



Complaints Procedure

Draft prepared by: Sarah Fleming

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Signed

Chair of Governors:

Headteacher:

Introduction, aims, purpose of policy

The school's Governors and the Headteacher are committed to providing the best educational experience they can for all pupils attending Chase Bridge in an open and transparent environment. We welcome any feedback that we receive from parents and pupils, and accept that not all of this will be positive. Where concerns are raised Chase Bridge intends for these to be dealt with:

- Fairly
- Openly
- Promptly
- Without prejudice

In order to do so, the governing body of Chase Bridge has approved the following procedure which explains what you should do if you have any concerns about the operations of the school that are under direct control of the Headteacher and the governing body. Where a complaint concerns a third party e.g. a summer club, an event etc. all informal and formal complaints should be addressed to the third party themselves with a copy to the head teacher and/or chair of governors.

Policy summary

The first part of the policy describes the informal stages of a complaint which would usually be directed through a teacher or another member of staff. It then goes on to describe how a complaint can be escalated through to a formal stage and dealt with first by the Headteacher or a senior member of staff and then if there seems to be no adequate resolution to the governing body. The policy also describes the procedure if the complaint is made against the Headteacher.

In the event that the complaint cannot be resolved at a school level then complainants are directed to the Secretary of State for Education.

The policy also describes in broad terms the principles by which a complaint is investigated as well as the timescale for dealing with a complaint.

Please also refer to the following policies and documents

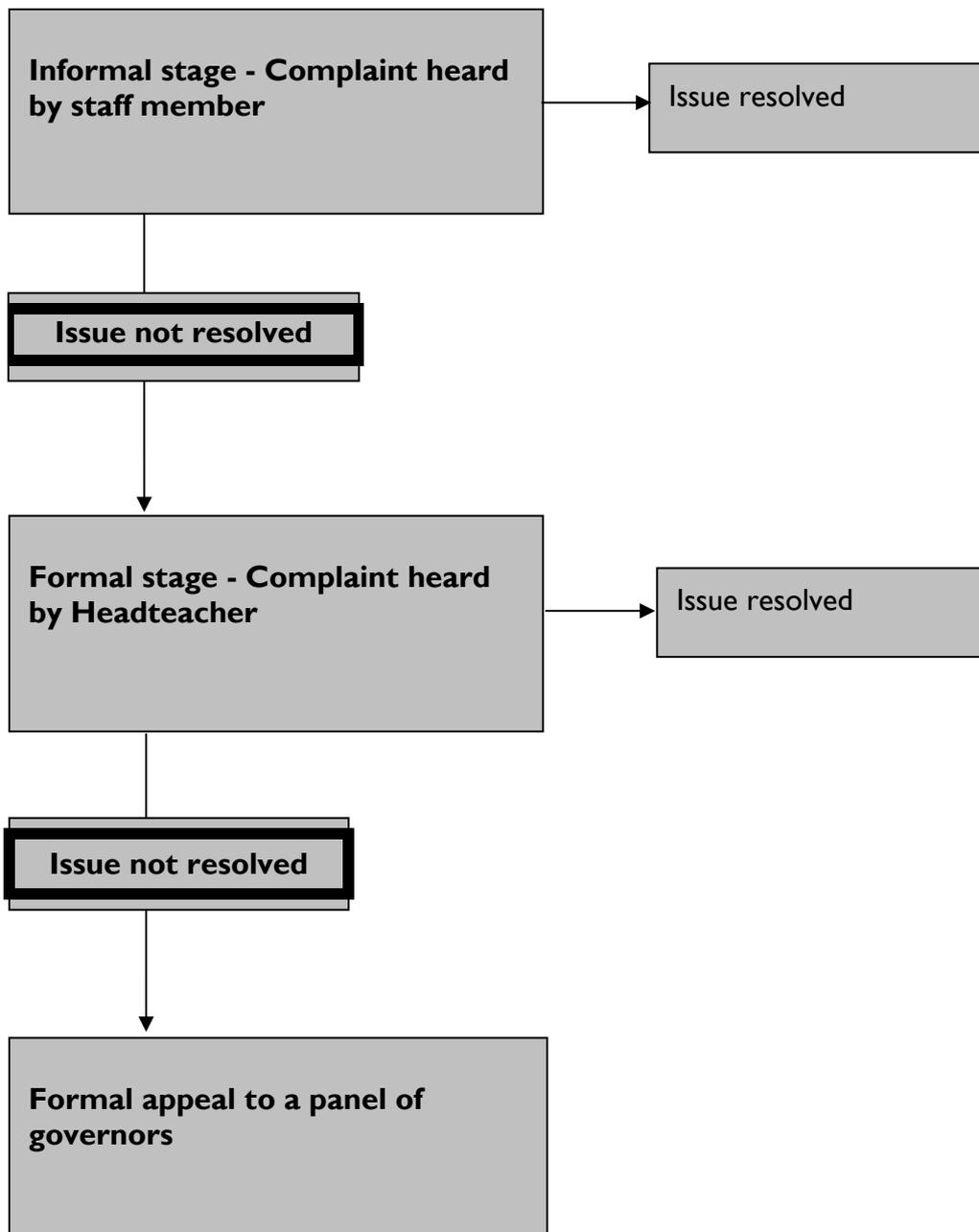
- Whole school vision statement
- Equality of Opportunity Policy

Contents

p.2	Complaints Procedure
p.3	Part A: Complaining about the actions of a member of staff other than the Head Teacher
p.4	Part B: Complaining about the actions of the Head Teacher
p.5	Part C: Complaining about the Chair of Governors or Governing Body
p.6	Part D: Appeal/Review Process
p.6	Further Stages
p.7	Timescales
p.7	Safeguarding
p.7	Social Media
p.8	Appendices: Investigation Procedure: carrying out an Investigation into a Formal Complaint
p.9	Appendices: Managing serial and unreasonable complaints

Complaints Procedure

If you need to raise an issue in the first instance, please do so with the relevant member of staff who will be happy to talk to you and seek to establish a solution. If you are not satisfied with this response and feel the issue has not been resolved, please use the procedure documented below.



Part A: Complaining about the actions of a member of staff other than the Head Teacher

1) Informal Stage – Raising a concern

Where you have a concern about any aspect of the school or your child's education or wellbeing, raise this with the member of staff concerned via the phone, by letter or in person by appointment. The majority of concerns can be resolved by simple clarification or the provision of information.

An unreasonable refusal to attempt an informal resolution may result in the procedure being terminated forthwith. Any dispute in relation to the "reasonableness" may be determined through the review process.

2) Formal Stage

If the complaint is not resolved at the informal stage the complainant must put the complaint in writing and pass it to the Head Teacher or in their absence a member of the Senior Leadership Team, who will be responsible for its investigation.

The complainant should include details, which might assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. In addition the Head Teacher may meet with the complainant to clarify the complaint.

The Head Teacher will collect such other evidence, as he/she deems necessary. Where this involves an interview with a member of staff, who is the subject of the complaint, a friend or representative may accompany that member of staff if they wish.

The investigation will begin as soon as possible and when it has been concluded, the complainant, and the member of staff concerned, will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- The concern is not substantiated by the evidence
- The concern was substantiated in part or in full. Some details may then be given of action the school may be taking to review procedures etc. but details of the investigation or of any disciplinary procedures will not be released
- The matter has been fully investigated and that appropriate procedures are being followed, which are strictly confidential. e.g. where staff disciplinary procedures are being followed

The complainant will be told that consideration of their complaint by the head teacher is now concluded.

If the complainant is not satisfied with the manner in which the process has been followed, the complainant may request that the Governing Body review the process followed by the Head Teacher in handling the complaint. Any such request must be made in writing within 2 weeks of receiving notice of the outcome from the Head Teacher, and include a statement specifying any perceived failures to follow the procedure. The procedure described in Part D will be followed.

