



RATTON SCHOOL
AN ACADEMY TRUST SCHOOL

DEALING WITH CONCERNS AND COMPLAINTS

Date of Last Review	March 2017
Date of Next Review	March 2018
Status	Statutory

All our policies support our vision and are based on our core virtues

Developing caring, confident and creative
students who achieve excellence

- Compassion
- Respect
- Creativity
- Teamwork
- Effort
- Responsibility

Introduction

Ratton School Academy Trust aims to ensure that any concern or complaint is managed sympathetically, efficiently, quickly and at the appropriate level and resolved as soon as possible. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, we will review our systems and procedures in the light of the circumstances of the complaint.

We recognise that a difficulty which is not resolved quickly and fairly, can soon become a cause for resentment and so we need to know as soon as possible if there is any cause for dissatisfaction. Anyone raising a complaint should never feel that that a complaint will be taken amiss or will adversely affect students' opportunities at the School. This policy distinguishes between a concern and difficulty which can be resolved informally and as a formal complaint.

INFORMAL STAGE

- The concern or difficulty should be raised as follows:

Achievement issues - if the matter relates to the classroom, the curriculum or special educational needs, the complaint should go to the class teacher, form tutor, Curriculum (subject) leader, SENCO or SMT link, as appropriate.

Pastoral care including Behaviour - for concerns relating to other aspects of school life including behaviour and wellbeing, the complaint should go to the form tutor, Care and Welfare Manager, the Head of Community, or SMT link as appropriate.

Financial and administrative matters - a query relating to fees, extras or other administrative matters should be raised by contacting the Business Manager.

The member of staff dealing with a concern or difficulty will make a written record of the issues raised, the action taken and, if applicable, the resolution reached, which will be retained.

- The person who raised the issue should be informed of the action to be taken to resolve the issue. It may be helpful to confirm undertakings given about future action or monitoring in writing.
- If the person is dissatisfied with the initial response they have been given and any subsequent attempts to resolve, they should be provided with a copy of the school's complaints procedure and informed about how to take their complaint to Stage 1, by referring it to the Headteacher in writing.

STAGE 1: REFERRAL TO THE HEADTEACHER

- i) Any complaint or concern that is put in writing should outline all the issues and what it is hoped the preferred outcome should be (See Appendix 3). Any complaint received by the Headteacher under this process should be acknowledged within 5 school days with a full written response within 15 school days.

Complainants should also be given the opportunity to meet with the Headteacher accompanied by a relative or friend if they so wish, to discuss their complaint. The Headteacher may delegate the responsibility to investigate the complaint to a senior member of staff. Irrespective of who leads on the investigation, any written records of interviews with complainants and with staff or witnesses carried out in the course of the investigation should be kept by the school.

- ii) It is generally at this stage that it will become clear whether it is appropriate for the complaint to be dealt with under these procedures or whether there are statutory processes. If the latter is the case, the Headteacher will need to inform the complainant of this in writing and the way in which the complaint will be handled.
- iii) In the letter conveying the outcome, the complainant should be informed of the process for referral to the Chair of Governors if they wish to take their complaint further. Any such referral should be made within 10 school days after receipt of the Headteacher's letter.

STAGE 2: REVIEW BY THE CHAIR OF GOVERNORS

- i) The complainant requests a review of their complaint by writing to the Chair of Governors care of the school, making it clear why they are complaining, who they have already spoken to and what they want to happen as a result of their complaint. Complaints received by the Chair should be acknowledged within 5 school days with a substantive response within 15 school days. The Chair may need to hold interviews with the Headteacher and possibly other members of staff and notes should be kept of those meetings.
- ii) Again, the letter conveying the Chair's findings should include details of the next stage of the procedure.
- iii) This stage should also serve as the first point at which complaints specifically about the Headteacher, the actions of the governing body or an individual governor should be considered (should the complaint be about the Chair, the Vice-Chair should undertake the investigation).
- iv) In acknowledging any complaint, the Chair may need to explain the powers of the governing body in the matter in question and the extent to which it may or may not be possible to achieve the outcome desired by the complainant. For example, a parent may be unhappy with their child's class placement. Whilst the governors can

look at whether the decision about the class placement was made in a fair, reasonable and consistent way, they do not have the powers to change the placement. In such instances it is important that the complainant is made aware at the outset of the scope of the investigation. However, where it is not within the remit of a governing body to change a decision, it may make a recommendation for the Headteacher to consider.

