



# STEWARDS ACADEMY

<b>Title</b>	<b>Complaints Policy</b>
<b>Academic Year</b>	<b>September 2017</b>
<b>Originator</b>	<b>Clerk or Assistant Clerk to the Governing Body</b>
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## COMPLAINTS POLICY

1. This policy statement sets out the school's approach to dealing with parental concerns and complaints. Further details of how we handle them are contained in our Complaints Procedure, which you can obtain from the Academy Website or on request from the Headteacher's PA.
2. We value good home / school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.
3. We welcome feedback on what parents feel we do well, or not so well, as a school. We will consider carefully all feedback, whether positive or negative, and will review our policies and practices accordingly.
4. We will treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils.
5. All school staff, teaching and associate; and members of the Governing Body, will have access to this policy statement and will be familiar with the school's procedures for dealing with parental concerns and complaints.
6. The school's procedures will be reviewed regularly and updated as necessary.
7. Staff and Governors will receive training in handling parental concerns and complaints as appropriate. This may be on an individual basis; or as a group activity for all staff; or for specific groups, such as the office staff or members of the Governing Body.
8. Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, use our option to close a complaint before all stages of the school's procedures have been exhausted, if this appears to be appropriate.
9. The Government and the Local Authority (Essex County Council) advocate resolution of parental concerns and complaints at school level wherever possible, in the interests of maintaining good home / school relations. The role of the Local Authority in advising parents and schools on the handling of concerns and complaints is set out in the Complaints Procedure.

## **COMPLAINTS PROCEDURE**

### **Information for Parents**

#### **PRINCIPLES**

1. To establish the facts relating to the complaint.
2. To ensure all parties are given a fair hearing.
3. To resolve the complaint at as early a time as possible.

#### **GUIDELINES**

##### **Stage 1: The first contact**

- 1.1 Parents are always welcome to discuss any concerns with the appropriate member of staff, who will clarify with the parent the nature of the concern and reassure them that the school wants to hear about it. The member of staff may explain to the parent how the situation happened. It can be helpful to identify at this point what sort of outcome the parent is looking for.
- 1.2 If the member of staff first contacted cannot immediately deal with the matter, he / she records a clear note of the date, name, contact address or phone number.
- 1.3 All members of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by the parent. He / She will check later to make sure the referral has been dealt with.
- 1.4 If the matter is brought to the attention of the Headteacher, he / she may decide to deal with the concerns directly at this stage or may refer it to another member of staff as appropriate.
- 1.5 The staff member dealing with the matter should make sure that the parent is clear what, if any, action or monitoring of the situation has been agreed. (Although not always necessary, consideration should be given to confirming in writing what has been agreed – either by letter or a copy of a file note).
- 1.6 Where no satisfactory solution has been found within ten working days, parents are asked if they wish their concern to be considered further. If so they are advised to write to the Headteacher or, if the matter relates to the Headteacher, to the designated Governor within 5 working days. The Complaints Policy and Appendix 1 to be made available to the complainant. *(Note that, on grounds of possible bias, the designated Governor would subsequently be ineligible to sit on a Complaints Review Panel established under Stage 3).*

##### **Stage 2: Formal involvement of the Headteacher**

- 2.1 The Headteacher (or designate) acknowledges the letter of concern in writing within three working days of receiving it. The acknowledgement gives a target date for providing a response to the complainant – normally within ten working days. If thereafter it is not possible to respond within the ten working days, a letter is sent explaining the reason for the delay and giving a revised target date.
- 2.2 Ordinarily the Headteacher (or designate) provides an opportunity for the complainant to meet with him / her to supplement any information provided previously. It should be made clear to the complainant that he / she may be accompanied to any meeting by a friend, relative, representative, or advocate who can speak on his or her behalf. The Headteacher (or designate) may be accompanied by an adviser if the circumstances warrant this.
- 2.3 Where necessary, following the meeting, the Headteacher (or designate) will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil concerned and others present at the time, should be interviewed. If the complaint is against a member of staff, he / she will subsequently be asked to explain his / her version of events.

