

1. Principles

The school tries to resolve problems informally wherever possible. An effective response and appropriate redress will be provided to all complaints as quickly as possible dependent upon the complexity of the issues raised.

This policy relates to complaints about the educational administration of a school and typically applies to complaints made by parents and carers of students. It does not relate to matters which are governed by employment legislation or those where the principles of civil contract law would normally apply e.g. service/supply contracts entered into with a school.

This policy relates to any provision or facilities that the school provides, unless a separate statutory procedure applies (such as exclusions or admissions).

2. Legal obligations

- Complainants must be aware that there is a complaints procedure and copies of this policy will be available on request.
- If the process results in an appeal to the governing body (see below), the procedure is in the Appendix.

3. Dealing with complaints

(a) At each stage, the person investigating the complaint will ensure that they:

- Clarify the nature of the complaint and unresolved issues.
- Clarify what the complainant feels would put things right.
- Interview those involved in the matter and/or this complained of, allowing them to be accompanied if they wish.
- Keep appropriate notes of any interview(s) held.
- Respect at all times people's desire for confidentiality.

(b) At each stage, the person investigating the complaint will seek ways to resolve the complaint satisfactorily. It may be appropriate to offer one or more of the following:

- An acknowledgement that the complaint is valid in whole or in part and/or acknowledgement that the situation could have been handled differently or better (this is not the same as an admission of negligence).
- An apology.
- An explanation.
- An assurance and an explanation of the steps that have been taken to ensure that it will not happen again.
- An undertaking to review school procedures in light of the complaint.
- Provide information to the school's SLT so that services can be improved.

4. Records

All complaints will be recorded by the school, including informal complaints. The Principal is responsible for ensuring that staff record all complaints and their outcome.

Records relating to individual complaints are confidential, except in limited circumstances

to comply with the Data Protection Act or Freedom of Information act, or where the secretary of state or a statutory body¹ conducting an inspection requests access to them.

The Local Governing Body will monitor the level and the subject matter of complaints and review the outcomes on a regular basis through the mechanism of performance and data reporting.

5. Complaints procedure

(a) Informal complaints – verbal informal complaints may be made to any staff member. A verbal or written response may be given to an informal complainant by a member of the Senior Leadership Team.

(b) Formal complaints – The complainant will write to the school with details of:

- The complaint
- Any attempts they made to raise/resolve the complaint (who they spoke to and when)
- Actions they feel might resolve the problem.
- Any staff they would prefer not to discuss the issue with.

(c) A member of the Senior Leadership Team (not the subject of the complaint) nominated by the Principal will acknowledge and investigate the complaint within 7 working days. This time scale may be extended if the nature of the complaint is judged by the Principal to be a complex nature. An investigatory report will be presented to the Principal for final determination. The complainant will receive a formal response in writing from the Principal (unless the complaint is regarding the Principal, for which the process is below).

(d) If the complainant is still not satisfied, they can appeal to the Local Governing Body (LGB) (see below). A complaint panel will be convened within a reasonable period of time depending on the availability of governors and other members making up the panel. Every effort will be made to deal with complaint appeals expeditiously.

(e) Northern Schools Trust (and their member schools) reserve the right to deny investigation of any complaints which are considered to be vexatious, and those relating to a previous complaint that has already been investigated.

(f) Complaints should be received within 3 months of the incident occurring. The school may respond to complaints that fall outside of this time frame depending on the circumstances and at the discretion of the Principal.

Escalation of Complaints

Complainants should be aware that the Principal may refer complaints received to the Chair of Governors because they consider the matter is one of such a nature that it should be investigated independently of the school.

6. Appeals to the Local Governing Body

For the complaint to be put before the LGB, the complainant must write to the Clerk of the Governing

¹ Under section 163 of the Education Act 2002

Body giving details of the complaint and asking that it is put before the Complaints Panel.

The Clerk to the Governors will convene a complaints panel:

- The panel will consist of at least three people with no prior involvement with the issue.
- At least one of the members of the panel must be independent of the management and running of the school and not a member of the LGB.
- No member of the panel can have been directly involved in previous consideration of the complaint.
- Individual complaints must not be heard by the whole governing body at any stage.

