

Melrose School COMPLAINTS POLICY

This policy is supporting any complaints that the school may receive

Plan administration	
Approved by	
Signed	
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Person responsible for review	Carla Chandler

1. Melrose School Complaints Procedure

Since 1 September 2003 Governing Bodies (GBs) of all maintained schools and maintained nursery schools in England were required, under Section 29 of the Education Act 2002, to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised.

2. Who can make a complaint?

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusion or admissions). Schools must not limit complaint to parents or carers of children that are registered at the school.

3. General Principles of complaints

3.1 Dealing with Complaints – Initial concerns

Schools need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

The requirement to have a formal complaints procedure need not in any way undermine efforts to resolve the concern informally.

3.2 When an issue first arises

If you have a concern that you would like to take up with the school you should initially inform a member of staff. You can do this either in person, over the telephone or in writing (Annex A). You may then be invited to an informal meeting with the member of staff most appropriate for dealing with your concern.

You may wish to approach your child's form tutor first as they will be best placed to help you either directly or by figuring out which other member of staff you should be speaking to.

We encourage parent to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding.

4. Dealing with Complaints – Formal procedures

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the complaint remains dissatisfied and wishes to take the matter further

4.1 Framework of Principles

An effective 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 management team so that services can be improved.

5. Investigating Complaints

It is suggested that at each stage, the person investigating the complaint makes 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;
- Keep notes of the interview.

6. Resolving Complaints

At each stage in the procedure schools will want to 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;
- An undertaking to review school policies in light of the complaint;
- It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence
- An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstanding that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

7. Serial and Persistent Complainants

We will do our best to be helpful to people who contact us with a complaint or concern or a request for information. However, in cases where we are contacted repeatedly by an individual making the same points, or who asks us to reconsider our position, we will need to act appropriately.

There may be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is important for us to recognise when we really have done everything we can in response to a complaint. It is a poor use of our time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Char of Governors can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contact the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond. However the schools will not mark a complaint as 'serial' before the complainant has completed the procedure.

8. Time-Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. An effective complaints procedure has realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

9. Formal Complaints – The Stages

In order to ensure that complaints are processed efficiently and effectively, we deal with formal complaints in four stages:

Stage 1

If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint in writing to the relevant staff member.

The school will acknowledge your complaint in writing within 5 school days of receipt. We may already be aware of the situation. We will outline our decision if there is one to be made, and any action to be taken as a result of your complaint.

A member of the SLT, may call you in for a meeting to discuss the issue, outcome, possible solutions, or to explain what has or will happen as a result of your complaint.

They will keep a record of all interactions with your and other staff, meeting and decisions made in reference to your complaint.

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If the complaint is against a member of staff, we will talk to that employee. If it is an allegation of abuse, a formal investigation may be instigated by the school, in line with relevant school policies e.g. Safeguarding and Child Protection.

The relevant staff member will respond to you in writing within 10 school days of receipt outlining their response to your complaint, and any action that has or will be taken.

Stage 2

If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint in writing to the Executive Headteacher.

The Executive Headteacher will acknowledge your complaint in writing within 5 school days of receipt. She/he may already be aware of the situation. She/he will outline her/his decision if there is one to be made, and any action to be taken as a result of your complaint.

The Executive Headteacher may call you in for a meeting to discuss the issue, outcome, possible solutions, or to explain what has or will happen as a result of your complaint.

The Executive Headteacher will keep a record of all interactions with you and other staff, meeting and decisions made in reference to your complaint.

If the complaint is against a member of staff, we will talk to the employee. If it is an allegation of abuse, a formal investigation may be instigated by the school, in line with relevant school policies e.g. Safeguarding and Child Protection.

The Executive Headteacher will respond to you in writing within 10 school days of receipt outlining their response to your complaint, and any action that has or will be taken.

Stage 3

If having receive a response from The Executive Headteacher, you are still dissatisfied with the actions of the Executive Headteacher, you may lodge your complaint with the Chair of Governors in writing, explaining your concern and where you feel the Executive Headteacher has not acted sufficiently to resolve your complaint. NB the Chair may appoint another governor to consider the complaint.

If the complaint is against a member of staff, that employee will be given the opportunity to write a response, which will be sent to the Chair of Governors within 5 school days of receipt of the complaint being logged with them.

The Chair of Governors will respond to you in writing within 15 school days of the complaint being lodge with them outlining their response to your complaint, and any action that has or will be taken. If he/she has decided not to take any further action on the issue, he/she will explain what they have decided and how they reached this decision, and will outline your right of appeal and how you can start your appeal.

Stage 4

If you would like to lodge an appeal following the outcome of a formal complaint at stage 3, this will be taken to the appeals panel of the governing body. You should write to the clerk to the governing body to exercise this right. The clerk to governors will acknowledge your appeal and make the necessary arrangement, and will usually convene the appeal panel within 10 school days from the acknowledgement being sent. Where it is not possible to find a mutually convenient date within that timescale, a further timescale will be agreed with you.

The clerk will ensure that all parties to the appeal have access to the same documentation and sort out a timetable to support the collation and circulation of documents.

10. Appeals panel

The appeals panel will be made up of members of the governing body. No member of the governing body can sit on the appeals panel if they have had any former knowledge or involvement in the case that is being dealt with at that time. The panel will consist of 3 governors including a chair who will be nominated from within that group. All panel members will be familiar with and have access to the complaints policy.

The panel will give careful consideration to how the complainant can be made to feel most comfortable presenting to the panel, especially in the case of a child having to present or explain information.

Appeals procedure

The procedure for an appeal is as follows:

- The complainant and Executive Headteacher will enter the hearing together.
- The chair will introduce the panel members and outline the process.
- The complainant will explain the complaint.
- The Executive Headteacher and panel may question the complainant.
- The Executive Headteacher will explain the school's actions.
- The chair will explain that both parties will hear from the panel within 3 working days.
- Both parties will leave together while the panel decides.
- The clerk will stay to assist the panel with its decision making.

The appeals panel may:

- Dismiss all or part of the complaint
- Uphold all or part of the complaint
- Decide on the appropriate action to be taken to resolve the complaint
- Evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

The panel's decision is final. If you are unhappy with the outcome, you may wish to put your complaint to the Secretary of State. Complaints should be sent to the School Complaints Unit, DfE, 2nd Floor, Piccadilly Gate, Manchester M1 2WD.

11. Staff Complaints

Staff who have a concern about a colleague or a volunteer member of staff should refer to the Whistleblowing policy or the Safeguarding and Child Protection policy.

12. Governing Body Review

The GB can monitor the level and nature of complaints and review the outcomes on a regular basis to ensure that effectiveness of the procedure and make changes where necessary. Preferably, complaint information shared with the whole GB will not name individuals.

As well as addressing an individual's complaints, the process of listening to, and resolving complaints will contribute to school improvement. When individual complaints are heard, the school will identify underlying issues that may need to be addressed. The monitoring and review of complaints by the school and the GB is a useful tool in evaluating a school's performance.

The GB will review this policy in 3 years or if legislation changes.

Annex A – Example of a complaint form

Please complete and return to the Executive Headteacher or Chair of the Governing Body who will acknowledge receipt and explain what action will be taken

Your Name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time 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 the response?)

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

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Resolution:

Date ended: