

Complaints procedure

Chipping Sodbury School

Contents

1. Aims.....	1
2. Legislation and guidance	1
3. Definitions and scope.....	2
4. Principles for investigation	3
5. Stages of complaint (not complaints against the Headteacher or a Governor)	3
6. Complaints against the Headteacher or a Governor.....	5
7. Referring complaints on completion of the school's procedure.....	6
8. Persistent complaints.....	6
9. Record keeping.....	5
10. Learning lessons.....	7
11. Monitoring arrangements	7
12. Links with other policies	7

1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents/carers of students at the school, and other members of the wider school community.

When responding to complaints, we aim to:

- Ensure the welfare and the needs of the student are paramount
- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response which will aim to establish positive relations and trust for the future
- Respect complainants' desire for confidentiality
- Treat complainants with respect
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible through normal day to day contact with the school. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, the policy will be available on the school website.

2. Legislation and guidance

This document meets the requirements of section 29 of the [Education Act 2002](#), which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on [guidance for schools on complaints procedures](#) from the Department for Education (DfE), March 2019.

3. Definitions and scope

The DfE guidance explains the difference between a concern and a complaint.

A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”.

The school will resolve concerns through day-to-day communication as far as possible.

A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint. Complaints related to any of the above will be referred to the Local Authority by the Headteacher or relevant member of staff.

Arrangements for handling complaints from parents of children with SEN about the school's support are within the scope of this policy. Such complaints should first be made to the special educational needs co-ordinator (SENCO) or Headteacher; they will then be referred to this complaints policy. Our SEN policy includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

What can you expect from the school?

Anyone who raises informal or formal issues and complaints with the school can expect the school to:

- Follow the school's Complaints Procedure
- Respond within a reasonable time;
- Be available for consultation within a reasonable time limit, bearing in mind the needs of students at the school and the nature of the complaint
- Respond with courtesy and respect;
- Attempt to resolve problems using reasonable means in line with the school's Complaints Procedure and other policies and practice in line with guidance from the DfE and Local Authority;
- Keep those involved informed of progress towards a resolution.
- Complaints made outside of term time will be considered to have been received on the first school day after the holiday period.

What the school expects of you

The school expects anyone who wishes to raise concerns with the school to:

- Treat all staff with courtesy and respect recognising adults who work in schools want the best for all young people
- Respect the needs of students and staff within the school;

- Never use aggressive, abusive, threatening or violent (including threats of violence) behavior including offensive language towards people or property. Should this requirement be breached, the school may need to respond in writing to reiterate this expectation.
- Recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint and/or understand that persistent, excessive and unreasonable communication eg emails, letters or phone calls are not acceptable
- Recognise that some problems may not be resolved in a short time;
- Follow the school's Complaints Procedure.
- Speak and behave politely and respectfully using appropriate language and avoid any aggression or verbal abuse, including name-calling or threatening conduct
- To treat personal matters appropriately and avoid engaging the wider school community, this rarely helps the young person concerned
- Raise concerns/complaints in an appropriate place and at an appropriate time (for example not in front of other parents or students and not in an open public space)
- Raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply. To be prepared to work towards a resolution in partnership with the school

4. Principles for investigation

When investigating a complaint, it will be important to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

The intention is to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The school expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

Resolving complaints

At each stage in the procedure, Chipping Sodbury School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, this will be requested to be confirmed in writing.

5. Stages of complaint (not including the Headteacher or a Governor, covered in section 6)

Stage 1: informal

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the headteacher as appropriate, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, he/she should contact the Headteacher's PA (via the main school telephone number or enquiries@chippingdsodburyschool.com email address). In the case of parents/carers with informal complaints the routes should be:

Pastoral matters – contact the tutor or Head of House

Academic matters – contact the relevant subject teacher or Head of Faculty

A senior member of staff may respond to a complaint should that be deemed appropriate.

The school will acknowledge informal complaints within 2 working days, and investigate and provide a detailed response within 5 working days.

The informal stage may involve a meeting between the complainant and the relevant member of staff as appropriate. Where a concern is considered to be of a more serious nature, it may, by agreement between the member of staff and the complainant, be referred for discussion with the Headteacher or a member of the Senior Team.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response. If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2: formal

Inform the Headteacher in writing

If the complainant is not satisfied with the response of the member of staff or the Headteacher, he/she may wish to put their concerns in writing as a formal complaint. This letter should provide clear details including the nature and facts of the complaint, relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

If the complaint is about the Headteacher or a named governor, the letter should be addressed to the Chair of Governors. If the complaint is about the whole governing body, the letter should be sent to the Clerk to the Governors (see section 6 below).

The Headteacher or designated investigating officer will either telephone or call a meeting to clarify concerns and seek a resolution. The complainant may be accompanied to any meeting and should inform the school of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

The Headteacher (or other person appointed by the Headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 10 working days. If the complaint is upheld, the letter will include an apology and details of what measures the school will be taking to avoid any reoccurrence.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the Chair of Governors in writing within 5 working days.

Inform the Chair of Governors in writing

The complainant should submit a letter to the Chair of Governors setting out the details of the complaint including evidence as specified above. The complainant should also make explicit what they feel would resolve the complaint and how they feel the previous stage of the procedure has not addressed their complaint sufficiently.

The Chair of Governors will arrange for a Governors' Review Panel to be held within 20 working days.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 2 will be heard by a committee of independent governors.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Chipping Sodbury School will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Stage 3: Governors Review Panel

The review panel consists of 3 members of the Governing body. Each member of the panel will be independent and will not include any Governor who has any prior knowledge or involvement in the complaint. These individuals will have access to the existing record of the complaint's progress (see section 9). The panel shall conduct itself in accordance with guidelines provided by the DfE.

The complainant will have reasonable notice of the date of the review panel, usually 5 working days; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The clerk to the panel will write to the complainant, usually allowing 5 days' notice of the meeting. The complainant will be allowed to attend the panel hearing and may be accompanied by a suitable companion if they wish (please refer to section 5, stage 2 above). Further written evidence may be submitted in advance of the panel hearing. The Headteacher will submit a written report and may invite members of staff directly involved to respond in writing and/or in person to the complaint. Information will be distributed to all relevant parties prior to the meeting, allowing sufficient time for the contents to be reviewed.

At the meeting, each individual will have the opportunity to give statements and present their evidence. Witnesses may be called as appropriate to present their evidence.

The panel, the complainant and the school representative will be given the chance to ask and reply to questions. Once the complainant and school representatives have completed presenting their cases, they will be asked to leave and evidence will then be considered.

The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the subject of the complaint, and make a copy of the findings and recommendations available for inspection by the Headteacher.

The panel will inform those involved of the decision in writing within 3 working days. This is usually the last stage of the procedure. However, complainants have a right to appeal to the Local Authority who will only act if they consider that the Governing Body has acted unreasonably.

6. Complaints against the Headteacher or a Governor

If the complaint is specifically about the Headteacher or the complainant is not satisfied with the response of the Headteacher, a formal letter of complaint should be written to the Chair of Governors. The

correspondence should be sent to the school clearly addressed to the Chair of Governors and marked 'urgent, private and confidential'.

The Chair of Governors should acknowledge receipt of the letter within 5 working days. The complaint will be thoroughly investigated either by the Chair of Governors or by an appropriate independent investigator. Where appropriate, the Local Authority will be informed. The process outlined in stage 2 (above) will be followed.

Where a complaint is against the Chair of Governors or any member of the Governing Body, it should be made in writing to the Clerk to the Governors in the first instance. Advice will be sought from the Local Authority regarding the most appropriate person to investigate the complaint. The complainant will be kept informed regarding time scales and the named investigator (also see stage 1 and 2 above)

7. Referring complaints on completion of the school's procedure

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by [the school](#). They will consider whether [Chipping Sodbury School](#) has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

8. Persistent complaints

Where a complainant tries to re-open the issue with the school after the Complaints Procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the Chair of Governors (or other appropriate person in the case of a complaint about the Chair) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the school's position and their options (if any), *and*
- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive. The school will be most likely to choose not to respond if:

- There is reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, *and/or*
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, *and/or*
- The individual makes insulting personal comments about, or threats towards, school staff

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

Unreasonably persistent complaints

Refer to the Procedure for handling unreasonably persistent, harassing, vexatious, unreasonable or abusive complaints.

9. Record-keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept for 5 years.

The details of the complaint, including the names of individuals involved, will not be shared with the whole Governing Body in case a review panel needs to be organised at a later point.

Where the Governing Body is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the Governing Body, who will not unreasonably withhold consent.

10. Learning lessons

The Chair of Governors will review any underlying issues raised by complaints with the Headteacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

11. Monitoring arrangements

The Business Committee will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Business Committee will track the number and nature of complaints, and review underlying issues as stated in section 10.

The complaints records are logged and managed by the Head's PA.

This policy will be reviewed by Headteacher and Business Committee every 2 years.

At each review, the policy will be approved by the Business Committee.

12. Links with other policies

Policies dealing with other forms of complaints include:

Procedure for handling unreasonably persistent, harassing, vexatious, unreasonable or abusive complaints

Child protection and safeguarding policy and procedures

Admissions policy

Exclusions policy

Staff grievance procedures

Staff disciplinary procedures

SEN policy and information report

Committee: Business

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