



Eastlea
COMMUNITY SCHOOL

Complaints procedures policy

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1. Introduction

The governing body believes that feedback is an important part in self-evaluation and raising standards. This procedure aims to ensure that all stakeholders:

- Can voice concerns, make a complaint and identify issues
- Know that this will be considered seriously
- Know that the appropriate action will be taken to resolve the issue and ensure student well-being and achievement

The school takes informal concerns seriously and aims to resolve them at the earliest stage in order to ensure the smooth running of the school and high standards of learning and teaching and avoid these developing into formal complaints.

The underlying principle is that concerns will be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure will not in any way undermine efforts to resolve the concern informally. Staff will endeavour to resolve issues on the spot.

In order to make a complaint, complainants should raise any concerns and complaints with members of staff either in person, by telephone or in writing in order that they can initially be discussed informally and hopefully resolved.

Formal procedures will be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

This policy should be read alongside other schools policies which can be found on the school's website.

2. Applicability

This policy will apply to all employees and governors of the school. It is the shared responsibility of the Headteacher and the Chair of the Governing Body to ensure that these groups are made aware of the policy and procedure.

This procedure is devised with the intention that it will:

- usually be possible to resolve problems by informal means
- be simple to use and understand
- be non-adversarial
- provide confidentiality
- allow problems to be handled swiftly
- address all the points at issue
- inform future practice so that the problem is unlikely to recur

This procedure should be used for:

- Complaints about the education and care provided to students at the school
- Complaints about the school's operational arrangements

This policy is limited to matters which can reasonably be investigated and therefore concerns and/or complaints should relate to matters which have occurred within the last 12 months.

This policy should not be used for:

- Complaints by staff relating to grievances about their employment
- Complaints about the actions of a governor
- Complaints about the actions of another parent
- Allegations of abuse
- Issues between the school and community groups

These matters will be dealt with through other procedures in place, as below:

| Nature of Concern / Complaint | Person / Forum to refer to |
|---|---|
| Complaints by staff relating to grievances about their employment | Grievance Procedure |
| Complaints about the actions of another parent | This should be reported to the Headteacher who will investigate whether action can be taken by the school |
| Allegations of abuse by staff | Please see the Safeguarding policy |
| Issues between the school and community groups | These will be resolved informally by discussion |
| Complaints about the actions of a governor | This should be reported to the Chair of the Governing Body in the first instance |

What to do if you have a concern/complaint about Eastlea Community School.

3.Procedure

3.1 Expression Of An Initial Concern

3.1.1 Complainants can express an initial concern verbally (in person or by telephone) or in writing (letter, note or email) directly to any adult employed by the school. It would be advised at this stage to first raise your concern with the adult who could be best placed to resolve this, without it going any further. i.e. Students tutor or specific subject teachers.

3.1.2 If this is not the appropriate person, the school will pass on the concern to the relevant person, who in most cases will initially be an Assistant Headteacher. This person will respond as soon as is possible, given teaching commitments and other responsibilities, but at least within 3 school working days. The response may be in writing or verbal and in most cases the concern will be addressed and the matter resolved informally and immediately. If the matter cannot be resolved informally, then the complainant may wish to make a complaint and the following procedures apply.

3.1.3 If the complaint involves a child with a Statement or Education, Health and Care plan, complainants are advised to speak to the school's SENCO.

3.1.4 If a complainant first contacts an individual or group of governors, they will be asked to take up their concern with the appropriate member of staff. A governor should not be made aware of a potential complaint as they may be required to sit on a panel in the event of a formal hearing.

3.1.5 If a complainant first contacts the local authority, without contacting the school about their concern, they will be asked to contact the school directly. Alternatively, the local authority can seek the permission of the complainant to share their concerns with the school.

3.2 Complaint - Informal Stage

3.2.1 This stage is informal and should be used for raising initial concerns.

3.2.2 Complainants can complain either verbally (in person or by telephone) or in writing (letter, note or email) directly to any member of the senior leadership team. If this is not the appropriate person or if the staff member is not available, the school will pass on the concern to the relevant person who will respond as soon as is possible, given teaching commitments and other responsibilities, but at least within 3 working days. The response may be in writing or verbal and in most cases the complaint will be addressed and the matter resolved informally and immediately.

3.2.3 The member of staff dealing with the complaint should make sure that the complainant is clear as to what action (if any), or monitoring of the situation has been agreed.

3.2.4 If the complaint has any safeguarding implications, it must immediately be reported directly to the Executive Headteacher, Headteacher or Designated Safeguarding Lead.

3.3 Stage 1 - Complaint To The Headteacher For Investigation

3.3.1 If you are still dissatisfied with the outcome of your informal complaint a complaint should be made to the Headteacher in writing (email or letter) wherever possible. The Headteacher will acknowledge the complaint in writing.

3.3.2 The Headteacher may delegate the investigation to members of the Senior Leadership Team as appropriate for example:

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| Curriculum offer/provision/quality of teaching | Deputy Headteacher |
| Behaviour/Bullying/Equality Issues | Deputy Headteacher |
| Support Staff | SBM /SENCO |

3.3.3 Once all the relevant facts have been established, the Headteacher or her/his representative will produce a written response to the complaint.

3.3.4 The School will not usually pay financial compensation as a response to complaints though may spend money on a relevant educational purpose (eg. Paying a fee for a repeat examination).

3.4 Complaints Against The Headteacher

3.4.1 Complaints against the Headteacher should be addressed directly to the Executive Head. A written response by the Executive Head acknowledging receipt of complaint should be sent within 3 working days of receipt, however due to other responsibilities it may take longer.