- 2.4** The Headteacher (or designate) must keep written records of all meetings and telephone conversations – which should be signed and dated – and other related documentation.
- 2.5** Once all the relevant facts have been established, the Headteacher (or designate) may wish to meet the complainant to discuss / resolve the matter directly. In any event a written response will normally be sent, including a full explanation of the decision and the reasons for it. Where appropriate, the letter will indicate what action the school will take to resolve the complaint. The complainant must be advised that should he / she wish to take the complaint further he / she should notify the designated Governor, through a formal written letter of complaint, within 10 working days, stating the exact nature of the complaint.
- 2.6** If a complaint is against the action of a Headteacher (or if the Headteacher has been very closely involved at stage 1) the designated Governor will carry out all the stage 2 procedures.

### **Stage 3: Consideration by the Governing Body**

- 3.1** The Governing Body will only become involved with a complaint when the procedures outlined above have been exhausted.
- 3.2** In these circumstances the Chairman of Governors (or designate) will acknowledge the receipt of the complaint in writing (Appendix 4) and immediately investigate the background to the issue.
- 3.3** The Chairman of Governors (or designate) will:
- Request a report from the Headteacher and upon its receipt discuss with the Headteacher whether the issue might be resolved informally.
  - If this be considered the case the Chairman of Governors (or designate) will seek a meeting with the complainant.
  - If a meeting takes place and the matter is not resolved informally, the Chairman of Governors (or designate) will advise the complainant (Appendix 5) they are at liberty to write to the Clerk (or Assistant Clerk) of the Governing Body, within 5 working days, and request the matter is referred to a Governors Complaints Panel.
- 3.4** At this point the complaint will be handled by the Clerk (or Assistant Clerk) to the Governors, and the Chairman of Governors will cease to be involved in the resolution of the issue.
- 3.5** The Clerk (or Assistant Clerk) will acknowledge receipt of the letter from the complainant requesting the matter be referred to a Governors Complaints Panel (Appendix 6) and arrange for a Governors Complaints Panel to be called within 20 working days and:
- ensure the Panel consists of 3 Governors with no prior involvement with or knowledge of the complaint and where possible will include a Parent Governor
  - advise the complainant, the Headteacher and all others involved in the hearing at least 5 working days in advance, of the time, date and place where the meeting is to be held
  - advise the complainant of their right to be accompanied by a friend or adviser
  - explain to the complainant how the hearing will be conducted and their right to submit further written evidence in advance
- 3.6** With the approval of the Chairman of the Panel (in advance):
- the Headteacher may invite members of staff directly involved to attend the hearing
  - the complainant may call witnesses.
- 3.7** The Chairman of the Panel will ensure that the meeting is properly minuted and this will normally be done by the Clerk (or Assistant Clerk) of the Governors.
- 3.8** The aim of the meeting should be to resolve the complaint and achieve a reconciliation between the School and the complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations which will assure the complainant that his or her complaint has at least been considered seriously.
- 3.9** The Panel should remember that many parents are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the Panel. The Chairman of the Panel will therefore ensure that the proceedings are as informal as possible.

- 3.10** If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.
- 3.11** The meeting will allow for:
- the complainant to explain their complaint
  - the Headteacher to explain the School's response
  - both to question the other if so desired
  - Panel members to have an opportunity to question both complainant and Headteacher
  - any member of staff or complainants' witnesses to be questioned by the Panel
  - final statements to be made by the complainant and the Headteacher.
- 3.12** The Chairman of the Panel will indicate to the complainant and the Headteacher that the Panel will now consider its decision and that written notice of the decision will be sent to both parties within 10 working days. All except Panel members and the Clerk (or Assistant Clerk) will leave the meeting.
- 3.13** The Panel will then consider the complaint and all the evidence presented in order to:
- reach a unanimous, or at least a majority, decision on the complaint;
  - decide upon the appropriate action to be taken to resolve the complaint;
  - where appropriate, recommend to the Governing Body changes to the school's systems or procedures to ensure that similar problems do not happen again.
- 3.14** A written statement outlining the Panel's decision will be sent to the complainant and the Headteacher (and copied to the Chairman of Governors). The letter to the complainant should explain whether a further appeal can be made and if so to whom. (Appendix 7).
- 3.15** The School should ensure that a copy of all correspondence and notes are kept on file in the School's records. These records should be kept separately from the pupil's personal records.
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## APPENDIX 1

### Guidance Notes for Parents

#### If you have a suggestion or a concern

We would like you to tell us about it. We welcome suggestions for improving our work in the School and want to know if you have any concerns. Be assured that no matter what you wish to tell us, our support and respect for you and your child in the school will not be affected in any way. If you have a concern, please let us know as soon as possible. It is difficult for us to properly investigate an incident or problem which happened some time ago.