- v) If you are not satisfied with the result from the Stage 2 review, you may choose to refer your complaint to Stage 3 of the procedure. This must be done in writing to the school within 15 working days of the completion of Stage 2.

STAGE 3: REVIEW BY GOVERNING BODY COMPLAINTS COMMITTEE

- i) Complaints only rarely reach this formal level. Where the clerk to the governors receives a complaint under these procedures, he or she should arrange for a complaints committee to meet between 12 and 20 school days from receipt of the letter.

The governing body should have nominated three members to serve on the committee - with at least one member of the panel being independent of the management and running of the academy - and reserves to ensure that sufficient governors are available to hold a meeting within the specified time period. It is a matter for the academy to identify suitably independent individuals who can fulfil the role and responsibility of being the independent member. The Chair of Governors should not be a member of the committee as they will have been involved at the previous stage.

- ii) The Headteacher should also be informed immediately that a complaint has been received and consulted about the proposed date of the hearing.
- iii) On issuing notification of the date and time of the hearing, the clerk will need to advise the complainant and the Headteacher that any written documentation they wish the committee to consider will need to be submitted in time to be circulated to committee members 5 days prior to the hearing. The complainant should be advised that they may be accompanied by a relative or friend.
- iv) Notification of the hearing should also include details of the way in which the hearing will be conducted (see outline procedures for complaints committee - Appendix 2). The hearing should be minuted and copies of all relevant correspondence and notes should be kept on file by the clerk.
- v) The findings of the committee should be notified to the complainant and the Headteacher in writing within 5 school days of the hearing.

FURTHER RECOURSE

If the complainant is dissatisfied with the governing body's handling of their complaint at stage 3, they can complain to the Education Funding Agency (EFA). The EFA will normally only consider a complaint about an Academy after the Academy's own complaints procedure has been exhausted. The EFA cannot review or overturn decisions about complaints made by Academies. They can only investigate whether the Academy considered the complaint appropriately. If the EFA finds that an Academy did not consider a complaint appropriately it can request the Academy to re-consider the complaint.

LATE COMPLAINTS

Where a complaint is submitted more than six months after the incident or event (or where the complaint relates to a series of incidents or events, more than six months from the date of the latest incident or event), the School reserves the right to refuse to investigate the complaint under this Complaints Policy if it appears reasonable and fair to do so, having regard to the circumstances surrounding the complaint.

Where the School decides that a complaint which was submitted late will not be investigated, the School will write to the Complainant notifying them of the decision within five school days of the complaint being received.

If the Complainant is unhappy with the decision not to investigate a complaint which was submitted late, the Complainant may write to the Chair of Governors asking for the decision to be reviewed. The Chair of Governors will be provided with all documentation relating to the complaint and will review the decision not to investigate the complaint. The Chair of Governors will not investigate the complaint itself during this review.

The Chair of Governors will write to the Complainant with the outcome of the review within ten school days of the date that the letter from the Complainant seeking the review was received.

If the Chair of Governors quashes the decision not to investigate the complaint it will be referred to the School to be dealt with under this Complaints Policy in the usual way. If the Chair of Governors upholds the decision not to investigate the complaint, the Complainant may refer the concern or complaint to the Education Funding Agency using the procedure stated towards the end of this Complaints Policy. In exceptional circumstances, the Chair of Governors can delegate the responsibility for the review to the Vice-Chair of Governors.

ANONYMOUS COMPLAINTS

The School will not investigate anonymous complaints under the procedure in this Complaints Policy. Anonymous complaints will be referred to the Headteacher who will decide what, if any, action should be taken.

Appendix 1

SUMMARY OF THE COMPLAINTS PROCEDURE

Concern or complaint received

INFORMAL PROCEDURE	
Informal Stage	Action Required
Informal Stage - Informal discussion with the class teacher or other relevant member of staff usually resulting in resolution of the issue	The person is informed of the action to be taken to resolve the issue. If they are not satisfied they should be provided with a copy of the school's complaints procedures and information of how to proceed to Stage 1 with their complaint
FORMAL PROCEDURE	
Stage 1	If the complaint is not resolved
The complaint is submitted in writing to the Headteacher	The Headteacher acknowledges receipt within 5 school days and provides a full written response within 15 school days.
Stage 2	If the complaint is not resolved
A written complaint is submitted to the Chair of Governors	The Chair acknowledges receipt within 5 school days. Chair of Governors provides full written response within 15 school days.
Stage 3	If the complaint is not resolved
Complainant writes to the Clerk to Governors requesting that the complaint be heard by a complaints committee of governors	Clerk arranges for complaints committee to meet between 12 and 20 school days from receipt of letter and informs complainant of findings within 5 school days of hearing.
FURTHER RECOURSE	
If the complainant is not satisfied that the complaint has been dealt with properly and fairly	
Complainant writes to the Education Funding Agency (EFA)	The EFA cannot review or overturn decisions about complaints made by Academies. They can only investigate whether The Academy considered the complaint appropriately. If the EFA finds that The Academy did not consider a complaint appropriately it can request The Academy to re-consider the complaint.

Appendix 2

OUTLINE PROCEDURES FOR COMPLAINTS COMMITTEE HEARINGS

Procedure at the Complaint Panel Hearing

The Complaint Panel Hearing will be conducted as follows:

- The Clerk to the Complaint Panel will greet the Complainant, the Complainant's supporter and Ratton School's Representative and welcome them into the room where the Complaint Panel has convened (any witnesses will remain outside of the room until they are called in to give their account);
- The Complainant will be invited by the Complaint Panel to give an account of their complaint;
- Ratton School's Representative will be invited to ask the Complainant questions, if any;
- The Complaint Panel will ask the Complainant questions, if any;
- At the discretion of the Chair of the Complaint Panel, the Complainant's first witness will be invited into the room to give an account of what they saw or know;
- Ratton School's Representative will be invited to ask the Complainant's witness questions, if any;
- The Complaint Panel will ask the Complainant's witness questions, if any;
- The Complainant's witness will be asked to leave the room;
- If the Complainant has any further relevant witnesses, at the discretion of the Chair of the Complaint Panel, they will be invited into the room individually to provide their accounts and be questioned as outlined above;
- Ratton School's Representative will be invited by the Complaint Panel to respond to the complaint and make representations on behalf of Ratton School;
- The Complainant will be invited to ask Ratton School's Representative questions, if any;
- The Complaint Panel will ask Ratton School's Representative questions, if any;
- At the discretion of the Chair of the Complaint Panel, Ratton School's relevant first witness will be invited into the room to give an account or what they saw or know;
- The Complainant will be invited to ask Ratton School's witness questions, if any;

- The Complaint Panel will ask Ratton School's witness questions, if any;
- Ratton School's witness will be asked to leave the room;
- If Ratton School has any further relevant witnesses, at the discretion of the Chair of the Complaint Panel, they will be invited into the room individually to provide their accounts and be questioned, as outlined above;
- The Complainant will be invited by the Complaint Panel to summarise their complaint;
- Ratton School's Representative will be invited by the Complaint Panel to summarise their response to the complaint and Ratton School's stance;
- The Complaint Panel Hearing will conclude and the Complainant and Ratton School's Representative will be asked to leave.

Witnesses

The Chair of the Complaint Panel will decide, at his or her absolute discretion, which witnesses will be permitted to attend the Complaint Panel Hearing to give a verbal statement rather than relying on a written statement or record of meeting which have been signed by the witness.

If the Complainant wishes to rely on the account of a witness, they should ask the witness to write down, sign and date their account and forward it to the Clerk to the Governors at least five school days before the Complaint Panel Hearing, to enable the Clerk to the Governors to forward it to Ratton School's Representative and the Complaint Panel members.

Witnesses under the age of eighteen other than the Complainant's own family will only be allowed to attend the Complaint Panel Hearing at the discretion of the Chair of the Complaint Panel, and then only if they are accompanied by one of their parents or carers. Any written accounts provided by the Complainant relating to witnesses under the age of eighteen must be signed and dated by the witness and one of the witness' parents or carers.

Members of staff of Ratton School involved in the matters which gave rise to the complaint will usually have provided a signed written account or have signed a note of a meeting during the previous stages, which will be forwarded to all parties with the other complaint documentation in the usual way. Members of staff will not usually be required to attend the Complaint Panel Hearing to give a verbal statement unless their conduct is in issue or their account is contentious and the rules of natural justice dictate that the Complainant should be allowed to ask that member of staff questions.

Appendix 3

COMPLAINT FORM

Please complete and return to the Headteacher's PA who will explain what action will be taken

Your name:	
Student's name:	
Your relationship to the student:	
Address:	
Daytime telephone number:	
Evening telephone number:	
E-mail address:	
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?	
Signature:	Date:
Official use:	
Date acknowledgement sent:	
By whom:	
Complaint referred to:	
Date:	