

QUEEN'S CRESCENT SCHOOL

COMPLAINTS POLICY AND PROCEDURES

Introduction

As an Academy School, Queen's Crescent is subject to the Education (Independent School Standards) Regulations.

Queen's Crescent School recognises that occasionally parents may have some kind of concern about their child's education. Any concern is dealt with as soon as possible in order that it may not become a complaint. The staff at the school are always willing to hear parents' concerns and in the majority of cases, an informal meeting between a parent and the child's teacher is all that is needed to reassure parents and their children.

However, occasionally a parent or child may be dissatisfied with the way in which the school responds to a concern and wishes to take the matter further as a complaint. A formal procedure will need to be invoked when initial attempts to resolve the issue are unsuccessful.

Exceptions: the following issues are not covered by this policy, but are covered in separate procedures/policies

- Appeals relating to internal assessment decisions for external qualifications
- Complaints about SEN/Educational Health Care Plans
- Grievances and disciplinary issues relating to members of staff
- Issues relating to Child Protection
- Issues with exclusions
- Complaints relating to admissions

Complaints from the wider community – please see appendix to this policy

General Principles

It is our intention that our complaints procedure will:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial;
- be non-adversarial;
- allow swift handling with established time-limits for action and keeping people informed of the progress;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide information to the school's senior management team so that services can be improved.

The following will **not** be investigated unless there are exceptional circumstances:

- An anonymous complaint
- An issue which occurred **more than three months ago**

Procedure

Stage One: Concern Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. A

complainant should first speak to a member of staff in order for the staff member to have the opportunity to resolve the issue. If the concern is about a particular member of staff, it may be necessary for the complainant to approach the Headteacher. Where the concern concerns the Headteacher, the complainant should write to the Chair of Governors.

If the member of staff directly involved feels too compromised to deal with a concern, they may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is crucial.

Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. Governors will not act unilaterally on an individual concern outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

Stage Two: Complaint Heard by Headteacher

At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The Headteacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

The Headteacher will contact and/or meet with the complainant if necessary within 10 working days. If the matter is still not resolved to the satisfaction of the complainant, then they may consider writing to the Chair of Governors *within 15 schools days* of being informed by the Headteacher of his/her decision.

Stage Three: Complaint Heard by Chair of Governors or nominated Governor

A complaint form is available from the school office for the complainant to write to the Chair of Governors giving details of the complaint. This must be done *within 15 school days* of being informed by the Headteacher of his/her decision in Stage 2.

At this stage, the Chair of Governors may invite the complainant to an informal meeting with him/her or nominated governor and the Headteacher to see if the issue can be resolved without the need to convene a Governing Body complaints panel. This will be arranged *within 10 schools days* or as soon as is practicable.

The Chair or nominated governor will investigate the complaint and inform the complainant of their decision *within 15 school days* of the meeting. If the complainant is not satisfied with the outcome then they may write to the Chair of Governors, *within 10 schools days of the date of the letter*, asking for a Governor's Appeal Panel to be convened.

Stage Four: Complaint Heard by Governing Bodies Complaints Appeal Panel

The Chair, or a nominated governor, will convene a Governing Body Appeals Panel *within 10 school days or as soon as is practicable*.

The governors' appeal hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

Individual complaints will **not** be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The governing body may nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. These can include:

- drawing up its procedures;
- hearing individual appeals;
- making recommendations on policy as a result of complaints.

The panel will be drawn from the nominated **governing body** and may **consist of at least** three people, **of which 1 is independent of the management and running of the Academy. The parent maybe accompanied at the panel meeting if they wish.** The panel will have a nominated Chairperson.

The Remit of the Complaints Appeal Panel

The panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

Roles and Responsibilities

The Role of the Clerk

Any panel or group of governors considering complaints will have a clerk. The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing (if appropriate); record the proceedings;
- notify all parties of the panel's decision.