If the complainant considers that the decision of the Head Teacher is perverse, or that the Head Teacher has acted unreasonably in considering the complaint, then the complainant may bring a complaint against the Head Teacher under part B of this procedure. This will provide an opportunity for the evidence to support such a complaint to be investigated.

Part B: Complaining about the actions of the Head Teacher

1) Informal stage

The complainant is usually expected to arrange to speak directly with the Head Teacher. In the case of serious concerns, it may be appropriate to raise them directly with the Chair of the Governing Body. The majority of concerns can be resolved by simple clarification or the provision of information. If the matter is not resolved, if both parties agree, then a third party may be invited to act as a mediator at a further meeting.

A refusal, unreasonably, to attempt an informal resolution may result in the procedure being terminated forthwith.

2) Formal Stage

If the complaint is not resolved at the informal stage the complainant must put the complaint in writing and pass it to the Chair of the Governing Body who will determine which of the agreed procedures to invoke. If it is determined that the complaint is “General”, the Chair will arrange for its investigation.

The complainant should include details which might assist the investigation, such as names of potential witnesses, dates and times of events, copies of relevant documents etc. In addition, the complainant will be invited to meet with the Chair or in their absence a designated governor, to present oral evidence or to clarify the complaint.

The Chair will collect such other evidence as is deemed necessary. This may include the interviewing of witnesses and others who may provide relevant information.

The Head Teacher will be provided with a copy of the complaint and any additional evidence presented by the complainant or collected by the Chair. Once there has been an opportunity for the Head Teacher to consider this, he/she will be invited to meet separately with the Chair, in order to present written and oral evidence in response. A friend or representative may accompany the Head Teacher at this meeting.

When the investigation has been concluded, the complainant and the Head Teacher will be informed in writing of the outcome. The complainant will not be informed of any disciplinary/capability action.

The complainant will be told that consideration of their complaint by the Chair is now concluded.

If the complainant is not satisfied with the manner in which the process has been followed, or considers that the decision of the Chair is perverse, or that the Chair has acted unreasonably in considering the complaint, then the complainant may request that the Governing Body review the handling of the complaint by the Chair. Any such request must be made in writing within 2 weeks of receiving notice of the outcome from the Chair, and include a statement specifying any perceived failures.

Part C: Complaining about the Chair of Governors or Governing Body

Complaints against the Chair of Governors or any individual governors are made to the clerk to the governing body, and the clerk will then arrange for the complaint to be heard. This can be done by a suitably skilled and impartial member of the governing body (formal stage) and an appeal can be heard by a committee of members of the governing body.

Complaints against the entire governing body or complaints involving both the chair and vice chair should be sent to the clerk, who will then determine the most appropriate course of action. This will depend on the nature of the complaint.

If appropriate, the clerk could ask for support from the governor services team at the local authority.

Part D: Review/Appeal Process

Any review of the process followed by the Head Teacher or the Chair shall be conducted by a panel of 3 members of the Governing Body.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

The panel will first receive written evidence from the complainant.

The panel will then invite the Head Teacher or the Chair, as appropriate, to make a response to the complaint.

The panel may also have access to the records kept of the process followed.

The complainant, and the Head Teacher or the Chair, as appropriate, will be informed in writing of the outcome. This may be to the effect that:

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

Further Stages

If the complaint is not resolved at the appeal stage, the complainant must put the complaint in writing and pass it to the Chair of the Governing Body who will put together a second panel of 3 governing body members to undertake a further investigation.

If a complainant believes that the Governing Body has acted illegally or arbitrarily in handling the complaint, then the complainant may make representations to the Secretary of State for Education.

The governing body will give full consideration to any recommendations or directions the Secretary of State may make. The complainant will be advised of this course of action should they remain dissatisfied with a decision made by the governors' committee.

Parents do not have a general right of appeal should they disagree with the governors' decision. They may, however, raise the matter with the Secretary of State if they consider the complaint wasn't investigated properly and fairly. If the governors have followed a proper procedure and considered the complaint reasonably the Secretary of State cannot reverse the decision.