#### What to do first

Most concerns can be sorted out quickly by speaking with your child's form tutor or Head of Year. Any teacher or the school office staff can help you find the right member of staff.

All staff will make every effort to resolve your problem informally. They will make sure that they understand what you feel has gone wrong, and they will explain their actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case it will be possible to achieve a satisfactory outcome but it will help both you and the School to understand both sides of the question. It may also help to prevent a similar problem arising again.

We will do all that we can to resolve matters straight away but if you are not entirely satisfied with the teacher's response you can make a formal complaint to the Headteacher. This should be made in writing within 5 working days.

If your complaint is about an action of the Headteacher personally, then you should refer it to the Chairman of Governors (or designate). You can contact him / her via the school office.

The Headteacher (or designated member of staff or Governor) will contact you to discuss the problem. Usually you will be invited to a face to face meeting. Again you may have a friend or someone else with you if you wish. The Headteacher (or designated member of staff or Governor) will then conduct a full investigation of the complaint and may interview any members of staff or pupils involved. You will normally receive a written response to your complaint.

### **If you are still unhappy**

We very much hope and expect that we will have been able to resolve the problem by this stage. However, if you are still not satisfied you may wish to make a formal complaint to the Governing Body. You should write to the Chairman of Governors at the school within 10 working days.

Initially your complaint may have been dealt with by the Chairman of Governors (or designate) and he / she will have tried to see if there is a way forward.

*(Note that at this stage your complaint will not be made known to other Governors. This is so that if it is necessary for the Governors to hold a formal hearing of your complaint they will not be prejudiced in advance).*

If the Chairman of Governors (or designate) is unable to resolve the matter, or was involved at the earlier stage because the complaint related to the Headteacher, your complaint can be referred to a Panel of three Governors. As explained above, they will have no prior knowledge of the case and will thus be able to make a fresh, unbiased assessment. You will be invited to attend the Panel meeting, accompanied by a friend or representative if you wish, and to put your side of the matter. The Headteacher will also attend to give his / her account. The Governing Body's Complaints Procedure explains how these meetings are conducted.

### **Further action**

Complaints about school problems are usually settled within school. In the event of a complainant not being satisfied with the outcome at school level the matter could be raised with the Local Authority (LA). They can offer advice but have no legal power to change school decisions. The Secretary of State does have power to direct schools where they are failing to discharge their duties or where they have or are proposing to act unreasonably. This power is contained in S496 and S497 of the 1996 Education Act.

**N.B. It has to be recognised that in circumstances where the issues raised in a complaint involve other agencies, such as Social Services or the Police, it may not be possible to deal with the complaint until the involvement of such agencies has been completed.**

## Handling Complaints

### Guidance for Individual Governors

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Dealing with an approach from a parent who has a concern, grievance or complaint, can be one of the most difficult situations for a school Governor. For, whilst the Headteacher will invariably expect individual Governors to support the school, the parent will be looking for at least a degree of impartiality, if not unquestioning acceptance of the justice of his / her cause.

Tensions are likely to occur because:

- on the one hand Governors have no power (unless specifically delegated) to act individually, outside the corporate Governing Body and individual Governors, even parent Governors, have no remit to act as advocates for parents;
- on the other hand, parents generally have an expectation that Governors, particularly parent Governors, are there to help them.

The challenge therefore is to establish a protocol which enables Governors to live with these tensions and to operate so that whilst not appearing unsupportive to the school, they are not perceived by parents as unhelpful. It is suggested that Governing Bodies might wish to consider establishing a protocol along the following lines in the event of an approach by a parent with a concern / complaint:

- recognise that for the parent the issue is of serious concern (even if it appears trivial);
- LISTEN but avoid being drawn into voicing any explicit or implicit judgement;
- point out that as an individual Governor they have no power to act;
- check whether the parent has raised their concern / complaint with the school;
- if not, advise them to do so and refer them to the school's complaints procedure;
- consider whether it is appropriate to draw the matter to the attention of the Headteacher 'for information' in a totally non-judgmental way, making it clear that this does not indicate siding with the parent.