3.4.2 The Executive Head will gather all relevant documents and make a decision within 5 working days if the Headteacher's initial decision was correct. If the Complainant is still unsatisfied with the outcome. Steps 3.4.3 should be followed.

3.4.3 Complaints against the Executive Headteacher should be addressed directly to the Chair of Governors and should be sent to the school address. The complaint will be forwarded to the Chair of Governors and be considered in accordance with Stage 2 of the procedure described below. However, before Stage 2 is instigated the Chair of Governors will invite the Headteacher to respond to the complaint in writing within 15 school days.

3.4.4 The Chair of Governors will send a copy of the Headteacher's response to the complainant and the complainant will be asked to indicate within five school days of receipt of the response whether s/he is satisfied with the response. If the complainant is not satisfied with the response, Stage 2 should commence as described below.

3.5 Stage 2 – Consideration By The Governing Body

3.5.1 If the complainant decides to proceed to Stage 2, s/he must write to the Chair of Governors within 3 weeks of receiving the Stage 1 outcome letter.

S/he should:

- Make it clear why they are complaining
- Say who they have spoken to already
- Say why they are dissatisfied with the Stage 1 outcome
- Explain what they want to happen as a result of the complaint procedure.

The Chair of Governors should acknowledge the complaint within 10 school days of receipt. A copy of the acknowledgement should be sent to the Headteacher and the clerk to the governing body.

3.5.2 A panel with at least two Governors will be arranged. The panel should be independent and impartial. The Headteacher should not serve on the panel. No governor should sit on the panel if s/he had prior involvement in the case or circumstances surrounding it.

3.5.3 The complaints panel should consider the complaint on the basis of the written evidence and set up a hearing to hear evidence from both parties. Governors should consider the issues raised in the original complaint and not confine themselves to

consideration of procedural issues. The panel should follow the procedure set out in Section 3.6 below.

3.5.4 The chair of the panel will write to the complainant to explain how the hearing will be conducted. The letter should be copied to the Headteacher.

3.6 Hearing

3.6.1 The chair of the Complaints Panel should confirm the date of any hearing with the members of the Complaints Panel.

3.6.2 The hearing will be a confidential meeting. The complainant and Headteacher should be invited to attend the hearing. The date and time of the meeting should be convenient to the complainant and the Headteacher, within reason. The notification should inform the complainant of his/her right to be accompanied to the meeting by a friend/representative. It should also explain how the meeting will be conducted and of the complainant's right to submit further written evidence to the Complaints Panel. Complainants will be expected to behave appropriately at all times and hearings will be stopped if this is not the case.

3.6.3 The Headteacher should also be invited to prepare a written report for the Complaints Panel in response to the complaint.

3.6.4 All relevant correspondence regarding the complaint should be circulated to the Complaints Panel members; complainant and the Headteacher in advance of the meeting.

3.6.5 It is the responsibility of the chair of the Complaints Panel to ensure that the meeting is properly conducted. Although the proceedings should be as informal as possible, minutes should be taken.

3.6.6 The aim of the hearing should be to resolve the complaint and achieve reconciliation between the School and the complainant. However, after the meeting the Complaints Panel will need to issue a finding in writing either upholding or not upholding the complaint or upholding some parts and not others.

3.6.7 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interest of natural justice to adjourn the meeting so that the other side has time to respond to the new evidence. Late evidence of witnesses should not be accepted unless there is a good reason for the lateness.

3.6.8 The Hearing should allow for:

- the complainant to explain his/her complaint and the Headteacher to explain the reasons for her/his decision;
- the Headteacher to question the complainant and the complainant to question the Headteacher;
- panel members to have an opportunity to question both the complainant and the Headteacher;
- any party to have the right to bring witnesses (subject to the approval of the chair of the Panel) and all parties having the right to question all the witnesses; and
- A final statement by the Headteacher and the complainant

3.6.10 The chair of the Panel should explain to the complainant and the Headteacher that the Panel will consider its decision, and a written response will be sent to both parties as soon as possible. The complainant, Headteacher and any witnesses will then leave.

3.6.11 The Panel will consider the complaint and all the evidence presented and reach a decision on the complaint. Where appropriate the Panel can decide on action to be taken to resolve the complaint and/or suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.

3.6.12 Governors will not pay financial compensation as a response to a complaint, although may spend money on an appropriate educational purpose.

3.6.13 The chair of the Complaints Panel will send a written statement, within ten school days of the hearing, outlining the decision, with reasons, to both the complainant and the Headteacher.

3.6.14 The complainant should be advised that if s/he is dissatisfied with the response s/he has the right to take the matter further by contacting the Department for Education or Education Funding Agency.

3.6.15 Stage 2 should be completed within 28 school days. However, it is recognized that this timetable is likely to prove impossible for complaints which are complex. In such cases the chair of the Complaints Panel should write to the complainant giving a revised target date and Headteacher in advance of the meeting.

4. Exceptional Circumstances

4.1 In exceptional circumstances, the Complaints Panel may decide not to proceed to consider the complaint on the grounds that the complaint has already been dealt with and the appropriate procedure has been exhausted.

5. Monitoring and Evaluating The Policy

5.1 All documentation regarding complaints (including notes of any related meetings and telephone calls), the action taken and the final outcome will be recorded and a summary included in the Headteacher's next report to governors.

5.2 The governing body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole governing body will not name individuals.

5.3 The monitoring and review of complaints by the school and the governing body is a useful tool in evaluating the school's performance, and will contribute to school improvement. Any underlying issues identified will be addressed.

6. Useful Documents and Links To Other Policies

[School Complaints Toolkit 2014](#)

Appendix 1 - Complaints Diagram

