



DAVISON CE HIGH SCHOOL FOR GIRLS

POLICY AND MANAGEMENT DOCUMENT

Consolidated Complaints Policy

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1 Policy Statement

At Davison CE High School for Girls we make every effort to work positively for all our students and in close partnership with Parents and Carers and the community. Despite this intent, disagreements do arise between teacher and student, between parent and the school, or between the school and members of the community, leading to a complaint being made either orally or in writing. We are committed to resolving all complaints in accordance with our values as a Christian community and as quickly as possible, openly, fairly and without prejudice, to the satisfaction of all parties.

2 Types of Complaint

This policy covers complaints by parents/carers about the school or their daughter's treatment by the school. In the first instance any complaint should be discussed with the student's Form Tutor. Unless the matter is resolved to the satisfaction of both the family and the school at the first meeting, the Headteacher and Key Stage Leader must be made aware of the complaint. Which will then enter the Complaints process set out below.

This policy also covers complaints by members of staff and Governors about the school or their treatment by the school. In the first instance the complaint should be discussed with the School Business Manager (or if it is about the School Business Manager, the Headteacher). Unless the matter is resolved to the satisfaction of both the complainant and the school at the first meeting, the Headteacher must be made aware of the complaint. Which will then enter the Complaints process set out below.

The Chair of Governors will investigate any complaint about the Headteacher.

3 Context

Complaints about our work are usually dealt with at the informal stage, within school. However, it is important to have a policy which sets out clearly, for all parties, a framework within which the complaint may be heard. The process of dealing with complaints set out in this policy and adopted by Davison CE High School for Girls follows the policy set out by West Sussex County Council.

This policy offers a staged approach to dealing with complaints, where stage one is informal in that it is dealt with at school level by the member of staff most appropriate to handle the complaint. Stages 2 and 3 are formal stages involving the Headteacher and the Board of Governors and will only be used in exceptional circumstances.

4. Introduction

4.1 Governing bodies (GB's) of maintained schools (meaning a community, foundation or voluntary school, a community or foundation special school, or a maintained nursery) in England are required by legislation (Section 29 of the Education Act 2002) to establish procedures to deal with complaints relating to the school or to the provision of facilities or services the school provides (other than complaints falling to be established by way of an alternative complaints or other procedure, see below).

4.2 The law requires GB's to publicise their procedures.

4.3 Local Authorities (LA's) are required to set up procedures for dealing with certain types of complaints, for example, complaints about, collective worship in a school or school transport. The



GB's complaints procedure does not replace the arrangements made for those types of complaint which are dealt with under a separate regime.

4.4 All complaints concerning RE or Collective worship should be handled via the school complaints procedure. If the complainant remains dissatisfied after Stage 4, further procedural advice can be found in Appendix B.

4.5 In addition, there are certain complaints which fall outside the remit of the GB's complaints procedure, for example, staff grievances or disciplinary procedures.

4.6 The Department for Education (DfE) recommend that GB's ensure any third party providers offering community facilities or services through the school premises, or using school facilities, have their own complaints procedures in place.

4.7 Four school based stages are likely to be sufficient for most schools under the complaints procedure:

Stage 1 (Informal): complaint heard by staff member (though not the subject of the complaint);

Stage 2 (Formal): complaint heard by headteacher;

Stage 3 (Formal): complaint heard by Chair of Governors;

Stage 4 (Formal): complaint heard by GB's complaints appeal panel.

5 General Advice

- School staff 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.
- A complaint can be brought by a parent of a registered child at the school, any person who has been provided with a service by the school, or a member of the public from the wider community. This person becomes known as the complainant.
- At first it may be unclear as to whether the individual is raising a question or expressing an opinion rather than making a complaint. An initial discussion about the issue may help to clarify and decide what may need to happen next.
- If the issue remains unresolved after an informal process of clarifying and attempting to resolve the issue, the initial stage of the formal complaints procedure would follow.
- The requirement to have a complaints procedure need not undermine efforts to resolve a concern informally. In most cases the teacher, form tutor, or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if staff were able to resolve issues immediately, including the issuing of an apology if appropriate.
- Once a complaint has been made it can be withdrawn at any time during the complaints process if resolved satisfactorily.
- Most complaints are dealt with either by a teacher, form tutor or the pastoral support team. Where a complaint is escalated to the Headteacher (ie Stage 2) then the Clerk will become aware. Some complaints are sent to or copied to the Chair of Governors – who will acknowledge the complaint and advise that the complaint will be answered by the school and advise the Headteacher of this action as the Headteacher may be unaware of the complaint and should be aware that the Chair of Governors has been involved in the complaint.



- This person should take responsibility for overseeing the school records, the progress of each complaint, and the final outcome. A complaint may be made in person, by telephone, or in writing. A brief note of meetings and telephone calls should always be kept and a copy of any written response added to the record. They should be held centrally in school.
- At each stage in the complaints procedure schools should keep in mind ways in which a complaint can be resolved at the earliest opportunity.
- Complainants should be encouraged to state what school actions they feel might resolve the problem. An admission by the school that the matter could have been better handled is not an admission of fault or negligence.
- An effective complaints procedure will identify areas of agreement between the parties. It is equally important to clarify misunderstandings at an early opportunity to create a positive atmosphere in which to discuss any outstanding issues.
- The frequency with which the school complaints procedure must be reviewed should be determined by the GB. They may delegate responsibility to a committee of the GB, individual governor or the head teacher but the policy must be ratified by the GB. Reviews should take consideration of review dates set by the GB and new guidance or legislative changes as set by the Department for Education.

6 School Complaints Procedure

Stage 1 [Informal] – Complaint heard by staff member.

- 1.1 In the first instance the complainant should make an appointment to discuss their concern with the appropriate member of staff.
- 1.2 The complainant can bring a companion with them to any proposed meeting.
- 1.3 As good practice a written record will be made of the meeting. All parties will have access to the record.
- 1.4 The person facilitating the meeting will ensure all parties are clear about any actions that have been agreed as a result.
- 1.5 This stage will be dealt with as speedily as possible and concluded in writing, as appropriate.
- 1.6 If no satisfactory resolution is reached the complainant can refer the complaint to the headteacher (if the headteacher was not the member of staff the concern was initially discussed with at point 1.1).
- 1.7 If the member of staff directly involved feels too compromised to deal with a complaint, the Complaints Co-ordinator may consider referring the complaint to another member of staff. The member of staff may be more senior but this is not a requirement. The ability to consider the complaint objectively and impartially is crucial.
- 1.8 Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. It would be useful if governors did not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

Stage 2 [Formal] – Complaint heard by headteacher

- 2.1 Once the complaint has been referred, the headteacher will gain clarity over the complaint and gain any supplementary information which may lead to resolution at this stage.
- 2.2 The headteacher should meet with the complainant and/or subject of the complaint, if appropriate.
- 2.3 The headteacher should meet, as appropriate, with any witnesses and take statements from those involved.
- 2.4 Notes will be kept of all meetings, conversations and of the receipt of any documentation.



- 2.5 After establishing all the relevant facts, a written response will be recorded and sent to the complainant. The headteacher may meet with the complainant to discuss their findings as he/she decides is appropriate.
- 2.6 The written record and response will include a full explanation of the decision reached and the reasons for this. If any action is to be taken at the school, this will also be identified.
- 2.7 The Stage 2 processes will take place within a reasonable time, and usual practice is that this may take up to 10 school days, however, every complaint is different and this may not always be possible. The headteacher will keep the complainant informed in writing of the on-going time scale.
- 2.8 If the complainant is not satisfied with the outcome of the Stage 2 investigation, or the complaint is about the headteacher, the complainant should write to the Chair of Governors to request that their complaint is considered further.

Stage 3 [Formal] - Complaint heard by the Chair of Governors or another nominated governor

- 3.1 If the complainant is not satisfied with the response of the headteacher or the complaint is about the headteacher, the complainant should write to the Chair of Governors to request that their complaint is considered at Stage 3.
- 3.2 Once the complaint has been received, the Chair of Governors (or another governor nominated by the Chair of Governors) will gain clarity over the complaint and gain any supplementary information which may lead to resolution at this stage.
- 3.3 The Chair of Governors (or nominated governor) should meet with the complainant and/or subject of the complaint, if appropriate.
- 3.4 The Chair of Governors (or nominated governor) should meet, as appropriate, with any witnesses and take statements from those involved.
- 3.5 Notes will be kept of all meetings, conversations and of the receipt of any documentation.
- 3.6 After establishing all the relevant facts, a written response will be recorded and sent to the complainant. The Chair of Governors (or nominated governor) may meet with the complainant to discuss their findings as he/she decides is appropriate.
- 3.7 The written record and response will include a full explanation of the decision reached and the reasons for this.
- 3.8 The Stage 3 processes will take place within a reasonable time, and usual practice is that this may take up to 10 school days, however, every complaint is different and this may not always be possible. The Chair of Governors (or nominated governor) will keep the complainant informed in writing of the on-going time scale.
- 3.9 If the complainant is not satisfied with the outcome of the Stage 3 investigation the complainant should write to the Clerk to the Governing Body c/o the School Office and marked 'Private and Confidential' to request that their complaint is considered by a Complaints Appeal Panel.

Stage 4 [Formal] – Complaint heard by Governing Bodies Complaints Appeal Panel.

- 4.1 The complainant should write to the Clerk to the Governing Body c/o the School Office and marked 'Private and Confidential' giving full details of the complaint and requesting the Complaints Appeal Panel consider the matter. The Clerk to the Governors should acknowledge receipt within five school days.
- 4.2 The Chair of Governors, or if the Chair has been involved at any previous stage in the process, another nominated governor, will convene a Governing Body Complaints Appeal Panel.

Individual complaints would not be heard by the whole GB at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.



- 4.3 In line with good practice a Clerk will be appointed to the Governing Body Complaints Appeal Panel at the start of Stage 4 to support the process and be the point of contact for the complainant. It would be good practice to notify the headteacher of the complaint at this stage if they have not previously been involved in the process.
- 4.4 The Clerk to the Governing Body Complaints Appeal Panel will:
- Set a convenient date, time and venue for the complaint to be heard;
 - Deal with all administration of the procedure;
 - Take notes at any meetings;
 - Be a single point of contact to facilitate communication between all parties;
 - Draft and despatch letters as required;
 - Liaise with the LA and other agencies for support/advice as requested.
- 4.5 The Complaints Appeal Panel must be established by drawing on governors with no prior or direct involvement with the complaint. It should also aim to provide a cross section of governors. If this is not possible from its own membership the GB will consider approaching and appointing governors from neighbouring maintained schools.
- 4.6 The headteacher must not serve on the Complaints Appeal Panel. The Chair of Governors must not serve on the Complaints Appeal Panel if s/he has had any prior involvement with the complaint.
- 4.7 The Complaints Appeal Panel will be provided with any collated written material, reports, and relevant information and will consider the complaint on the basis of the written evidence available. The Complaints Appeal Panel may decide to request further clarification from the complainant and headteacher before writing and notifying them of the arrangements for the formal panel meeting. Any additional information received by the Complaints Appeal Panel must be shared with all parties prior to the meeting.
- 4.8 The Complaints Appeal Panel will decide whether to look solely at written evidence in the formal panel meeting or whether all relevant parties will be invited to attend. There is no right of appeal against the Panel's decision.
- 4.9 If the decision is made to invite relevant parties to the Panel's meeting, the Panel members will decide how the meeting will be conducted and who is present. The panel should decide whether to meet each party individually or invite all to attend at the same time.
- 4.10 The Clerk will write to all relevant parties informing them of the date and time of the meeting, whether the Panel will consider written evidence only or will be inviting them to attend and give an outline of how the meeting will be conducted. The Clerk must include a copy of all relevant documents, policies or procedures that will be considered by the Panel at the meeting. Notification of the Panel meeting must be sent not less than five school days before the meeting.
- All parties should acknowledge receipt of the meeting notification and all related documentation itemised in the accompanying letter.
- 4.11 Within reason, the Clerk will arrange a date and time for the Panel meeting that is convenient to the complainant and other relevant parties if they are attending in person.
- 4.12 The complainant has a right to be accompanied to the meeting by a friend/representative. The friend/representative may:
- Confer with the complainant during the meeting;
 - Ask questions of witnesses;
 - Sum up the complainants complaint if requested by them.
- The friend or representative may not:
- Answer questions on the complainants behalf;
 - Address the Panel if the complainant does not wish it;



- Prevent the complainant from summarising the complaint.

- 4.13 Good practice requires all written evidence to be submitted prior to the meeting wherever possible so that it can be considered by all parties.
- 4.14 If necessary the Panel meeting will be adjourned if there is insufficient time to consider extra evidence received at the start of the meeting to enable it to be circulated and considered by all parties.
- 4.15 The Panel may wish to call witnesses to the meeting.
- 4.16 The complainant, and other parties previously involved in the complaint if invited, can expect the following process to be followed:
- The hearing will proceed in an informal, but appropriate manner;
 - Witnesses shall be present only for the part of the hearing relevant to their involvement and may not remain for the entire hearing (at the discretion of the Chair of the Panel);
 - Introductions shall be made by all parties present;
 - The complainant will be invited to explain the complaint;
 - The headteacher will be invited to explain the reasons for decisions reached up to this point;
 - If all parties are in attendance together, the complainant may then question the headteacher;
 - If all parties are in attendance together, the headteacher may then question the complainant;
 - The Panel may ask questions of any party at any time;
 - Witnesses, subject to prior approval by the chair of the complaints appeal panel, to be called;
 - All parties to have the right to question all witnesses;
 - The complainant will be invited to sum up their complaint, and then the headteacher will be invited to sum up the school's position and response to the complaint.
- 4.17 At the conclusion of the Complaints Appeal Panel hearing the Chair of the Panel will inform the complainant and the headteacher that the Panel will consider its decision in private and will send a written response within 10 school days. At this point all parties other than Panel Members and the clerk must vacate the room.
- 4.18 The Panel will consider the original written complaint, along with all subsequent evidence that has been presented both orally, and in writing. The remit of the Panel is to:
- (a) Dismiss the complaint in whole or in part;
 - (b) Uphold the complaint in whole or in part;
 - (c) Decide what, if any, action should be taken to resolve the complaint;
 - (d) Recommend any changes, if appropriate, to the school's processes or systems to ensure similar complaints do not arise again in the future.
- The Panel will present their findings in writing.
- 4.19 The Clerk or Chair of the Panel will ensure the written findings outlining the Panel's decision is sent to both the complainant and the headteacher.
- 4.20 Stage 4 should be completed in 25 school days. However, this may not always be possible, especially if a complaint is complex, and where that is the case, the Clerk will ensure both parties are written to and advised of the revised target date.



Referral of Decision to the Secretary of State

4.21 There is no right of appeal against the Governing Body Complaints Appeal Panel decision. If the complainant remains dissatisfied and believes the Panel has acted unreasonably in response to the complaint. The School Complaint Unit (SCU) complaints relating to LA maintained schools on behalf of the Secretary of State. The SCU will not reinvestigate the complaint, but will make sure that all statutory policies and other procedures have been adhered to. Any corrective action will be reported to the school to take action. Failure by the school to carry out remedial action may result in a Direction by the SofS to do so under ss. 496 and 497 of the Education Act 1996

The complainant should be advised to contact The Secretary of State for Education at the Department for Education, School Complaints Unit, 2nd Floor, Piccadilly Gate, Store Street, Manchester M1 2WD. Telephone: 0370 000 2288.

7 Additional Information

Guidance Notes for Headteachers

What is a Complaint?

A complaint is an expression of dissatisfaction, whether made orally or in writing. It is important to distinguish between differences of opinion (e.g. about policies and procedures in school), the very natural concern of Parents and Carers and carers for their children and real complaints. The procedure makes it clear that those in school are usually best placed to help resolve concerns and complaints.

The manner in which complaints are handled is crucial to achieving a successful resolution. Recognition, by all school staff, of Parents and Carers' sensitivity, and sometimes over-sensitivity, about their child(ren) is very important. At the same time it is essential that all staff are protected from the over-reaction and abusive attitude adopted by a minority of Parents and Carers when they have grievances. It is, therefore, essential that all staff are aware of the internal procedure for dealing with complaints and that all health and safety considerations are met (e.g. not meeting with Parents and Carers whilst alone in the building).

Sometimes complaints involve the reporting of racist incidents. It is important that these are addressed promptly and sensitively. The Authority has issued separate guidance on the recording and reporting of racist incidents.

Complaints concerning Child Protection issues should be managed according to the advice given in the County's Child Protection Procedures Manual (red book – both parts).

It is recommended that the school ensures that any third party providers offering community facilities or services through the school or on the school premises have their own complaints procedures in place.

All complaints of a racist or child protection nature should be referred to the Designated Senior Person, who is usually the Assistant Headteacher responsible for child protection.

Finally, there are no time limits for making a complaint against a school. If the school receives a complaint several years after a pupil has left, it is important to contact Legal Services for advice before responding.

Why do Parents and Carers Complain?

Parents and Carers and carers may make complaints for a number of reasons, some of which may seem trivial but are important to the complainant. These reasons include:

- ◆ Greater government and media emphasis on education causing Parents and Carers to be more questioning and schools and the LEA to be more accountable.
- ◆ A litigation conscious society in which there is an expectation that people will fight for their rights, as they perceive them.
- ◆ Misunderstandings by stressed and anxious Parents and Carers.
- ◆ Ongoing personal feuds between children and families which can lead to vexatious and frivolous complaints.



Practical Suggestions

- ◆ Most schools make it very clear to Parents and Carers that it is vital to talk about any issues which arise, as and when they happen, rather than store them up until they reach a flashpoint. Parents and Carers need to be reminded that their concerns are taken seriously and that staff will always respond by investigating and/or explaining.
- ◆ It is very natural to feel defensive and dismayed whenever someone announces that they want to make a complaint, but it's important to remember that if there is a genuine issue, it is better to resolve it immediately rather than allow it to gain momentum.
- ◆ Opinions about the school are spread by word of mouth and it is important to be seen to be responsive, making it clear that issues are not 'swept under the carpet'. This can have a huge effect on individual complaints and on the parent's future attitude towards the school.
- ◆ Always deal with complaints as quickly as possible. Grievances can fester if left too long without response or explanation.
- ◆ Make sure policies and procedures are readily available for Parents and Carers to read, if required.
- ◆ At each stage of the procedure, the person investigating the complaint should make sure they establish what has happened so far, who has been involved, clarify the nature of the complaint and what aspects of the complaint remain unresolved. It is also helpful to clarify what the complainant feels would put things right.
- ◆ Whatever the nature of the complaint, in most cases Parents and Carers will be anxious and a sympathetic hearing can make all the difference, even if the complaint is felt to be unfounded.
- ◆ It is possible to let someone know how sorry you are that they are distressed about an issue without admitting any fault, so "I'm sorry you are upset about this" is preferable to "I'm sorry this has happened" until an investigation has taken place.
- ◆ If an obvious mistake has been made, a genuine apology, given as soon as possible, will often defuse any anger quickly and effectively. It is important that staff do not see the giving of an apology as a weakness, but rather as an honest response in the belief that we all get things wrong sometimes.
- ◆ However time consuming a complaint may be, it usually saves time in the long run to invest time at the beginning. Making sure that the complainant has time to express his/her anxieties, preferably in a quiet place where they can sit down and feel that their complaint is being given full attention, is very important.
- ◆ Some complaints are, by their very nature, impossible to resolve. Alternatively, some Parents and Carers may find it difficult to accept the outcome of the school's investigation. In such cases, it is crucial that the complaints procedure has been followed carefully so this cannot be open to question.
- ◆ If the school receives a complaint which may lead to media interest, contact the County Media Advisor on 01243 777100

The Role of WSCC Education Directorate

When dealing with complaints from Parents and Carers or members of the public, the WSCC Schools Management Team has a commitment to:

- ◆ Refer the matter back to the school to be dealt with at the appropriate level.
- ◆ Offer advice and information to schools, Parents and Carers and members of the public on regulations and statutory duties as requested.



- ◆ Where appropriate, act as a mediator particularly where communication between parties has broken down. This might include forwarding correspondence, helping to arrange meetings etc.
- ◆ In the case of complex or vexatious complaints, liaise with WSCC Legal Services.
- ◆ Officers may also assist with formal complaints, at the invitation of the governors. Complaint Panels meet only rarely and many governing bodies will have little or no experience of the procedure. Schools Management Team officers are available to support governors with this process and their involvement may help to reassure the complainant that everything has been carried out correctly and fairly, even if he / she dislikes the outcome.
- ◆ Occasionally, the LA receives letters from local Members of Parliament, councillors or other external agencies about a complaint that has been brought to their attention. In such cases, the Schools Support Team will contact the school to discuss a letter of response.
- ◆ In the event that a complainant remains dissatisfied at the end of Stage 3 of the procedures, the Leadership and Governance will discuss the implications with the school on an individual basis.

Reporting General Complaints to the Board of Governors

Any complaint not resolved at headteacher level will be reported to the Board of Governors as having progressed to Governor Level. No names or detail will be included in the report – only the area/nature of the complaint, to enable monitoring.

Complaints in relation to Permanent and Fixed-term Exclusions

There is a right for parents to make representations about all exclusion decisions regardless of whether the exclusion is for a fixed period or permanent. The nature of that right varies in line with the severity of the exclusion.

For permanent exclusions or fixed-term exclusions that result in more than 15 days of exclusion in a term, there is a right to make representations at a meeting of the governing body that must be held within a 15 school-day period.

For fixed-term exclusions of between six and 15 days, governors must meet if requested by the parents. In cases where the exclusion is for less than six days, parents may still make representations to the governing body but there is no right to a meeting. The right to make representations provides parents with an opportunity to raise concerns or complaints about the exclusion. The right is provided under the legal framework for exclusions and it must be enabled in those circumstances.

In light of that framework, it is not appropriate for a school's Complaints Policy to be used to deal with exclusion decisions. It would be inappropriate given the statutory rights provided for under the exclusion framework, and it provides additional stages of consideration that run contrary to the exclusion framework.



8 Guidance Notes for School Governors

Introduction

Section 29 of the Education Act 2002 requires governing bodies to **establish** and **publicise** procedures for dealing with **all** complaints against the school.

This guidance, together with the policy and the guidance notes for the headteacher is designed to assist the Board of Governors in the preparation of a school complaints procedure. In particular, the guidance is designed to help governors set up and manage a Governors' Complaint Panel when complaints reach Stage 3 of the procedure.

The Background

- The Board of Governors should ensure that anyone who wishes to make a complaint is given fair treatment and a chance to state their case either in person or in writing. Decisions taken, and the reasons why, should be given in writing, and the person complaining should be given details of his or her rights of appeal at that time. It is advisable that timescales are set for dealing with complaints so that the process does not take too long. Governing bodies can get advice on how to deal with complaints from the LA. A toolkit document containing key messages to help schools to draw up a complaints procedure or modify an existing procedure is also available at www.governornet.co.uk

The Role of the Board of Governors' Complaints Panel

If a complaint remains unresolved at Stage 3 of the Complaints Procedure, the complainant may make a formal complaint in writing to the Chair of Governors (or a nominated governor) who will then convene a Complaints Panel.

Governors should only proceed with this formal stage of the Complaint Procedure if they have received a complaint in writing addressed to the Chair of Governors and **all previous stages have been exhausted**.

If governors have not already done so, it is recommended that advice should be sought from Governance Services and/or from the Board of Education (Church of England schools).

The Complaints Panel should be made up of either three or five governors. The panel should agree who will chair the meeting and should usually meet within 15 school days of receiving the formal complaint.

It is important that the panel meeting is independent and impartial and that it is seen to be so. No governor should sit on the panel if they have had prior involvement in the complaint or in the circumstances surrounding it. Ideally, the panel should include a cross-section of the categories of governors, and all should be aware of the school's complaints policy and procedures.

The independence and impartiality of the panel meeting is very important. To avoid a serious conflict of interest it is vital that the **full Board of Governors** does not hear a complaint at this stage. For example, if a staff appeal resulted from the decision, an unprejudiced panel of governors would be required to hear that appeal. Any governor who has been involved with the complaint at a previous stage would be unable to give fair, unbiased consideration to the issue.

If the complaint relates to a staff disciplinary/capability matter about which the Headteacher has already taken action, the governors should focus on how the original complaint was managed to avoid prejudicing any ongoing disciplinary/capability procedure.

In the event that an impartial panel cannot be formed the Chair of Governors will contact Governor Services who will arrange for Governors from another school to hear the Complaint/Appeal

Procedure

- ◆ The LA recommends that a complaints panel should be clerked, with the clerk acting as the point of contact for the complainant. The clerk to the Board of Governors would normally send



acknowledgement of a written complaint within five days. The clerk would then arrange for the Governors Complaints Panel to be convened on a date which is convenient to all parties.

- ◆ The clerk should ensure that all members of the panel, the headteacher and the complainant receive copies of all relevant paperwork and the chair may arrange for a summary to be provided if the issue is complex. The chair of the Panel should notify the complainant and the headteacher of whether or not they will be invited to attend the Complaints Panel in person. Alternatively, the Panel may decide to consider written statements only. In this case, any member of staff whose actions are implicated in the letter of complaint should be invited to submit a written statement to the Complaints Panel although they are not obliged to do so. The headteacher should also submit a written record of any action he/she has taken in relation to the complaint. Ideally, the clerk should collate all the written material and circulate it as advised above at least three days before the panel meets. This will enable governors to prepare questions and discussion points.
- ◆ If the complainant is invited to present his/her case in person, notification of the date, time and place of the meeting should be sent not less than five working days in advance, with an explanation of how the meeting will be conducted. The clerk should also notify the complainant that they have the right to be accompanied to the meeting by a friend.
- ◆ The Chair should ensure that the meeting is minuted. A decision will need to be made about the confidentiality of these minutes.
- ◆ The meeting should clearly demonstrate that the complaint has been taken seriously and an attempt made to resolve the issues though, of course, this may not be possible.
- ◆ The complainant and the headteacher should be informed that the panel will consider its decision and communicate this in writing within 10 working days.
- ◆ The Panel should consider the evidence and as a result:
 - (a) Reach a decision, if necessary by a majority vote, and give reasons for it. This panel may decide to dismiss or uphold the complaint either in whole or in part.
 - (b) Decide on any further appropriate action to resolve the complaint;
 - (c) Recommend, if appropriate, changes to school procedures which will ensure that similar problems do not occur in the future;
- ◆ The clerk should write to the complainant giving a full explanation of the decision and the reason for it, indicating any further action to be taken or proposed.

Procedure for a Complaints Panel Meeting where the Complainant and Headteacher are NOT invited to attend

- i. Confirm Chair and the procedure.
- ii. Chair outlines the complaint and sums up the main issues.
- iii. Taking each point raised by the complainant in turn, the panel should consider the school's response to the complaint. They should discuss any written reports submitted to the panel.
- iv. Once all written statements have been considered, the governors should discuss the complaint and reach their conclusions.
- v. The panel should record their decision and their reasons for this.



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- vi. The chair / clerk should write to the complainant and headteacher within 10 working days giving a full explanation of their decision and the reasons for this. If appropriate, the letter may also outline any changes to school procedures and policies as a result of the complaint.

Please note that officers of the Schools Management Team will attend complaints panel meetings on request. The officer's role is to act as an independent observer and/or to offer advice on procedure. The involvement of the officer may also help to reassure the complainant that the procedure has been carried out correctly and fairly, even if he/she dislikes the outcome.

Procedure for a Complaints Panel Meeting where the Complainant and Headteacher are invited to Attend

The panel meeting should be as informal as possible. It is important that all parties have an opportunity to hear what is being said. It is imperative that both the complainant and the headteacher remain in the room at the same time. If one party leaves, the other should also be asked to do the same.

- i. Confirm chairman and the procedure. Introductions.
- ii. Complainant presents case, offering comments in support of their written grounds for complaint.
- iii. Governors may ask questions of the complainant.
- iv. Headteacher responds to the complainant's case, offering comment in support of his or her written report. Usually, the headteacher should attend the panel meeting on behalf of members of staff. However, other members of staff may be invited to attend the meeting to present their case and answer questions.
- v. Governors may ask questions of the headteacher.
- vi. Headteacher gives final summary.
- vii. Complainant gives final summary.
- viii. Members of the panel, the clerk and, where appropriate, the Support Officer from the LA, remain **while all others withdraw** to leave the panel to discuss the matter and to reach their conclusions.
- ix. The meeting reconvenes for the Chairman to announce:
 - ◆ The decision and the reasons for it or
 - ◆ That it has not been possible to come to a decision at this stage, but the outcome of the complaint will be communicated in writing within ten school days.

This policy should also be read in conjunction with Best Practice Advice for School Complaints Procedures 2016 issued by the DfE in January 2016.



9 Document Information

9.1 Date of next policy review

This policy will be revised in line with any revisions offered by the Local Authority

9.2 Change History

Date	Version	Author	Changes Made
14/10/2010	2	Della West	Annual review. See changes relating to categories of complaint, inclusion of School business manager and changes relating to referral of complaint beyond the Board of Governors if unresolved.
10/02/2015	3	John Thompson CoG	General updating, removal of named individuals, replacement with post titles and updating of WSCC contacts
15/04/2015	4	John Thompson CoG	Updated to reflect WSCC Model Complaints Procedure (Jan 2015)
07/09/2017	5	John Thompson CoG	Updated DoE Advice (Jan 2016) and WSCC advice ((May 2016)



Appendix A

Example of a Complaint Form

If a person wishes to log a formal complaint in writing to either the Headteacher or the Board of Governors, the following form may be used.

Please complete and return to Mrs Jean Page, Clerk to the Governors, who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name (if applicable):

Your relationship to the pupil (if applicable):

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

What actions, if any, have you already taken to try and resolve the 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:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:



Standard Letters

These letters are provided as a guide only.

Initial Response:

Dear

Thank you for coming to see me about

I can assure you that the matter you have raised will be fully looked into within the school. As you know, we always try to deal with any parental concerns as quickly and thoroughly as possible and I will contact you again by to let you know the outcome.

Thank you again for bringing this matter to my attention.

Yours sincerely,

Response after Head's Investigation:

Dear

Further to our meeting on I have now had an opportunity to look into your concerns. The results of my investigations are:

I hope you are satisfied that the matter has now been dealt with appropriately. If, however, you feel that your concerns have not been fully addressed, you may wish to proceed to the next stage of the School Complaints Policy by writing to the Chair of Governors to ask for the matter to be considered by the Governors' Complaints Panel. If you do wish to proceed in this way, you will need to contact the Chair of Governors within 10 school days of the date of this letter.

Yours sincerely,

Advising Complainant about the Complaints Panel Meeting where Complainant and Headteacher are not Invited in Person:

Dear

Thank you for your letter dated indicating that you wish to make a formal complaint about Davison CE High School for Girls.

I am now writing to advise you that a panel of governors of the school will be meeting to discuss your complaint in order to reach a decision which produces a fair and reasonable outcome in the circumstances. The panel will consist of three governors who have had no prior involvement with the complaint. The governors are (names).

The panel will be discussing in full all the points made in your formal letter of complaint. They will not be able to consider any new issues which have not been made available to the panel prior to the meeting. Please ensure, therefore, that any additional papers that you would like considered at the meeting are sent to me by



May I take this opportunity to assure you that the panel will pay careful attention to both your views and those of the school, and will make every effort to find a mutually acceptable solution to the situation which has led to your complaint.

Yours sincerely,

Advising Complainant about the Complaints Panel Meeting where Complainant and Headteacher ARE invited in person:

Dear

Thank you for your letter dated indicating that you wish to make a formal complaint about Davison CE High School for Girls.

I am now writing to invite you to a meeting with a panel of governors of the school to discuss your complaint and to reach a decision which produces a fair and reasonable outcome in the circumstances. The panel will consist of three governors who have had no prior involvement with the complaint. The three governors are . . . (names). You may wish to bring a friend or relation to the meeting.

The meeting will be held on ...(date)... at ...(time)... at ...(location) *. We shall be discussing in full all the points made in your formal letter of complaint. We will not be able to consider any new issues which have not been made available to all the participants prior to the meeting. Please ensure, therefore, that any additional papers that you would like considered at the meeting are sent to me by You will receive copies of all the papers being considered by the Complaints Panel in due course.

May I take this opportunity to assure you that the panel will pay careful attention to both your views and those of the school, and will make every effort to find a mutually acceptable solution to the situation which has led to your complaint.

Yours sincerely,

*** NB Date should be agreed in advance to ensure it is convenient to all parties**

Model Letter of Notification of Decision Regarding the Complaint Panel Meeting

Dear

Following receipt of your formal letter of complaint concerning I am writing to inform you that the Governors' Complaint Panel met on (date) to consider your complaint. Having considered all the information available, the panel has concluded that

I hope that we can now put this matter behind us and work for the benefit of your child's progress.

Yours sincerely



APPENDIX B

Complaints on Religious Education and Collective Worship

Background

A complaints procedure was set up in 1990 for religious education and collective worship that set up arrangements for consideration and disposal of any complaint which is to the effect that the authority or the governing body of any community school:

- has acted or are proposing to act unreasonably with respect to the exercise of any power in relation to:
- any provision of religious education or collective worship
- any enactment relating to religious education in the curriculum or religious worship in maintained schools.
- or have failed to discharge any such duty.

Categories of Complaints

- (i) the provision of religious education and worship which meets the general requirements set out in acts of parliament.
- (ii) The establishment of a SACRE and the review of the agreed syllabus.

Stages of Complaint:

Informal Stages

Concerns expressed by parents and others should be dealt with, as far as possible by informal discussions with teachers and Headteachers. At this stage the LA could be involved in trying to resolve the issue informally. It is not the intention that expressions of concern should be considered as complaints.

Formal Stages

1. If the concern is not resolved at the informal stage then it becomes a complaint and is considered by the governing body of the school or a panel thereof.
2. If the concern is not resolved by the governing body then the complaint is considered by a panel of the Standing Advisory Council on Religious Education or the relevant Church.

Complaints heard by SACRE

Any panel of SACRE set up to hear a complaint shall consist of the chairman or vice-chairman of SACRE together with two other members at least one of whom shall be a member of the county council.

Complaints in Controlled Schools

Complaints relating to religious education in controlled schools will be heard by a panel of SACRE.

Complaints relating to collective worship will be heard by a panel set up by the appropriate church authority.

Contacts

- In relation to complaints regarding religious education or collective worship in community schools:
WSCC Education Directorate
Durban House, Durban Road, Bognor Regis, PO22 9RE
- In relation to complaints regarding religious education or collective worship in C of E Aided schools or collective worship in C of E Controlled schools:
Diocesan Director of education
Church House, 211 New church Road, Hove, East Sussex, BN3 4ED



APPENDIX C

Record of previous actions within the complaint process:

Name of Colleague:
Student name and form:
Complainant's name(s) and relationship to student:
Address:
Daytime telephone number:
Evening telephone number:
Details of complaint:
Current Stage of complaint (Level 1-4):
Previous actions to resolve complaint? :
Actions agreed moving forwards?:
Have the actions been successful in resolving the complaint? :
If not ... what are the next steps? :
Has the colleague(s) undertaking the next Stage been informed and provided with accurate details of progress prior to handover? YES / NO
Has the complainant been informed of the next Stage of the process? YES / NO
Signature
Date