

## COMPLAINTS POLICY AND PROCEDURE

<b>Committee:</b>	Teaching and Learning
<b>Adopted at FGB:</b>	06.12.12
<b>Reviewed with changes</b>	18.10.12
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<b>Responsible Officer:</b>	S. Munday

This policy does not include dealing with staff grievances, internal disciplinary matters relating to staff or pupils or curriculum complaints. Nor does it deal with admissions appeals, SEN appeals or appeals to the staff dismissal committee. This may include complaints from parents and the general public.

### Introduction

The governors of Comberton Village College are committed to ensuring that the highest standards are maintained at the school both in the provision of education to pupils and in every other aspect of the running of the school. A complaints procedure is an important part of the management of a well-run school allowing parents and others the opportunity to voice any concerns they may have through appropriate channels. This policy explains the procedure which has been adopted by the governing body to ensure a systematic and fair approach to the resolution of such concerns.

We recognise the need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage reduces the numbers that develop into formal complaints. We aim to ensure that concerns are handled, if at all possible, without the need for formal procedures. Our formal complaints procedure is only necessary if efforts to resolve the concern informally are unsuccessful. In most cases, a class teacher or an individual delivering the service, will receive the first approach. Our staff development process includes training to help staff resolve issues on the spot, including apologising where necessary.

Our formal procedures are 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.

Any complaints by staff should be addressed under the school's grievance procedure.

A complaint may result in disciplinary action by the school against a member of staff and this would be confidential between that member of staff and the school, but otherwise parents will be kept informed of the handling of any complaint. Any complaint will be kept confidential unless it is necessary to involve other parties and will be dealt with as quickly as possible.

### Objectives and targets

To be effective our complaints procedure will:

- Encourage resolution of problems by informal means wherever possible.
- Be easily accessible and publicised.
- Be simple to understand and use.
- Be impartial.

- Be non-adversarial.
- Allow swift handling with established time-limits for action and keeping people informed of the progress.
- Ensure a full and fair investigation by an independent person where necessary.
- Respect people's desire for confidentiality.
- Address all the points at issue and provide an effective response and appropriate redress, where necessary.
- Provide information to the school's senior management team so that services can be improved.

### **Action plan**

At Comberton Village College the Head of School who delegates to senior members has overall responsibility for the operation and management of the school complaints procedure. In practical terms, the Executive Principal will nominate senior members of staff to deal with matters on a day-by-day basis. The names of these members of staff are readily available from the school office or from any member of staff.

In general, any written complaint should be addressed to the Executive Principal, although it is expected that attempts will be made to resolve difficulties informally with the class teacher/form teacher/head of year/SLG Link Manager/Head of School before being referred to the Executive Principal. The informal stage of the procedure should be exhausted before the matter is referred to the formal stage and a complaint form issued (see appendix A for parents or appendix B for members of the public). If any substantial complaint is made to a member of staff by a parent it should be referred to the line manager or Executive Principal, as appropriate, if it cannot be resolved immediately by the member of staff to the satisfaction of the parent.

Whenever a formal complaint is received it will be investigated. At each stage, the person investigating the complaint (the complaints co-ordinator), makes sure that they:

- Establish what has happened so far and who has been involved.
- Clarify the nature of the complaint and what remains unresolved.
- Meet with the complainant or contact them (if unsure or further information is necessary).
- Clarify what the complainant feels would put things right.
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- Conduct the interview with an open mind and be prepared to persist in the questioning.
- Keep notes of the interview.

### **Stages in the procedure**

There are three stages in the school's complaints procedure. At each stage in the procedure, we will remain mindful of ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- An apology.
- An explanation.
- An admission that the situation could have been handled differently or better.
- An assurance that every effort will be made to ensure that the event complained of will not recur.

- An explanation of the steps that have been taken to ensure that it will not happen again.
- An undertaking to review school policies in light of the complaint.

We encourage complainants to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

At all times we will seek to identify areas of agreement between the parties and clarify any misunderstandings that might have occurred because this can create a positive atmosphere in which to discuss any outstanding issues.

### **Stage 1 – informal**

In this stage, the class teacher/form tutor/head of year will deal with the complaint **within 10 working days**. Most parents' concerns can be appropriately resolved by discussion with the class teacher/form tutor/head of year or with other members of staff. There may be no need for the complaint to be put in writing, which would formalise matters and may lead parents to feel less prepared to articulate concerns, perhaps because of a fear that such action may prejudice the interests of their child. If the complainant wishes to take the matter further then the Head of School is informed and stage 2 is implemented. This requires the complaint form to be completed. If assistance is needed to complete the form please contact the school.

### **Stage 2 – formal**

If the concern is not met to the complainant's satisfaction by discussion, then the initial recipient of the complaint should refer the matter to the applicable Head of School or a designated member of the senior leadership team in writing.

The Head of School, or a designated member of the senior management team, will investigate the circumstances of the complaint and may find it appropriate to ask for written statements from staff or pupils and to call for any relevant documentation.

If the complaint is against a member of staff, that member of staff has a right to be given details of the complaint and the opportunity to make representation about it. The person investigating the incident will take these details into account.

If a complaint concerns the conduct of the Executive Principal or a governor, or where the Executive Principal or governor has been involved in the issue previously, then the matter will be referred to a senior member of staff or member of the governing body not previously involved. In some circumstances, the school reserves the right to refer the matter to an external body.