The Chair of the Governing Body or the nominated governor:

The Chair of the Governing Body or the nominated governor role:

- check that the correct procedure has been followed;
- if a hearing is appropriate, notify the clerk to arrange the panel;

The Role of the Chair of the Complaints Appeal Panel

The Chair of the Panel has a key role, ensuring that:

- Draw up the procedure for the Appeal Panel taking into account the circumstances of the complaint.
- the remit of the panel is explained to all parties;
- the issues are addressed;
- key findings of fact are made;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- any written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Appeal Panel's Decision

The Chair of the panel will ensure that the complainant is notified of the panel's decision, in writing, with the panel's response *usually within 5 school days* of the panel meeting. The letter will explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

If the complainant *is not satisfied* their complaint has been handled properly they should contact the Education Funding Agency (EFA): www.education.gov.uk/help/contactus/efa. The EFA will consider complaints about academies that fall into any of the following three areas:

- a. where there is undue delay or the academy did not comply with its own complaints procedure when considering a complaint.
- b. Where the academy is in breach of its funding agreement with the Secretary of State.
- c. Where an academy has failed to comply with any other legal obligation.

The EFA *will not overturn* an academy's decision about a complaint. However, if they find an academy did not deal with a complaint properly, they will request the complaint is looked at again from the appropriate stage.

Record Keeping of Complaints

A written record will be kept of all formal complaints including at what stage they are resolved and the action taken by the school as a result of those complaints, regardless of whether they are upheld. Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or Ofsted requests access to them.

Disciplinary Procedures

Any information relating to the application of disciplinary procedures is strictly confidential.

Vexatious Complaints

If a complainant persists with a complaint when the full Complaints Procedure has been exhausted when seeking to address the complaint then the complaint may be deemed vexatious and the school's vexatious policy will be followed.

This policy should be read alongside the following other school policies:

Vexatious Policy
Single Equalities Policy

Reviewed:

October 2017

This Policy was approved by the Local Governing Body at its meeting held on 27 November 2017.

Chair of Governors:
Mrs Rachel Dimech

Date:.....

Headteacher:
Mrs Julia Hawkins

Date:.....

Complaints Booklet Reviewed:

Headteacher:
Mrs Julia Hawkins

Date:.....

QUEEN'S CRESCENT SCHOOL

Appendix

Complaints from the Wider Community

Stage One: Complaint Heard by Head Teacher

It is in everyone's interest that complaints are resolved at the earliest possible stage. A complainant should first speak to the head teacher in order for the head to resolve the issue. Where the concern concerns the Headteacher, the complainant should write to the Chair of Governors.

The Headteacher will contact and/or meet with the complainant. If the matter is still not resolved to the satisfaction of the complainant, then they may consider writing to the Chair of Governors *within 15 school days* of being informed by the Headteacher of his/her decision.

Stage Two: Complaint Heard by Chair of Governors or nominated Governor

A complaint form is available from the school office for the complainant to write to the Chair of Governors giving details of the complaint. This must be done *within 15 school days* of being informed by the Headteacher of his/her decision in Stage one

At this stage, the Chair of Governors may invite the complainant to an informal meeting with him/her or nominated governor and the Headteacher to see if the issue can be resolved without the need to convene a Governing Body complaints panel. This will be arranged *within 10 school days* or as soon as is practicable.

The Chair or nominated governor will investigate the complaint and inform the complainant of their decision *within 15 school days* of the meeting.

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Complaint Form

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken.

Your Name:
Pupils Name:
Your relationship to the pupil:
Address:
Postcode:
Telephone No: Day: Evening:
E-Mail address:
Please give concise details of your complaint, (included dates, names of witnesses etc.) to allow the matter to be fully investigated:
<p style="text-align: center;">You may continue on a separate paper, or attach additional documents, if you wish.</p>
Number of additional pages attached =

What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the outcome?)

What actions do you feel might resolve the problem at this stage?

Signature:

Date:

School use
Date Form received:.....
By Who:

Date acknowledgement sent:
By who:

Complaint referred to:
Date:

Queen's Crescent School
Complaints Procedure
Flowchart - Summary of Dealing with Complaints

