



COMPLAINTS POLICY

Designated member of staff: Lesley Mavin

Chair of Governors: Paula Wooton

BACKGROUND

This policy covers any **general** complaints which complainants may wish to raise. It is **not** intended to cover those aspects of school life for which there are specific statutory requirements, in particular;

- Arrangements under s409 of the Education Act 1996 for complaints about the delivery of the National Curriculum and the provision of collective worship and religious education
- Parents who are not satisfied with a local authority decision about special needs assessments
- Concerns about school admissions and exclusions
- Allegations of child abuse, financial improprieties or other criminal activities
- Complaints about general matters of policy, such as the overall resourcing of a school
- Teacher performance

PURPOSE OF THE POLICY

This policy aims to reassure complainants that any complaint raised will be dealt with in a fair, open and responsive way with the aim of achieving a speedy and satisfactory resolution. The school recognises a willingness to listen to questions and criticisms and to respond positively and in a way in which improvements can be made to school practices.

CONCERNS AND COMPLAINTS

The complainant should initially raise any concern directly with the class teacher informally at a mutually agreed time.

If the complainant is not satisfied with the response from the class teacher they should:

- Raise any concerns that they have directly with the Head Teacher, preferably in writing, using the attached formal complaints form.
- The Head Teacher will investigate the complaint via discussions with the parent and those involved
- Once all the relevant facts have been established, the head teacher will produce a written response to the complaint and / or may wish to speak to the parent / carer to resolve the matter directly.
- The response will document the decision reached and the reasons for it. Where appropriate, it will also include what action the school will take / has taken to resolve the complaint.

- As far as is reasonable this will take place within 10 school days of the initial complaint being received by the head teacher.

If the complainant is not satisfied with the head teacher's response they then have the option to put their complaint in writing within 10 school days of the head teacher's response, addressing their communication to the Chair of Governors, either via the school in a sealed envelope or address to:

Clerk to the Governing Body of Columbia Grange School
c/o Governor support team,
Room 1.62
Civic Centre
Burdon Road
Sunderland
SR2 7DN

If you prefer to e mail your complaint this can be sent to governor@sunderland.gov.uk

Upon receipt of the written complaint this will then be forwarded to the relevant school governors

It is helpful at this point if the complainant can indicate in writing how they would like the matter to be resolved and what outcome they would like to see achieved.

If the complaint relates to the Head Teacher, the complainant should write directly to the Chair of Governors with their complaint

Second contact: Referral to the Chair of Governors

The Chair will acknowledge the complaint in writing within five school days of receipt. The chair will provide an opportunity for parents / carers to meet with them to discuss the complaint.

The chair will conduct their own investigation into the complaint, examining paperwork and witness statements, if applicable. If a pupil / student needs to be interviewed as part of the investigation it shall only be done with the parent / carers consent; and an appropriate adult will be asked to be present during the interview. The Chair may request an independent officer to assist them with the investigation if they feel this is appropriate.

The Chair will decide, on the basis of the information gathered, whether the complaint is justified in whole or in part and decide on the appropriate action, if any, to take. Possible outcomes may include:

- Recommending changes to the school's systems and procedures to ensure similar issues do not reoccur in the future;
- An apology
- An admission that the situation could have been addressed differently or better, and reassurance that similar events will not reoccur;
- An undertaking that school policies will be reviewed in light of the complaint;
- No fault found, complaint not upheld, no action taken

All decisions will be recorded in writing within 10 school days of the Chair completing their investigation, as far as is reasonably practical, and a copy provided to the complainant. The letter to the complainant will offer the right of appeal to the Governing Body Appeals / Complaints Committee (Vice Chair of Governors to chair this committee)

If the complaint relates to the Chair of Governors or Governing Body the complainant should write directly to the clerk to the body at the above address who will consider how to best address the complaint.

Third Contact: Referral to the Complaint Committee

If the complainant wishes to appeal they must do so in writing to the Vice Chair of Governors (via the school or at the above address for Governor Support Service) within 10 school days.

The complainant will be offered the opportunity to attend a meeting where they will have the opportunity to discuss their appeal. This appeal should be based on the grounds of incorrect processes being undertaken by the Chair in their investigation and is not an opportunity for the original complaint to be heard again. The Vice Chair will convene a complaint committee (minimum of three governors, not previously involved) The Chair will also attend this meeting.

The Complaints Committee will consider whether a robust investigation was undertaken by the Chair and write to inform the complainant within 10 school days of their decision. Possible outcomes may include:

- Recommending changes to the school's systems and procedures to ensure similar issues do not reoccur in the future;
- An apology;
- An admission that the situation could have been addressed differently or better, and reassurance that similar events will not reoccur;
- An undertaking that school policies will be reviewed in light of the complaint;
- No action taken

This is the last stage at which the complaint may be heard at school level.

MONITORING THE POLICY

The Governing Body will review the policy on a three year cycle (or more often if required) and monitor the number of complaints received, how these were addressed and any action taken

ANONYMOUS COMPLAINTS

The Governing Body will not consider anonymous complaints. Any anonymous complaints will be retained and the number reported to Governors to enable Governors to monitor any patterns of complaints

VEXATIOUS COMPLAINTS

There may be occasions when, *despite all stages of the procedures having been followed*, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair will inform them in writing that the procedure has been exhausted and that the matter is now closed.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media website and newspapers.

Complainants should limit the number of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Head Teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Head Teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the school site.

THE ROLE OF THE SCHOOL COMPLAINTS UNIT

If a complaint has completed the local procedures and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State. The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so.

The School Complaints Unit (SCU) considers complaints relating to LA maintained schools in England on behalf of the Secretary of State. The SCU will look at whether the complaints policy and any other relevant statutory policies were adhered to. The SCU also looks to whether statutory policies adhere to education legislation. However, the SCU will not normally re-investigate the substance of the complaint. This remains the responsibility of schools

The SCU will not overturn a school's decision about a complaint except in exceptional circumstances where it is clear that the school has acted unlawfully or unreasonably. If the SCU finds that the school has not handled a complaint in accordance with its procedure, they may request that the complaint is looked at again

Further information can be obtained from the SCU by calling the National Helpline on 0370 000 2288 or going online at:

www.eduaction.gov.uk/help/contactus or by writing to:

Department for Education School Complaints Unit, 2nd Floor, Picadilly Gate Store Street, Manchester M1 2WD

OFSTED

As well as inspecting schools and monitoring how they perform, Ofsted also consider complaint if they affect the school as a whole. For example:

- The school is not providing a good enough education
- The pupils are not achieving as much as they should, or their different needs are not being met
- The school is not well-led and managed, or is wasting money
- The pupil's personal development and well-being are being neglected.

You can contact Ofsted by calling their help desk from 8am to 8pm Monday to Friday 0300 123 4234 or by e mail enquiries@ofsted.gov.uk

Staff on the helpdesk will discuss your concerns with you and advise you whether or not to put your complaint in writing to them.

Written by: Lesley Mavin

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Review date: September 2018



FORMAL COMPLAINT FORM

Name:	
Address:	
Postcode:	
Pupil's Name (if applicable)	
Pupil's Class Teacher (if applicable)	
Telephone Number Daytime	
Telephone Number Evening	

What is your complaint about?