The Executive Principal or designated member of staff will respond to the complainant with the outcome of the investigation, normally **within 14 school working days** of receipt of the substance of the complaint. The response may be in writing or at a meeting with written confirmation of the outcome.

The complainant must be informed of his or her right to have the matter referred to the governors' complaints panel if the outcome of the informal stage is not satisfactory. The complaints panel will consist of at least 3 people not directly involved in the matters detailed in the complaint and one of the panel members will be independent of the management and running of the school. Any such request by a complainant should be addressed to the clerk to the governors and the matter becomes a formal complaint.

### Stage 3 – formal - Governors

When the clerk receives a formal request for the governors to consider a complaint, the clerk will refer the matter in the first instance to the chair of governors or another nominated governor. He or she will investigate, may speak to the parties involved and will prepare a written statement of findings to be submitted to the complainant. The complainant must be informed of the right to refer the matter to the governors' complaints panel if he or she is not satisfied with the outcome.

If a hearing is requested, the clerk will write to the complainant, the Executive Principal and the chair of governors giving details of the meeting, requesting copies of any documents to be put before the meeting and the names of any witnesses that either party may wish to attend. The parent will be informed of the right to be accompanied by a friend. The hearing should be on reasonable notice and be held as soon as practicable after receipt of the referral but certainly within **20 working days**.

In the case of a complaint from a parent the process will be as described but in the case of a complaint from a member of the public the governors' complaints panel will advise on whether they consider it appropriate for the complainant (and Principal and Chair of Governors) to attend the meeting of the panel depending on the circumstances of the complaint. The Governor's complaints panel will be made up of at least 3 people who were not involved in the original investigation. One member of the panel will be independent of the school.

The procedure at the hearing (See *appendix C* – checklist for a panel hearing) needs to be appropriate for the circumstances and is at the discretion of the chair of the governors' complaints panel but is likely to involve:

- Presentation of the complaint.
- A reply by the Executive Principal or governor.
- Questioning by all parties.
- Representation about ways to resolve the complaint satisfactorily.

If necessary, the panel will withdraw to consider their findings of fact on the evidence put before them and their conclusions, which may include measures to redress problems identified. The decision of Governors' Complaints Committee is binding and concludes the Comberton Village College Complaints Procedures. If the complainant remains dissatisfied with the outcome, he/she should write to the Education Funding Agency (EFA) at Castle View House, East Lane, Runcorn, Cheshire, WA76 2GJ.

### Time-limits

Complaints are considered, and resolved, as quickly and efficiently as possible. Comberton Village College sets realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits may need to be set and the complainant sent details of the new deadline and an explanation for the delay.

### Recording complaints

The progress of any complaint and the final outcome will be recorded by the complaints co-ordinator. A complaint may be made in person, by telephone, or in writing. At the end of a meeting or telephone call, the member of staff will ensure that the complainant and the school have the same understanding of what was

discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record. Such notes will be made available to HMI on request. Any findings and records from the panel will be provided in writing to the complainant and where relevant the person complained about.

Written records will be kept of all complaints and will show whether they were resolved at the in/formal stages or resolved at a hearing.

### **Publicising the policy and procedure**

Details of Comberton Village College's complaints policy and procedures can be found on the school website and is available on request and at the school Reception desk.

### **Monitoring and evaluation**

The governing body will monitor the level and nature of complaints using the records kept by the complaints co-ordinator. Wherever possible, complaints information shared with the whole governing body will not name individuals. The school is committed to on-going improvement. Therefore as well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, we will identify any underlying issues that need to be addressed. The monitoring and review of complaints by the school and the governing body helps us in evaluating our performance.

### **Reviewing**

The governing body will review the outcomes of the monitoring exercise on a regular basis to ensure the effectiveness of the procedure and make changes where necessary.



## **APPENDIX A: COMPLAINTS FORM FOR PARENTS**

**Please complete and return to the Clerk to the Governor who will act as Complaints Co-ordinator and who will acknowledge receipt and explain what action will be taken.**

**Your name:**

**Pupil's name:**

**Your relationship to the pupil:**

**Address:**

**Postcode:**

**Daytime telephone number:**

**Evening telephone number:**

**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?**

**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By whom:**

**Complaint referred to:**

**Date:**



## **APPENDIX B: COMPLAINTS FORM FOR MEMBERS OF THE PUBLIC**

**Please complete and return to the Clerk to the Governor who will act as Complaints Co-ordinator and who will acknowledge receipt and explain what action will be taken.**

**Your name:**

**Address:**

**Postcode:**

**Daytime telephone number:**

**Evening telephone number:**

**What is your connection to the College?**

**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?**





**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By whom:**

**Complaint referred to:**

**Date:**

## **APPENDIXC:**

### **CHECKLIST FOR A PANEL HEARING WITH THE COMPLAINANT IN ATTENDANCE**

**The governors' complaints panel needs to take the following points into account:**

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Executive Principal/Head of School may question both the complainant and the witnesses after each has spoken.
- The Executive Principal/Head of School is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Executive Principal/Head of School and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Executive Principal/Head of School is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

### **CHECKLIST FOR A PANEL HEARING WITH WRITTEN EVIDENCE ONLY**

**The governors' complaints panel needs to take the following points into account:**

- The Chair of the complaints committee will give a review of the complaint received
- Evidence provided by the complainant will be considered.
- The school's actions and response to the complaint will also be reviewed and considered.
- A conclusion and course of action will be agreed.
- Both parties will be advised in writing within a previously agreed time scale.