Timescales

It is proposed that the following time limits should apply to all complaints handled under the school's complaints procedure:

Stage 1 (Informal): It is reasonable that parents seeking to resolve issues should receive a response within 20 working days of making initial contact, unless there is a good reason not to do so. The response should set out the steps that are proposed to resolve the complaint.

Stage 2: Review by Headteacher or Chair of governors
Should be responded to in **30 working days**.

Stage 3: review by Governing body panel
Should be responded to in **30 working days**.

We will endeavour to abide by the timescales stated under each stage but acknowledge that in some circumstances it. Where it is not possible to respond to complaints within these timescales, the complainant should be informed in writing of the reason for the delay and given an anticipated response date.

Safeguarding

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the school is under a duty to report this immediately to the local authority. Any action taken will be in accordance with the school's safeguarding policy.

Social Media

In order for complaints to be resolved quickly and fairly as possible, Chase Bridge requests complainants do not discuss complaints publically via social media such as Facebook and twitter. Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

Complaints that result in staff capability or disciplinary

If at any formal stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the Headteacher and/or the individual's line manager. The complainant is entitled to be informed that action is being taken and the eventual outcome of any such action, but they are not entitled to participate in the proceedings or receive any detail about them.

Appendices

Investigation Procedure: carrying out an Investigation into a Formal Complaint

Once the complaint has been confirmed the investigator should establish who they wish to interview and what documentation they will need to review.

Arrangements should be agreed so that accurate notes can be taken of all interviews and the outcome of the investigation be accurately recorded.

The complainant and the member of staff should be given the opportunity to offer documentation and to identify potential witnesses or sources of evidence.

The member of staff subject to the complaint should be advised that they may be accompanied by a friend or trade union representative when invited to be interviewed.

Where children are potential witnesses, discretion should be exercised over their involvement. Pupils should only be interviewed when the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available. Only in extreme circumstances will younger pupils be interviewed.

Any interviews should be conducted as soon as possible to ensure that recollections are as fresh as possible and to minimise the possibility that evidence will become tainted through witnesses discussing alleged incidents with other persons.

In conducting interviews, the investigator should prepare the questions to be asked prior to the interview. These can always be supplemented during the interviews. The investigator should allow the interviewee to answer in their own way. Their responses should be listened to attentively. Any temptation to cut an interviewee short or to seek to 'lead' them must be resisted. The interviewee should be given the opportunity of providing other relevant information at the end of the interview.

A summary of the process undertaken and the outcome of the investigation should be provided to both the complainant and the member of staff against whom the complaint has been made.

Caution must be exercised in reporting back to the complainant as revealing certain details may prejudice the ability of the employee to continue in post.

Any recommendations should also be shared with all parties, unless there is good reason not to.

Wherever possible, recommendations should be constructive and not punitive.

The complainant should be advised that he/she may, if they are not satisfied that the appropriate procedure has been followed, request a review of that process by the Governing Body.

All documentation relating to the complaint and its investigation and outcomes should be stored securely.

Managing serial and unreasonable complaints

Chase Bridge is committed to dealing with all complaints fairly and impartially, and to providing a timely, high quality service to those who complain. We will not normally limit the contact complainants have with our school; however, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is deemed excessive, abusive, offensive or threatening.

Chase Bridge defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainants contact with the school, such as, if the complainant:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Refuses to co-operate with the complaints investigation process
- Refuses to accept that certain issues are not within the scope of the complaints procedure
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- Introduces trivial or irrelevant information which they expect to be taken into account and commented on
- Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- Makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced
- Changes the basis of the complaint as the investigation proceeds
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department of Education
- Seeks an unrealistic outcome
- Makes excessive/harassing demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- Uses physical, verbal or written threats to intimidate or harass any school personnel
- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums

Complainants should try and limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (by either letter, phone or email) as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Chase Bridge causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

Complaints Procedure – Spring 2019

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Chase Bridge.