Sometimes the concern / complaint will have implications for school policy or procedures. If so it may be appropriate to raise the general issue at a Governing Body meeting but this should not be done until the individual complaint has been dealt with to avoid prejudicing those Governors who would have to hear any formal complaint

*How to Listen to Complaints*


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When you realise that you are listening to a complaint, try to remember the following:

<b>Don't 'pass the buck'</b>	Try not to keep transferring an angry person from one place to another. Make sure you know the contact person for anything you cannot deal with yourself.
<b>Don't be flippant</b>	First impressions count. You and the school may be judged on your immediate reaction.
<b>Treat all complaints seriously</b>	However small or trivial it may seem to you, the complaint will be an important problem for anyone who takes the trouble to complain.
<b>Treat every complaint individually</b>	Even if you have already received several similar complaints the same day, it is probably the person's first chance to have their say.
<b>Be courteous and patient</b>	Be sympathetic and helpful, but do not blame other colleagues.
<b>Say who you are</b>	If you are unknown to the person, introduce yourself
<b>Ask for their name and use it</b>	Anonymous complaints are acceptable only where there are special circumstances.
<b>Take time to find out exactly what the problem is</b>	It is easy for someone to forget to tell you an important detail, particularly if they are upset or annoyed.
<b>Don't take the complaint personally</b>	To an angry or upset person, YOU are the school, and the only one they can put their feelings to right now.
<b>Stay cool and calm</b>	Do not argue with the person – be polite and try to find out exactly what the person thinks is going wrong, or has gone wrong.
<b>Check you are being understood</b>	Make sure that the person understands what you are saying. Do not use jargon – it can cause confusion and annoyance to someone 'not in the know' or for whom English is a second language.
<b>Don't rush</b>	Take your time. Let people have their say, and let off steam if they need to. Listen carefully and sympathetically to their problems before replying and attempting to find a solution or offer a next step.

**If a parent contacts a member of staff and speaks in an unacceptable manner – using abusive language or issuing threats in such a way as to make the member of staff feel threatened or intimidated – it should be clearly stated that the school considers such behaviour to be unacceptable and the conversation / telephone call should be terminated.**

**A letter may then be sent from the Headteacher or Deputy Headteacher stating that as a consequence of the meeting / phone call between ..... and ..... on ..... it is necessary to arrange a meeting between concerned parties (in certain cases this would involve a member of the Governing Body) in order to discuss / resolve the situation.**

**PROFORMA LETTER**

Dear .....

I acknowledge receipt of your letter of complaint dated ..... I shall investigate the matters you raise and then write to you again.

Yours sincerely

Chairman of Governors (*or designate*)

**PROFORMA LETTER**

Dear .....

With reference to your letter of complaint dated ..... as it has not been possible to resolve the matter informally you are at liberty to refer the matter to a Governors' Complaints Panel. Please write within 5 working days to the Clerk (or Assistant Clerk) to the Governors.

The Clerk (or Assistant Clerk) to the Governors will write to you shortly giving you details of the arrangements.

Yours sincerely

Chairman of Governors (*or designate*)

**PROFORMA LETTER**

Dear .....

I have been instructed by the Chairman of Governors (*or designate*) to set up a Complaints Panel within 20 working days of (*date of the letter appendix 5*). When appropriate arrangements have been made you will be informed, at least 5 days in advance, of the date, time and place of the meeting.

A Panel of 3 Governors will meet to consider your complaint and also the Headteacher's report. Both sides will have an opportunity to discuss the issues and answer questions put by the Panel.

You have the right to submit written evidence in advance. If this is your wish, please submit a report within the next 10 working days, (*by insert date,*) to The Clerk (or Assistant Clerk) of the Governors. Any written information received after this date will not be considered.

At the meeting you have the right to be accompanied by a friend or adviser. Any witnesses called are at the discretion of the Chairman of the Panel.

Please acknowledge receipt of this letter and inform me if you intend to submit a written report and the name of anyone who will accompany you

Yours sincerely

*Clerk (or Assistant) to Governors*

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Dear .....

Following the Governors' Complaints Panel meeting on ..... the following decision was agreed.

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If you are still unhappy with the outcome or decision you can either call the County Council's helpline number: 01245 436231 to ask for advice, or you can write to the Local Authority enclosing full details of your complaint, including correspondence between yourself, the Headteacher and the Governing Body. Please address correspondence to:

The Customer Care Officer  
The Schools Service  
Essex County Council  
PO Box 47  
CHELMSFORD  
CM2 6WN

We would advise you that, unless the school and Governing Body is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken, as Governing Bodies are empowered to deal with many issues without reference to either the Local Authority or the Secretary of State.

Yours sincerely

Chair of the Complaints Panel