



## Complaints Policy

## Mission Statement “Excellence for Everyone”

### Introduction

This policy may be used by anyone who has a concern or complaint about any aspect of the school. In the majority of cases, this will mean the parents and carers of pupils, but may also include parents and carers of pupils who are no longer at the school, neighbours of the school, or any other members of the local community.

Every effort will be made to resolve all complaints received. Complaints will always be investigated so that the school can ensure that the issues raised can be fully explored and changes made and learning put in place as appropriate.

### Aims and objectives of the policy

This complaints policy aims to:

- Encourage the resolution of problems by informal means wherever possible;
- Ensure that concerns are dealt with quickly, fully and fairly and within clearly defined time limits;
- Provide effective responses and appropriate redress;
- Maintain good working relationships between all people involved with the school.

There are no regulations which prescribe governors’ involvement in dealing with complaints. In general, the need to maintain a strategic overview, rather than a day to day operational involvement, should remain paramount. Governors need to avoid prior knowledge of any issues which might later be considered by an appeal panel of governors.

### Informal stage

- Parents/carers should feel free to raise their concerns with the class lead, senior leader or other appropriate member of staff *either in person, by telephone or in writing*
- West Oaks is committed to responding as quickly as possible to any issues raised i.e. staff will listen to parents’ concerns and seek to reach a speedy and satisfactory resolution
- **Complainants will, where possible, receive a response to their concern within 3 school days.** If it is not possible to meet this deadline they will be informed of when a response will be made
- If, after attempting to resolve the issue informally, a complainant remains dissatisfied with the outcome they will be provided with information about the school’s formal complaints procedure (go to stage 1)

- **Exceptions** – Any complaint which involves a claim for compensation or an allegation of misconduct about a particular member of staff should be put in writing to the Principal/Headteacher/Head of Centre. A complaint about the conduct of the Principal/Headteacher/Head of Centre should be made in writing to the Chair of Governors. The governing body should consider appointing a designated governor (with Local Authority support if necessary) to investigate the complaint

### **Formal Stage 1 : Principal/Headteacher/Head of Centre**

- The complaint should be put in writing to the Principal/Head of Centre.
- The Principal/Head of Centre will offer to meet with the complainant within 48 hours to discuss the complaint/gather further information.
- The complainant will be provided with information regarding the procedure which will be followed along with a realistic timeline for conclusion of the investigation.
- A contact person will be nominated, their role will be to liaise with the complainant and keep them informed of progress during any investigation.
- Copies of any school procedures which will be followed will be provided to the complainant.
- The method and frequency of communication will be agreed with the complainant e.g. telephone/email/letter.
- Support for the complainant will be considered at this stage.
- Receipt of the complaint will be formally acknowledged within 5 school days. A response specifying how the complaint will be investigated, by whom and the timescale within which a full response will be made will follow.
- The Principal/Headteacher/Head of Centre should nominate a senior member of staff, who has had no prior involvement with the complaint, to investigate. This allows the Principal/Headteacher/Head of Centre to retain a degree of detachment and independence from the complaint
- During the investigation the Principal/Headteacher/Head of Centre, or nominated person, may contact the complainant to clarify the details of the complaint and speak to other persons as necessary.
- A Complainant will be allowed the opportunity to meet with the investigating officer and to be accompanied by a friend or relative to speak on their behalf or help them make their case

- The Principal/Headteacher/Head of Centre, or nominated person investigating the complaint will interview relevant witnesses and take statements from those involved
- If the complaint involves a pupil, he/she should also be interviewed, normally with a parent/carer present. In some cases this might not be possible and a member of staff with whom the pupil feels comfortable e.g. learning mentor, should attend the interview
- The investigating officer should keep written records of all meetings and telephone conversations undertaken as part of the investigation together with any other relevant documentation
- Following the investigation, the school may need to follow the school's disciplinary procedure in order to deal with any issues which come to light in the investigation. In such cases, the complainant will be advised that this is the case and will be provided with a realistic timescale as to when the matter will be concluded.
- If the disciplinary procedure is followed, the complainant will be advised what information can be shared and what information cannot be shared due to reasons of confidentiality. A copy of the disciplinary procedure will be provided.
- A full written response will be made to the complainant who may be offered a further meeting to explain how the investigation was carried out and how decisions were reached
- The complainant will be advised that if they are dissatisfied with the outcome they may refer the matter to the governing body (go to stage 2). This should be done by writing to the Chair of Governors within **10** school days of receipt of the letter from the Principal/Headteacher/Head of Centre

### **Formal Stage 2 : Appeal to Panel of Governors**

- If the complainant is dissatisfied with the outcome of stage 1 there will be a further and final right of appeal to a specially convened panel of governors
- Appeals should be lodged with the Chair of Governors within **10** schools days of receipt of the Stage 2 decision.
- The panel will meet within **20** schools days of receiving the complaint and the complainant and the Principal/Headteacher/Head of Centre will be informed of the date, time and venue of the hearing
- The panel will comprise at least **3** governors **who have had no previous knowledge of or involvement in the case**. The panel should not include teaching or staff governors
- The panel will appoint its own chair, normally the Chair or Vice-chair of Governors. The chair of the panel will ensure that the appeal hearing is minuted

- The panel will consider the way the complaint has been investigated and handled by the school. The panel will carry out a review of the investigation carried out at Formal Stage 1. It will hear the report of the investigating officer at formal Stage 1 and any submissions on that report by the complainant. The review should not entail a rehearing of the case
- It will be open to the governors to uphold the complaint and/ or direct a different remedy to that decided upon by the investigating officer at stage 1
- The complainant may be accompanied by a friend or relative to speak on their behalf or help present their case
- The decision of the panel is final and will be communicated in writing to the complainant and the Principal/Headteacher/Head of Centre within **3** school days
- If the complainant believes that the matter has not been dealt with **fairly** they may ask the Local Authority to examine the **process** which has been followed
- The Local Authority does not have power to set aside the decision of the Governors' Panel. It may only comment on the **fairness of the process**
- A further stage of appeal can be taken to the Secretary of State for Education & Skills, but only on the grounds that the governing body or Education Leeds is acting or proposing to act unreasonably or illegally.

**The Local Authority should be informed of any complaint which reaches Stage 2. The Panel may request that an officer from the Local Authority attend the appeal hearing to offer procedural advice. Any such advice will take the form of a recommendation to the panel.**

### **Monitoring and Review**

This policy has been approved by the governing body and will be reviewed every two years or in the light of new guidance from the Department for Education or Local Authority.