exceptional circumstances (to be decided by the Chair of Governors).



5. Investigation of any complaint will begin within 5 school days of receipt of the same, except in exceptional circumstances (to be decided by the Chair of Governors)
6. The school also has grievance procedures and a whistle blowing policy for issues raised by members of staff.



“A” Complaining about curriculum issues or the actions of a member of staff other than the Headteacher:

I Informal Stage:

- i. The parent or other complainant should communicate directly with the member of staff concerned or responsible for the curriculum area – by letter, email, telephone or in person
- ii. If a complainant is unhappy with the response of the individual member of staff, the matter should be referred to the appropriate line manager or Head of Department. The line manager will arrange a meeting with the complainant if necessary and seek to resolve the matter with any colleague concerned.
- iii. Most issues can be resolved informally at this stage.

II Intermediate Stage:

- i. If parents or other complainants still have no resolution to their concerns, they should communicate their concerns in writing to the Headteacher.
- ii. The Headteacher will ask a line manager or senior member of staff to arrange a meeting with the complainant and the member of staff concerned to seek to investigate and resolve the issue, again on an informal basis.
- iii. Hopefully, the complainant’s concerns can be addressed at this stage. In any event, the Headteacher must be advised as to the outcome of the process

III Formal Stage:

- i. If parents or other complainants still have no resolution to their concerns, they should put their complaint formally in writing to the Headteacher.
- ii. The complainant should include details of: a summary of the events leading up to and including the action that has brought about the complaint, dates and times of events, names of potential witnesses, copies of relevant documentation
- iii. In addition, the Headteacher may wish to meet with the complainant to clarify the substance of the complaint
- iv. The Headteacher will investigate the complaint – including a discussion with the member of staff against whom the complaint has been made
- v. Upon completion of the investigation, the Head will advise both complainant and teacher of the outcome in writing

Findings:

The conclusion of an investigation will result in one of the following:



- i. There is insufficient evidence to reach a conclusion, therefore the complaint cannot be upheld
- ii. The concern is not substantiated by the evidence.
- iii. The complaint was substantiated either in part or in full.
- iv. The complaint has been fully investigated and appropriate procedures are being followed which are strictly confidential (ie where disciplinary measures are being followed)

The complainant will now be advised that the process is concluded.

If the complainant is not satisfied with the manner in which the process has been followed, they may ask the Governing Body to review the process followed by the Head. Any such request must be made in writing to the Chair of Governors within two weeks of receiving notice of the outcome of the complaint from the Headteacher. The Parent must specify any perceived failures of the Headteacher to follow the process.

If the complainant considers that the actions of the Headteacher in dealing with the original complaint have been unreasonable, they are entitled to bring a complaint against the Headteacher under part B of this procedure.



“B” Complaining about the actions of the Headteacher

Informal Stage:

- i. Parents or other relevant parties should communicate directly with the Headteacher– by letter, email, telephone or in person
- ii. Most issues can be resolved at this stage informally
- iii. If the matter is not resolved then, if both parties agree, a third party may be involved to act as mediator at a further meeting

Formal Stage:

- vi. If complainants still have no resolution to their concerns, they should put their complaint in writing to the Chair of Governors.
- vii. The complainant should include details of: a summary of the events leading up to and including the action that has brought about the complaint, dates and times of events, names of potential witnesses, copies of relevant documentation. In addition, the complainant will be invited to meet with the Chair to present formal evidence
- viii. In addition, the Chair may wish to meet with the Headteacher to clarify the issues around the complaint
- ix. The Chair will collect other evidence as deemed necessary
- x. The Chair will provide the Headteacher with a copy of the complaint and any evidence presented
- xi. The Chair will investigate the complaint – including a discussion with the Headteacher against whom the complaint has been made
- xii. Upon completion of the investigation, the Chair will advise both complainant and Headteacher of the outcome in writing

Findings:

The conclusion of an investigation will result in one of the following:

- v. There is insufficient evidence to reach a conclusion, therefore the complaint cannot be upheld
- vi. The concern is not substantiated by the evidence
- vii. The complaint was substantiated either in part or in full
- viii. The complaint has been fully investigated and appropriate procedures are being followed which are strictly confidential (ie where disciplinary measures are being followed)

The complainant will now be advised that the process is concluded.



If the complainant is not satisfied with the manner in which the process has been followed, they may ask the Governing Body to review the process followed by the Chair. Any such request must be made in writing to the Vice Chair of Governors within two weeks of receiving notice of the outcome of the complaint from the Chair of Governors. The Parent must specify any perceived failures of the Chair to follow the process.

If the complainant considers that the actions of the Chair in dealing with the complaint against the Headteacher have been unreasonable, they are entitled to ask the Governing Body to review the process undertaken by the Chair under part C of this procedure.

“C” Review by the Governing Body of the Chair’s action:

- i. Three members of the Governing Body (Chair excluded) shall constitute a review panel
- ii. The panel will normally be conducted through consideration of written submissions although oral representations can be considered
- iii. The panel will first receive written evidence from the complainant
- iv. The panel will then ask the Head / Chair (as appropriate) to make a response to the panel
- v. The complainant, Headteacher, Chair (as appropriate) will be informed in writing of the outcome

Findings:

The conclusion of an investigation will result in one of the following:

- ix. There is insufficient evidence to reach a conclusion, therefore the complaint cannot be upheld
- x. The concern is not substantiated by the evidence
- xi. The complaint was substantiated either in part or in full but that the procedural failure did not affect the outcome significantly so the matter is now closed
- xii. The complaint was substantiated either in part and the Governing Body will take steps to prevent a recurrence or to rectify the situation

If the complainant is not satisfied with the manner in which the review process has been followed by the Governing Body, then representations may be made to the Diocese of Leeds. Complainants also have the right to refer the matter to Secretary of State for Education.



Investigation Protocols: (Formal Procedures)

- o Upon receipt of a complaint, it should be acknowledged formally and a commitment made to its thorough investigation
- o The member of staff against whom the complaint has been made should be notified that this is the case, what the nature of the complaint is and that an investigation will follow
- o Both complainant and member of staff should be given the opportunity to present documentation, evidence, witnesses
- o The subject of the complaint should be advised that they can be accompanied by a friend or other representative when invited to be interviewed
- o Pupils should only be interviewed as witnesses when the allegation is serious enough to warrant it
- o Interviewees should be advised that their responses must be limited to the substance of the complaint
- o Both parties should be advised of the summary of the process and its outcome
- o The Governing Body should consult with the Diocese of Leeds over the retention of records pertaining to the investigation

