

# COMPLAINTS CODE OF PRACTICE

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1 This is a Complaints Procedure agreed by the Governing Body of the school. It describes how anyone with a complaint can set about having the complaint dealt with.

2 The procedure covers complaint made by parents, staff and others in respect of the performance of duties or exercise of powers by the Governing Body either directly or through delegation.

3 Complaints should relate to any of the following:

- a. The provision made for or the treatment of, an individual pupil or group of pupils.
- b. Particular incidents that have happened at the school.
- c. A policy or provision of the school.
- d. Where the complainant considers the school has acted unreasonably in performing any duties or exercising any power relating to the curriculum or religious worship.

4 A copy of this procedure will be given, on request, to anyone wishing to make a complaint under these arrangements.

5 All complaints will be dealt with as quickly and efficiently as possible. Each stage of the procedure should be completed within twenty (20) school days. The procedure will not cover complaints about incidents that happened more than three months before the complaint is made other than in exceptional circumstances. The Headteacher and Chair of Governors will agree the exceptional circumstances.

6 All complaints will be investigated fully, sensitively and confidentially. The main aim at all stages will be to secure that the complaint is settled to everyone's satisfaction.

7 The person making the complaint will receive a reasoned reply and details of further resources available. At Stage 2 Formal and at Stage 3 Appeal, this will be in writing and will set out the result of the consideration of the complaint.

8 Anyone who is the subject of a complaint has the right to know and will be informed at an early stage of the allegations made and have an opportunity to respond.

9 Throughout the procedure, at all stages, Complainants and the Governors or Headteacher may be accompanied by a friend, supporter, representative or interpreter.

## **Stages relating to a complaint**

This procedure defines three stages:

	Stage 1	Informal
	Stage 2	Formal
and	Stage 3	Appeal

A complaint could be considered at more than one of these stages.

## **Stage 1 - Informal**

1 Most complaints or possible complaints should be resolved locally in discussion with the Headteacher or other staff of the school in the first instance. An informal discussion with the Chair of Governors may also be an alternative method at this point.

2 The Headteacher and/or Chair of Governors are advised to keep a written note of informal complaints and their views and on what solution has been offered. (School staff dealing with a complaint or possible complaint should inform the Headteacher, at the earliest opportunity, of the nature of the complaint and their views on a possible solution).

3 Those with complaints are advised to seek to fully resolve them under the Informal Procedure before embarking on the Formal Stage. (see 4 and 5 below).

4 It is expected that the Headteacher and/or Chair of Governors will engage the complainant in full discussion with perhaps more than one meeting in an effort to fully resolve the situation to the satisfaction of all. Meetings will need to be arranged with those complained against. If satisfaction cannot be reached or the issue remains unresolved then the complainant will be advised of the Formal Procedures.

5 Where the Headteacher and/or Chair of Governors have been involved in a fairly major complaint and when the necessary stages have been completed to the satisfaction of all parties, a note should be reported to the next meeting of the Governing Board, following agreed procedures for confidentiality.

## **Stage 2 - Formal**

1 Where the attempts to settle the complaint under Stage 1 the Informal Procedures have failed, the complainant will be made aware of Stage 2 Formal.

2 The complaint should be set out in writing by the complainant and submitted to the Headteacher and Chair of Governors. A form for this purpose will be part of this Code of Practice.

3 Receipt of the complaint will be promptly acknowledged and followed up with advice about the investigation which will include at least three (3) days notice of any interview (the time and place should be mutually convenient). Both the Headteacher and Chair of Governors having a copy of the correspondence.

4 The Headteacher and the Chair of Governors will appoint an Investigating Officer who will investigate the situation and report to Headteacher and Chair of Governors within ten (10) school days of receipt of the formal complaint.

5 The role of the Investigating Officer is to interview (giving at least three (3) days notice of a time and place) the complainant, those complained against and any supporting witnesses each of whom may be accompanied by one friend, supporter, representative or interpreter for the interview. The Investigating Officer will report on only the facts of the matter by the due date.

6 The Investigating Officer is advised to: -

a. Read all the existing correspondence and secure confidentiality.

b. Decide if any written statements are required and from whom, put in place systems, safeguarding against collusion, to obtain them by a due date.

c. Set up interviews with three day agreed notice.

d. Interview the complainant and take notes, consider confidential secretariat.

- e. Interview those complained against, keeping notes.
- f. Follow up any further information from the statements.
- g. Write a report keeping to the facts and accurate reporting of people's views.

7 On receipt of the report the Headteacher and/or Chair of Governors will consider the facts and determine the outcome. (The Investigating Officer Report is only to the Headteacher and/or Chair of Governors at this stage).

8 When the complainant has been fully investigated and considered, the Headteacher and/or Chair of Governors will notify the complainant of the outcome in writing (within twenty (20) school days of the receipt of the written complaint) giving an explanation of the conclusions, the reason for it and any action taken or proposed to be taken, including details for any requests made to those complained against to take particular actions to resolve possible future situations.

9 Those complained against will also be entitled to receive details of the outcome of the investigation at the same time as the complainant.

10 If the complainant feels that the matter is still not resolved they may be advised of the Stage 3 Appeal Procedure.

11 If the complaint is against the Headteacher then the Chair of Governors and one other person (agreed by Headteacher and Chair of Governors) shall conduct the Formal Stage in a fair and equitable manner.

### **Stage 3 - Appeal**

1 Where the complainant is not satisfied with the Stage 2 Formal outcome they may request, in writing, to be heard by the Governors Appeal Panel. This Appeal will be held within twenty (20) school days of receipt of the request for Appeal.

2 The Chair of Governors will appoint at least three Governors to hear the Appeal. These Governors will have no prior knowledge of any part of the complaint either at Informal or Formal stages. They should declare any knowledge of or possible interest in the parties or situation concerned before the Appeal is heard.

3 It will be possible for the Chair of Governors and Headteacher to agree to a Panel of not less than three persons who are unconnected with the school to hear the Appeal should no Governors be able to fulfil the criteria set out above.

4 The Headteacher and/or Chair of Governors will forward all the corresponded and the Investigating officers Report and notes to the Chair of the Appeal Panel. The Chair of the Appeal Panel will set the date and time for the Appeal giving at least three (3) days notice of the date, agenda and names of those invited to attend. (The time and place should be mutually convenient).

5 The Governors are advised that the agenda and routine for the Appeal should be:

- a. The Chair of the Appeal panel shall take charge of all matters relating to the Appeal hearing, its conduct, sensitivities and confidential nature and the communication of the decision to parties concerned. The Investigating Officer Report, the Form of Complaint and the letters written as part of Stage 2 Formal paragraph 8 and 9 will be made available to the complainant and those complained against when the Agenda is sent out for the Hearing.

- b. Introductions

c. The Investigating Officer to outline the report of the facts. Both the complainant and those complained against may question the facts.

d. The complainant may make an oral presentation to supplement the written appeal. The Panel and those complained against may questions.

e. Those complained against may make an oral presentation. The Panel the complainant may question.

f. The Panel will deliberate and come to a decision. The decision may be communicated to all parties verbally and will be followed up in writing within the twenty (20) school day period. The decision will also be sent to the Headteacher and Chair of Governors.

g. The Panel, the complainant, the Investigating officer and those complained against may have professional support, a friend, a representative or an interpreter at the hearing.

h. While the Panel deliberate and come to a decision it is not always necessary for all parties to remain at the Hearing, the decision may be communicated by telephone.

6. It is expected that the decision of the Appeal Panel will be binding on all parties. However any complainant who is still dissatisfied after the three stages have been exhausted will be able to appeal to the Secretary of State for Education and Skills.