The Clerk to the Governors will be the contact point for the complaint and will be required to:

- Set the date, time and venue of the hearing.
- Collate any written material and send it to the parties in advance of the hearing.
- Record the proceedings.
- Notify parties of the panel's decision.

The decision of the appeal panel is final subject to any subsequent referral to the EFA (see note at end of this policy document).

Remit of the panel

The panel can:

- Dismiss the complaint in whole or in part.
- Uphold the complaint in whole or in 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.

The complaints panel will purely consider whether the school correctly followed their procedure and will not automatically allow for the original complaint to be re-investigated.

Proceedings of the panel

The procedure for the complaint panel is outline in the attached Appendix. The Clerk to the Governors, having consulted with the complainant and the Principal, will have the discretion to decide which of the procedures to follow. The appeal will be closed to the public.

7. Appeals to the Chair of the Local Governing Body

If the complainant is not satisfied with the response from the Principal, or if the complaint is regarding the Principal, the complainant should write to the Chair of the Governors to request that their complaint is considered further.

He or she will review all materials and respond within 15 working days. This time scale may be extended if the matter is deemed to be of a complex nature. The complainant will receive a formal response in writing from the Chair of the LGB.

8. Dealing with persistent complaints

In the case of vexatious or persistent complaints, the Clerk to the Governors will inform the complainant in writing that the internal procedure has been exhausted and for the school, that the matter is now closed. Vexatious or persistent complaints will be referred to independent, external bodies for review such as the Citizens Advice Bureau or Secretary of State.

9. Responsible person

The person in charge of co-ordinating the complaints procedure at the school is the Principal. The role of governors arises only in respect of appeals where the complainant remains dissatisfied with attempts to resolve the issue of complaint and as set out above.

Note regarding the Education Funding Agency (EFA):

In limited circumstance it is possible for complaints to be reference to the EFA. The EFA can consider complaints where it is alleged that:

- a) The school has not complied with its own complaints policy or the policy does not comply with statutory requirements.
- OR*
- b) The school has failed to comply with a duty imposed on it under its funding agreement with the Secretary of State. Details of how to complain can be found on the Department for Education's website.

Appendix

Procedure

The Chair of Governors, having sought the views of the complainant and the Principal, will decide which of these following procedures is most beneficial to the mature of the complaint.

1) A formal meeting

All parties will attend the meeting in the same room. The complainant, the Principal and any other staff/witnesses will be invited to make representations concerning the complaint and may be questioned by the panel members so that they can form a clear and unbiased view of the complaint. Whilst it will be for the chair of the panel to decide exactly how the meeting will proceed, the procedure at the meeting will allow:

- a) The complainant to explain their complaint.
- b) The Principal/other party to explain the school's response.
- c) The panel to have an opportunity to question both the complainant and the other party.
- d) All involved to call witnesses (subject to the approval of the chair of the panel), and the panel to question all the witnesses.
- e) The complainant, the Principal/other party and staff/witnesses to be accompanied at the meeting if they so wish (other than by a legal representative).

The meeting will be minuted, and these minutes circulated to the parties with the Panel's decision.

At the end of the meeting, the chair of the panel will explain to the complainant and the Principal/other party that the panel will consider its decision based on the information and evidence presented to them, and a written response will be sent to both parties as quickly as possible and in an expeditious manner.

2) An investigatory approach

The complainant and representative(s) from the school may be invited to attend a formal meeting with the complaints panel in order to clarify the matter. As the panel meeting is intended to be investigatory, the persons giving evidence or making representations to the panel would normally attend separately. Whilst it will be for the chair of the panel to decide exactly how the meeting will proceed, the procedure will allow:

- a) The complainant, the Principal/other party and staff/witnesses to be accompanied if they so wish (other than by a legal representative).
- b) Notes of the interview to be made, checked with the interviewee and made available to other parties on request.

The chair of the panel will explain to the complainant and the Principal/other party that the panel will consider its decision based on the information and evidence presented to them, and a written response will be sent to both parties as quickly as possible and in an expeditious manner.

Whichever procedure is followed, the panel will remember that some complainants are unused to dealing with groups of people in formal situations and may feel inhibited. Parents/Carers may also feel emotional about discussing an issue that affects their child. The chair of the panel will ensure that the proceedings are as informal as the situation allows.