

# Complaints Policy & Procedure

## THE HUB SCHOOL



Transforming Lives

<b>Policy Owner:</b>	Headteacher	
<b>Approved by:</b>	Martin Green - FGB	<b>Date:</b> 14/12/2017
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## Contents

1. Introduction.....	2
2. Purpose and Scope .....	2
3. Roles and Responsibilities .....	3
4. Equality and Diversity.....	3
5. Complaints Procedure.....	3
6. Monitoring of compliance with and effectiveness of the policy and procedure.....	5
7. Review.....	5

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### The Hub: Complaints Policy and Procedure:

## 1. Introduction

This policy and procedure outlines the principles and processes The Hub School adheres to when a concern or complaint is received. The Hub School is concerned with meeting the needs of pupils, parents and other stakeholders. We believe that constant feedback is an important ingredient in self-improvement and raising standards.

## 2. Purpose and Scope

The Hub School welcomes stakeholder comments, compliments, concerns and complaints as they help us to improve and ensure we best serve others' needs. Receiving feedback when people feel we have performed well (compliments), when people feel we can improve (comments) and when people feel we haven't done something well (concerns and complaints) will help us to continue to learn, develop and improve the services we deliver. Certain complaints fall outside the remit of this policy (e.g. staff grievances) and there are other policies and procedures that may be accessed in such circumstances (e.g. the Grievance Procedure). Any third party providers offering services and facilities via the school should have their own complaints procedures in place. The Hub School takes any form of concern or complaint very seriously and endeavours to resolve concerns and complaints informally, swiftly and discreetly wherever possible. However, formal complaints should always be managed via the formal complaints processes detailed within this procedure. Formal procedures will be followed when initial attempts to resolve an issue are unsuccessful and the complainant remains dissatisfied and wishes to take the matter further. The aim of this policy and procedure is to:

- Encourage resolution of concerns/complaints informally wherever possible
- Be easily accessible and publicised via the school website
- Be simple to understand and use
- Be impartial and non-adversarial
- Allow swift handling with established time frames for action, ensuring complainants are informed of progress
- Ensure a full and fair investigation is undertaken by an independent person where necessary
- Respect people's desire for confidentiality, sharing information on a need to know basis discreetly, respectfully and professionally
- Address all points raised and provide an effective response and appropriate redress where necessary
- Provide information to the school's senior leadership team and The Governing Body to enable the school to continually learn, develop and improve

### 3. Roles and Responsibilities

The Headteacher is responsible for ensuring there is a consistent approach to managing and resolving concerns and complaints across the School that adheres to legal and statutory requirements. The Headteacher must ensure that staff and other stakeholders are aware of this policy and procedure; that the policy and procedure is easily accessible and; that it is implemented fairly and consistently. The Hub School's Governing Board is responsible for the approval of this policy and procedure and they must ensure that all concerns and complaints are logged, managed and resolved quickly and effectively and that learning points are captured and appropriate actions taken to ensure such issues do not occur again in the future. The governing board is responsible for overseeing the development, review, implementation, monitoring and evaluation of this policy and procedure. Managers and staff with supervisory or leadership responsibilities must ensure they respond to concerns and complaints swiftly, fairly and consistently in line with this policy and procedure. They must ensure that all concerns and complaints are logged and acknowledged and they must investigate issues discreetly, thoroughly and quickly, accessing support, guidance and training as and when required. Staff in receipt of concerns or complaints must respond professionally, objectively, swiftly and effectively. They should try to resolve matters informally wherever possible, seeking further advice and support where required, escalating issues as appropriate and as detailed within this policy and procedure. Governors should monitor and review complaints on a regular basis and ensure that appropriate actions have been taken to resolve any issues raised, whilst also monitoring the actions the school takes to improve services.

### 4. Equality and Diversity

The Hub School is committed to:

- Eliminating discrimination and promoting equality and diversity in its policies, procedures and guidelines
- Delivering high quality teaching and services that meet the diverse needs of its pupil's population and its workforce, ensuring that no individual or group is disadvantaged.

### 5. Complaints Procedure

Where an individual has raised a concern by a staff member and that person then would like to make a complaint, they will be asked to complete a complaint form at the start of the Complaints Procedure. There are four stages to The Hub School's Complaints Procedure:

- Stage 1 (informal): complaint form submitted to the PA to the Headteacher who will assign an investigating staff member (not the subject of the complaint) and resolved informally. If the complaint is about the Headteacher or a governor, the matter should be referred to the Chair of Governors, who can be contacted via the Headteacher's PA.
- Stage 2 (formal): Complainant asks Headteacher to review evidence and original decision
- Stage 3 (formal): Complainant writes to the Chair of the Governing Body and asks them to review all correspondence
- Stage 4 (formal): Complainant refers the matter to the Governing Body Complaints Committee. Complaints against the Headteacher or a Governor will normally be dealt with by the Chair of Governors. The Hub School will record all complaints received as well as recording the progress of a complaint, decisions, the final outcome and learning outcomes for the school. For all stages in this procedure the school will acknowledge receipt of the complaint, investigate and write to the complainant confirming the outcome and offer escalation where a further stage is available. When investigating complaints, staff investigating will:
  - Establish what has happened so far and who has been involved
  - Clarify the nature of the complaint and assess what remains unresolved
  - Meet with the complainant or contact them

- Clarify what the complainant would view to be a satisfactory resolution
- Interview those involved in the matter, allowing them to be accompanied by a trade union representative or work colleague if they wish
- Conduct the interview objectively
- Keep notes of the interview or arrange for an independent note taker to record minutes of the meeting

**Stage 1: Informal:** The Hub School will endeavour to resolve issues informally wherever possible. To enable them to do this, a Stage 1 Complaint Form must be submitted giving as much information as possible. Where a complainant expresses difficulty in discussing a complaint with a particular member of staff, the school will refer the complaint to another member of staff. If the member of staff feels implicated and potentially compromised, they can request that the complaint be dealt with by another member of staff. The member of staff investigating the complaint may be able to resolve the matter following their investigation, establishing the facts and explaining those to the complainant. The member of staff may feel it appropriate to apologise to the complainant (recognising that an apology and/or an admission that the school could have handled a situation better is not the same as an admission of negligence). The complainant should be assured that steps will be taken to ensure the situation does not happen again and an appropriate way forward should be shared with the complainant verbally where possible and followed up in writing. The outcome should be logged on the complaints log. It is anticipated that the first stage of the procedure should be completed within 2 school weeks of receipt of the initial complaint. Where a delay occurs or is likely to occur, the school will contact the complainant explaining the reasons for the delay and providing the complainant with an anticipated timeframe for resolution.

**Stage 2 – Formal:** The complainant may be dissatisfied with the way the complaint was handled or the outcome and they may decide to pursue their complaint. The complainant should submit a Stage 2 Complaint Form to the Headteacher within 5 working days of the date of the letter they have received detailing the stage 1 outcome. The Headteacher will review the collated evidence and look at the previous outcome. The Headteacher may delegate further investigations to be undertaken by another member of staff. When they have enough information to enable them to make a decision they will share their decision with the complainant verbally wherever possible and confirm the outcome in writing to the complainant, ensuring the outcome is also logged on the complaints log. It is anticipated that the second stage of the procedure should be completed within 2 school weeks of receipt of the stage 2 complaint. Where a delay occurs or is likely to occur, the school will contact the complainant explaining the reasons for the delay and providing the complainant with an anticipated timeframe for resolution.

**Stage 3: Formal:** If the complaint is not satisfied with the stage 2 response the complainant should submit a Stage 3 Complaint Form to the Chair of the Governing Board within 5 working days of the date of the letter they have received detailing the stage 2 outcome. The Chair of Governing Board will review the complaint and associated evidence. The Chair will look at the previous correspondence and may arrange to meet with the complainant or they may appoint someone to undertake further investigations. When they have enough information to enable them to make a decision they will share their decision with the complainant, verbally wherever possible, and confirm the outcome in writing to the complainant, ensuring the outcome is also logged on the complaints log. It is anticipated that the third stage of the procedure should be completed within 2 school weeks of receipt of the stage 3 complaint. Where a delay occurs or is likely to occur, the school will contact the complainant explaining the reasons for the delay and providing the complainant with an anticipated time frame for resolution.

**Stage 4: Formal:** Governing Board Complaints Committee: If the complainant remains dissatisfied with the outcome they can ask for the matter to be referred to the Complaints Committee via the Headteacher's PA within 5 working days of the date of the letter they have received detailing the stage 3 outcome. The Headteacher's PA will aim to arrange a Complaints Committee within 10 working days of receiving the complaint. It will be the decision of the Complaints Committee whether they wish to meet with the complainant as part of their investigation. Should the Complaints Committee decide that the outcome of the investigation may lead to disciplinary action, the Complaints Committee should pass the matter to the Disciplinary Committee and the Chair should write to the complainant to advise of this. Where a complainant tries to re-open an issue once the

internal processes have been exhausted, the Chair of the Governing Body can inform the complainant that the matter is closed, providing them with information regarding the external escalation processes, should the complainant wish to address their complaint externally. If the complainant writes again regarding the same issue the school can view the submission as a vexatious complaint and would therefore be under no obligation to respond. However, if it is the same complainant, but a different issue their complaint should be addressed in the normal way. Records of complaints, concerns and compliments will be retained, alongside associated actions where a concern or complaint has been investigated and resolved. The principles of the Data Protection Act 1998 will be adhered to.

**Director of Children, Family and Adult Services:** When the school's Complaints Procedure has been exhausted and the complainant remains dissatisfied they may write to the Director of Children, Family and Adult Services. However, further action can only be taken if it can be demonstrated that the agreed procedure has not been followed.

**Department for Education:** When the school's Complaints Procedure has been exhausted and the complainant remains dissatisfied they may write to the Secretary of State for Education: The School Complaints Unit Department for Education 2nd Floor, Piccadilly Gate Manchester M1 2WD The School Complaints Unit will examine this policy and procedure to determine whether or not they adhere to the education legislation. The Department will not re-investigate the substance of the complaint. If the School Complaints Unit finds legislative or policy breaches they will report them to the school and the complainant and, where necessary, remedial action will be taken.

## **6. Monitoring of compliance with and effectiveness of the policy and procedure**

The Governing Board will review a summary of complaints each term to ensure learning is shared within the school as appropriate.

## **7. Review**

This policy and procedure will be reviewed within 2 years of the implementation date.