



QUEEN ELIZABETH HIGH SCHOOL and HEXHAM MIDDLE SCHOOL

Complaints Policy and Procedure

CONTENTS

1. COMPLAINTS POLICY	3
1.1 Who can make a complaint	3
1.2 Key points	3
1.3 Special circumstances	3
1.4 Complaints not covered in this procedure	3
1.5 External parties using the school premises	4
2. GUIDING PRINCIPLES WHEN DEALING WITH COMPLAINTS	4
2.1 Dealing with complaints – formal procedures	5
2.2 Investigating complaints	5
2.3 Resolving complaints	5
2.4 Time limits	5
2.5 Vexatious complaints	6
3. COMPLAINTS PROCEDURE	6
3.1 Informal	6
3.2 Formal	6
3.3 The stages of the formal proceedings	6
3.4 Complaints that have been unresolved after stages one and two	7
3.5 Stage three only	7
3.6 Unresolved complaints	7
3.7 Time limits	7
3.8 Managing and recording complaints	8
3.9 Governing Body reviews	8
4. PUBLICISING THE PROCEDURE	8
4.1 Complaints process mapping	9

1. COMPLAINTS POLICY

Governing bodies are required by law to have a procedure in place to deal with complaints relating to aspects of the school or the provision of facilities or certain services at the school. The law requires that this procedure must be publicised.

1.1 Who can make a complaint?

- A complaint can be brought by a parent of a registered child at the school **or** any person who has been provided with a service or a facility at the school. The procedure refers to this person as a **complainant**.

1.2 Key points

- The vast majority of complaints and concerns can be resolved informally.
- The complainant must feel able to raise concerns and complaints with members of staff without formality, either in person, by telephone or in writing.
- At first it may be unclear whether a complainant is asking a question or expressing an opinion rather than making an education complaint. A complainant may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.
- **A concern or unresolved problem** becomes a complaint **only when the complainant asserts that a school has acted wrongly in some significant decision, action or failure to take action.**
- Even when a complaint has been made it can be resolved or withdrawn at any stage.
- Genuine complaints can help to improve services and standards and should be received with an open mind and positive attitude rather than a defensive position.
- Staff dealing with complaints have the right to be treated politely and with courtesy at all times by the complainant.
- A complainant must allow the school to go through the proper procedure of investigating a complaint and abide by the timescales set out in the guidelines.

1.3 Special circumstances

Any complaint or other notice that suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual interference or neglect may be referred without further authority to the appropriate agencies for the area in which the child lives. If a social services authority decides to investigate a situation this may postpone or supersede investigation by the Headteacher or governing body.

1.4 Complaints not covered in this procedure

Local Authorities are already required to set up a procedure for dealing with certain types of complaints, for example, complaints about the curriculum or collective worship in a school.

The Governing Body's (GB's) Complaints Policy and Procedure does not replace the arrangements made for those types of complaint. The investigative and appeal procedures do not apply to (and should not be used for) statutory appeals in relation to:

- Admissions
- Exclusions
- Statementing for children with special educational needs

Similarly, this policy and procedure should not be used for dealing with complaints relating to:

- Child protection
- Health and safety
- Staff discipline, capability or grievance

1.5 External parties using the school premises

Any third party providers offering community facilities or services through the school premises, or using school facilities [even if it's hiring it out for a wedding reception!], must have their **own complaints procedure** in place. This should be highlighted during the booking procedure.

2. GUIDING PRINCIPLES WHEN DEALING WITH COMPLAINTS

The school will encourage resolution of problems by **informal** means wherever possible and ensure that staff are clear about the difference between a concern and a complaint. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, **including apologising where necessary**. It is important that **even at the informal stage any notes of actions taken are recorded, signed and dated**.

The school will also ensure that:

- The complaints procedure is easily **accessible** and **publicised**;
- Is **simple** to understand and use;
- Is **impartial**;
- **Non-adversarial**;
- Will allow **swift** handling with established **time-limits** for action and keeping people informed of the progress;
- Will ensure a full and **fair** investigation by an independent person where necessary;
- Will respect people's desire for **confidentiality**;
- Will address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
- Provide **information** to the school's senior leadership team and governing body so that services can be improved.

2.1 Dealing with complaints – formal procedures

The formal procedures will need to 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. **At this point the complainant would be furnished with a pro-forma (attached) to start the procedure.**

2.2 Investigating complaints

It is suggested that 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 and any actions agreed (signed and dated).

2.3 Resolving complaints

Encourage the complainant 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.

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 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.

2.4 Time-limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible.

2.5 Vexatious complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the GB is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. Once this process has been exhausted the school reserves the right not to respond to the complainant about the complaint.

3. COMPLAINTS PROCEDURE

3.1 Informal

A member of staff receiving a complaint or concern from a parent or other external agency should firstly attempt to:

1. Ascertain whether the query is a complaint or a concern.
2. Try to informally resolve the issue (examples given in the policy document) and inform their **Line Manager**. **NB** Keep accurate notes of all discussions, meetings and actions with dates and who has been involved, as they may be required if a formal complaint is pursued.
3. If an informal resolution cannot be found, then the complainant must be furnished with the correct documentation and formal procedures will be started. **The Business Support Manager** should be **informed immediately** and provided with copies of paperwork and previous notes taken.

3.2 Formal

The Headteacher shall appoint a member of staff as an investigator. This will be a teacher, line manager or a member of the Senior Leadership Team (SLT) as appropriate to the type of complaint.

3.3 The stages of the formal proceedings:

- **Stage One:** The complaint will be investigated by staff member (though not the subject of the complaint if it concerns a member of staff) appointed by the Headteacher. (**NB** If it is necessary for the SLT or Headteacher to investigate, then the complaint will automatically become a Stage Two complaint).
- **Stage Two:** The complaint will be investigated by the Headteacher **or** member/s of the SLT.
- **Stage Three:** The complaint will be investigated by members of the Governing Body.

**If the complaint is about the Head teacher go straight to Stage Three.
Governing Body Involvement (at Stage Three)**

3.4 Complaints that have been unresolved after stages one and two:

If the governors are required to investigate a complaint, two governors should be appointed by the Chair of Governors as *investigators*. The Chair will make a decision based upon these recommendations, which will be deemed final to avoid vexatious complaints. The complainant will be informed of this decision in writing.

3.5 Stage Three only:

If the complaint has come straight to **Stage Three**, the Chair of Governors will appoint two investigating governors. They will present their recommendations to the SLT and the Chair. In the unlikely event that the complaint is still unresolved, another two governors will be appointed to investigate the complaint. The recommendations will be passed on to the Chair of Governors, who will make a decision deemed final to avoid vexatious complaints. The complainant will be informed of this decision in writing.

3.6 Unresolved complaints

If, after following the school's own complaints procedure, the complainant is dissatisfied with the outcome, or if there are reasons why they cannot use that procedure - for example, they feel their complaint has not been or will not be given a fair consideration due to a conflict of interest – they can forward their complaint to the Department for Education, using the online **school complaints form**.

Making a complaint to the Department should only happen once all other routes have been followed. The exception to this may be where there is a child protection concern, or where a child is missing education.

More information about making a complaint can be found on the DfE website: <http://www.education.gov.uk/schools/leadership/schoolperformance/b00212240/making-complaint-school/how-to-complain>

If a complaint has been made by a number of parents and it is about whole school issues they may, at any stage of the procedure, ask the Chief Inspector of Schools to investigate their complaint. The Chief Inspector may or may not require the school's complaints procedure to be exhausted before he decides whether or not to investigate.

3.7 Time-limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. For this to be possible the complainant needs to register their complaint within **45 working days** from the date of the situation arising. For **each** stage of the complaint, the following time limits will apply.

- acknowledge receipt of complaint within 2 working days*
- set out investigation plan within 7 working days* and ensure the complainant is informed

- aim to fully investigate the complaint within 20 working days*
- inform the complainant of the outcome of the investigation within 25 working days*

*Working days **do not** include school holidays, bank holidays or weekends.

3.8 Managing and recording complaints

All contact with the complainant (at every stage through from concern, informal complaint to formal complaint) must be **recorded** on the Complaints Sheets provided (see attached). This is for any contact via; phone call, email, in person, text etc. The information should include the date (and time if appropriate), what was agreed and any actions to be taken. The sheets should then be signed by the investigator (even at the informal stage) and then passed to the **Business Support Manager** for a record to be kept centrally.

3.9 Governing Body reviews

The **Business Support Manager** will furnish the Governing body with an overview of complaints termly. This will not include personal details but show the number and type of complaints and whether they have been resolved. They will also report how many have moved through the stages of the process. The governing body will use this data to assist the school with evaluation of performance and contribute to school improvement plans.

4. PUBLICISING THE PROCEDURE

There is a legal requirement for the Complaints Procedures to be publicised. The school will provide the information to parents via:

- The information given to new parents when their children join the school;
- The school website;
- Documents supplied to community users including course information or letting agreements;
- School information packs to parents;

4.1 Complaints process mapping (see next page)

