



## **WHOLE SCHOOL POLICY**

### **Complaints Policy**

Type of Policy: Statutory  
Review Board: School Board

## **Introduction**

This policy applies to most complaints made to the school where a complaint is defined as a general concern over any subject relating to the education or welfare of a student.

The resolution of a complaint should be seen as a potential opportunity for development. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher will receive the first approach. Staff should be ready to resolve issues on the spot, including apologising where necessary. The formal procedures should only need to be invoked when the initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

Principles of justice help us to recognise that the individual has a right to state a point of view and those against whom a complaint is made have the right to know as soon as possible.

## **Aims**

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;
- Allow swift handling with established time-limits for action and keeping people informed of the progress;
- Ensure a 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;
- Provide information to the school's senior leadership team and board so that services can be improved.

## **Procedure**

The complaints procedure has three stages in school:

Stage 1 - Initial Approach

Stage 2 - Formal complaint to School Manager or Chair of The School Board

Stage 3 - Appeal to panel of Board members

### **Stage 1 : Complaint heard by staff member**

The nature of a complaint may fall into one of three categories: curriculum based; behavioural or staff conduct. The initial contact can be made directly to the class teacher or alternatively can be made by telephone or in writing to the appropriate member of staff as detailed below:

Curriculum - Curriculum or Subject Leader

Behavioural - Form Tutor

Staff Conduct - School Manager or Chair of The School Board

- This member of staff will discuss the nature of the concern, establish what outcome the parent is seeking and assure the complainant that the school is interested. Name date and contact details will be recorded.
- If the teacher is unable to deal with this then he/she will ensure that the parent is clear about who will deal with the issue and when this will happen.
- If an interview is arranged then members of staff may request the presence of a third party (companion). Details of the interview will be recorded during the interview and agreed by all parties at the end of the interview.
- The complainant will be clearly informed about what will happen (including if no action is to be taken) and the next steps or outcome should be communicated as soon as possible.
- If no satisfactory resolution is obtained at this stage then details of the complaint will be passed to the School Manager.
- (In the case of a complaint against the School Manager parents will have the opportunity to refer the matter directly to the Chair of The School Board.)

## **Stage 2: Complaint heard by School Manager**

- If a complaint progresses to this stage, parents will be asked to put the complaint and their desired outcome in writing to the School Manager or Chair of The School Board. See Appendix 1
- There will be a written or telephone response within three working days outlining the procedure and setting a target date for response - normally ten working days.
- The School Manager, Chair of The School Board or their representative may choose to meet with the complainant.
- Evidence and written records of all meetings and telephone calls will be collected.
- The School Manager or Chair of The School Board will then write to the complainant or arrange a meeting to resolve the matter. The meeting will be followed by a letter summarising the outcome. The letter will also inform the complainant that s/he has the right to appeal against the outcome to a panel of Board members. The complainant should notify the Chair of The School Board of an appeal within two weeks of receiving this letter.

Individual complaints will not be heard by the whole School Board at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff.

## **Stage 3: Complaint heard by School Board Complaints Appeal Panel**

It is unusual for a complaint to reach the appeals stage but the School Board will establish an appeals panel to resolve the complaint and achieve reconciliation between the school and complainant. Panel members will have had no prior involvement with the case.

The complainant needs to write to the Chair of the Board giving details of the complaint. The Chair will then convene a complaints panel.

The complaints appeal panel is the last stage of the complaints process, and is not convened to rubber-stamp previous decisions.

The School Board may nominate a number of members with delegated powers to hear complaints at this stage. These can include:

- Drawing up the procedure
- Hearing individual appeals
- Making recommendations on policy as a result of complaints

The panel can choose their own chair.

The Chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is to fit the agreed deadlines.

### **The remit of the complaints appeal panel**

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 procedure to ensure that problems of a similar nature do not recur.

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

- I. It is important that the appeal hearing is independent and impartial. No board member 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, board members need to try and ensure that it is a cross-section of the categories of members and sensitive to the issues of race, gender and religious affiliation.
- II. 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.
- III. An effective panel will acknowledge that many complainants' feels 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 be set with a tone of care to ensure that the setting is informal and not adversarial.

- IV. 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.

## **Roles and responsibilities**

### **The role of the clerk**

A clerk should be put in place as the contact point for the complainant. This person will also be required to:

- Set the date, time and venue of the hearing, ensure that the dates are convenient to all parties and that the venue and proceedings are accessible;
- Collate any written materials and send it to the parties in advance of the hearing;
- Record the proceedings;
- Notify all parties of the panel's decision.

### **The role of the Chair of the Panel or the nominated board member**

The nominated board member role:

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

### **Checklist for a Panel Hearing**

The panel need 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 School Manager may question both the complainant and the witnesses after each has spoken
- The School Manager is then invited to explain the school’s actions and be followed by the school’s witnesses
- The complainant may question both the School Manager and the witnesses after each has spoken
- The panel may ask questions at any point
- The complainant is then invited to sum up their complaint
- The School Manager is then invited to sum up the school’s actions and response to the complaint
- Both parties leave together while the panel decides on the issues
- The Chair explains that both parties will hear from the panel within a set timescale

### **Monitoring and Review**

The School Manager and members of the Leadership Team will monitor the use of this policy on a day to day basis. Periodic reports will be made to the Board of Governors about the use and implementation of this policy. The policy is subject to regular review, according to the cycle of policy review determined by the Board of Governors.

<b>Policy adopted by the Board of Governors</b>	
<b>To be reviewed</b>	
<b>Signed by Chair of Governors</b>	

**This Complaints Policy was formally adopted by The Ark Christian School.**

**Appendix 1**



**COMPLAINT FORM**

Please complete and return to the school manager who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Address:

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. (Who did you speak to and what was their response).

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

Signature:

Date:

**Official use**

Date acknowledgement sent:

By who:

Complaint referred to:

Date: