



Robertsbridge Community College Complaints Policy 2016/18

Reviewed February 2016

Next Review February 2018

Responsible person: Headteacher

Complaints

This policy sets out the stages of making a complaint about the school, and the procedures that should be followed*. In the first instance, parents are encouraged to speak to the child's class teacher, or contact the school office to arrange an appointment to discuss your complaint with whoever you wish. The complaints process is divided into three stages:

Stage 1 (informal): aims to resolve the concern informally, through the appropriate level in school.

Stage 2 (formal): is the first formal stage where written complaints are considered by the Headteacher or a designated governor (if the complaint relates to the Headteacher).

Stage 3 (formal): is only applicable if stages 1 and 2 have not resolved the complaint. Stage 3 involves the complaint being review by a panel appointed by the governing body.

Stage 4 (formal): is only applicable if stages 1, 2 and 3 have not resolved the complaint.

**Please note that there are certain complaints which fall outside the remit of the GB's complaints procedure, for example, staff grievances or disciplinary procedures.*

Stage 1 – Your initial contact with the school

1. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your student's class teacher, tutor, subject teacher, curriculum leader or learning leader as appropriate.
2. We will see you, or contact you by telephone or in writing, as soon as possible after your concern is made known to us. All members of staff know how to refer, if necessary, to the appropriate person with responsibility for particular issues raised by you. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.
3. We will ensure that you are clear what action or monitoring of the situation has been agreed. We will confirm this in writing to you.
4. We will ensure that we speak directly to all appropriate persons who may be able to assist us with our enquiries into your concern.
5. We will discuss with you (normally within ten working days) the progress of our enquiries. You will have the opportunity of asking for the matter to be considered further, once we have responded to your concern.
6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

Stage 2 - Formal consideration of your complaint

This stage in our procedures deals with written complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined under Stage 1 above.

1. Your written complaint should be addressed to the Headteacher. If, however, your complaint concerns the Headteacher personally, it should be sent to the school or Governor Services marked "For the attention of the Chair of Governors".
2. The School/ Governor Services will acknowledge your complaint in writing as soon as possible after receiving it. This will be within three working days.
3. The school will enclose a copy of these procedures with the acknowledgement.
4. The complainant should expect to receive communication from the Headteacher within ten working (school) days, but if this is not possible the school will write to explain the reason for the delay and let you know when the school hopes to be able to provide a full response.
5. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
6. The Headteacher, or chair of governors may also be accompanied by a suitable person if they wish.
7. Following the meeting, the Headteacher or chair of governors will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
8. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
9. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
10. The Headteacher or chair of governors will keep written, signed and dated records of all meetings and telephone conversations, and other related documentation.
11. Once we have established all of the relevant facts, we will send you a written response to your complaint. This will give a full explanation of the Headteacher's /Chair of Governors' decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.
12. If you are not satisfied with the outcome of the Stage 2 investigation and the schools findings, you may wish to proceed to Stage 3, as described below.

Stage 3 - Consideration by a complaints review panel

If your concern has already been through Stages 1 and 2 and you are not happy with the outcome, the Chair of Governors will instruct the Clerk to set up a complaints review panel to consider it. This is a formal process, and your ultimate recourse at school level.

The purpose of this arrangement is to give your complaint a hearing in front of a panel of governors who have no prior knowledge of the details of the complaint and who can, therefore, consider it without prejudice.

The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously.

The complaints review panel operates according to the following formal procedures:

1. The clerk to the governing body will aim to arrange for the panel meeting to take place within 20 working days.
2. The clerk will ask you whether you wish to provide any further written documentation in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person, if you wish.
3. The Headteacher will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements.
4. The clerk will inform you, the Headteacher, any relevant witnesses and members of the panel by letter, at least five working days in advance, of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place in the school; but we will do what we can to make alternative arrangements if you prefer.
5. With the letter, the clerk will send you all relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit further written evidence to the panel.
6. The letter will explain what will happen at the panel meeting and the clerk will also inform you that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
7. With the agreement of the chair of the panel, the Headteacher may invite members of staff directly involved in matters raised by you to attend the meeting,
8. The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
9. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
10. The chair of the panel will ensure that the meeting is properly minuted. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are of a sensitive and confidential nature.
11. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the clerk can then be asked to maintain confidentiality in the minutes.
12. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the Headteacher and yourself within 10 working days. All participants other than the panel and the clerk will then leave.
13. The panel will then consider the complaint and all the evidence presented in order to:
 - reach a unanimous, or at least a majority, decision on the complaint;
 - decide on the appropriate action to be taken to resolve the complaint;
 - recommend, where appropriate, to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.
14. The clerk will send you and the Headteacher a written statement outlining the decision of the panel within 10 working days. The letter will explain what further recourse, beyond the governing body, is available to you.

15. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

Notification of the panel's decision

The Chair of the Panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response (including the reasons for the decision); this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed. In the case of Robertsbridge Community College this would be the Local Authority.

Final Stage

The final stage of appeal is to the Secretary of State for Education. Complainants should be advised to write to The School Complaints Unit (SCU) at:

Department for Education
2nd Floor, Piccadilly Gate
Manchester
M1 2WD

Summary for Dealing with Complaints

Stage 1 – Complaint heard by staff member

Ensure complaints co-ordinator informed of outcome

If not resolved, then escalate to **Stage 2** – complaint heard by **Headteacher**

Acknowledge receipt of complaint

Write to complainant with outcome of investigation

Ensure complaints co-ordinator informed of outcome

Offer escalation to Stage 3 if dissatisfied

If not resolved, then escalate to **Stage 3** - complaint heard by **Governing Body Panel**

Acknowledge receipt of complaint

Issue letter inviting complainant to meeting

Issue letter confirming panel decision

Ensure complaints co-ordinator informed of outcome

Advise of escalation routes to the Secretary of State for Education

Governing Body Panel

The Governing Body will nominate a number of members with delegated powers to hear complaints at that stage, it may:

- Hear individual appeals.
- Make recommendations on policy as a result of complaints.

The panel can be drawn from the nominated members and consists of three people. The panel may choose their own chair.

The panel can:

- Dismiss the complaint in whole or part;
- Uphold the complaint in whole or part;
- Decide on the appropriate action to be taken to resolve the complaint;
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

Role of the clerk: the panel considering complaints should ensure that the meeting is clerked. The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision;
- ensure each side is given the opportunity to state their case and ask questions;
- ensure written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Equality implications

- All complaints will be handled with sensitivity and confidentiality;
- If the complainant tries to re-open the case the Chair of Governors is able to write explaining that the case has been fully exhausted and the case is closed;
- Should the school receive numerous complaints from an individual, advice should be taken from the local authority regarding dealing with vexatious complainants