

GREAT BADDOW HIGH SCHOOL COMPLAINTS POLICY

This policy should be used in conjunction with the DFE Guidance August 2014 (School Complaints Procedure) and alongside Great Baddow High School's Home/School Agreement.

1. Rationale:

1.1 The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. Great Baddow High School is committed to taking concerns seriously, at the earliest Stage, in the hope of keeping formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint, it may be necessary to follow the school's formal complaints procedure. For the school to be able to investigate a complaint, it needs to be made within one year of the incident occurring. If a complaint is older than a year it may not be investigated.

1.2 The prime aim of Great Baddow High School's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by the school.

2. Procedures

2.1 The following details outline the four main Stages that can be used to resolve complaints:

- Stage 1 – A concern is raised informally with a staff member (e.g. tutor, teacher or head of year)
- Stage 2 – Formal complaint is heard by the appropriate member of the senior staff (e.g. Deputy Head Curriculum/Pastoral/Personnel; Head of VI form.)
- Stage 3 – Complaint is heard by Headteacher.
- Stage 4 – Complaint is heard by the Chair of Governors or the Governing Body's Complaints Appeal Panel (as appropriate).

3. Stage 1 – Raising a concern

3.1 Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern. The school requests that parents make their first contact with the appropriate member of staff (e.g. child's tutor, subject teacher, head of year). It is important for parents to recognise that the school is a busy organisation and that it may not be possible to offer an appointment straight away.

3.2 The parties involved should be encouraged to offer their view of what would be a realistic resolution to the problem. On some occasions the concern raised may require investigation, or discussion with others, in which case the parent will receive an informal but informed response within a day or two. The vast majority of concerns will be satisfactorily dealt with in this way. However, if the parent is not satisfied with the result at Stage 1, he/she should write to or call the school within 10 school working days and state what he/she would like the school to do. The school will then look at the complaint at the next Stage.

3.3 Some complaints regarding admissions, the curriculum or special educational needs are covered by statutory regulations. The headteacher or deputy headteacher can give information about these issues or advice can be sought from the Local Authority services that the school "buys into" e.g. governors' services, HR, legal services, etc.

4. Stage 2 – Complaint heard by an appropriate member of the senior staff.

4.1 Formal complaints shall be put in writing and addressed to the Headteacher (to forward to the relevant colleague) or to the appropriate member of the senior staff if the parent is aware of whom to contact. The complaint will be logged, including the date it was received.

4.2 The school will normally acknowledge receipt of the complaint within two school working days. In many cases this response will also report on the action the school has taken to resolve the issue. Alternatively, a meeting may be convened to discuss the matter further. This meeting will normally take place within 10 school working days. The aim of the meeting will be to resolve the matter as speedily as possible. However, if the parent is not satisfied with the result at Stage 2 he/she should write to or call the school within 10 school

working days of getting the response. The parent will need to tell the school why they are still not satisfied and what they would like the school to do.

4.3 If a resolution to the issue is proving difficult to find, the headteacher or member of the leadership team can (prior to the meeting) speak to one member of the governing body about the issue who may be willing to offer informal intervention. However, there is no obligation on any governor to become involved at this level.

4.4 If everyone involved is unable to resolve the issue then it may be necessary to ask for information or support from the Local Authority (as appropriate; see 3.3). The issue that is the focus of the complaint will determine the person contacted.

5. Stage 3 – Complaint heard by Headteacher

5.1 If the matter has not been resolved at Stage 2, the Headteacher will arrange for a further investigation. Following the investigation, the Headteacher will normally give a written response within 10 school working days. If the parent is dissatisfied with the result at Stage 3, he/she will need to let the school know within 10 school working days of getting the response.

5.2 The decision that the headteacher has made as a result of the complaint does not become a complaint about the headteacher. If the parent feels the issue has not been resolved he/she should proceed to Level 4, a Governors' Complaints Panel.

6. Stage 4 – Complaint heard by the Governing Body's Complaints Appeal Panel

6.1 If the matter has still not been resolved at Stage 3, then the parent will need to write to the Chair of Governors giving details of the complaint. The Chair or a nominated Governor will convene a Complaints Appeal Panel. The hearing will normally take place within fifteen school working days of the receipt of the written request for Stage 4 investigation.

6.2 The aim of the Appeal Panel hearing is to resolve the complaint impartially and to achieve reconciliation between the school and the parent. All parties will be notified of the Panel's decision in writing as soon as possible, but within ten school working days after the date of the hearing. The letter will also contain what a parent needs to do if he/she wishes to take the matter further.

7. In cases where the matter concerns the **conduct of the Headteacher**, the Headteacher and Chair of Governors will be informed of the complaint.

7.1 The Chair of Governors will arrange for the matter to be investigated. If the concern or complaint is specifically about the headteacher and cannot be resolved at the informal Stage, then it will be necessary for the parent to formally complain to the Chair of Governors. The school will provide the Chair of Governor's name and the parent should write to him or her at the school address, marking the envelope 'urgent, private and confidential'. The Chair of Governors should acknowledge the parent's letter in writing within 5 school days of receipt and contact a Governor Support Service Officer for advice.

7.2 In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint.

8. The Governors' Appeal Hearing is the last school-based Stage of the complaints process.

8.1 For further advice and guidance about the school's Complaints Procedure parents should contact the Education Funding Agency (EFA) or consult the document below:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/557407/Complain_about_an_academy.pdf

In respect of school complaints, the EFA will consider a complaint when the school procedure, as set out in their policy, has been fully exhausted.

8.2 The decision of the Governors' Complaints Panel is final and will not be investigated. If, however, the parent feels that the School and Governors have not followed the school's complaints procedure correctly, he/she can contact the EFA for assistance.

8.3 Chapter 3, paragraph 14 of a Guide to the Law for School Governors states:

Under the Education Act 1996, paragraphs 496 and 497, anyone can complain to the Secretary of State for Education and Skills if he or she believes that a governing body is acting "unreasonably" or is failing to carry out its statutory duties properly. However, intervention can only occur if the governing body or the Local Authority has failed to carry out a legal duty or has acted "unreasonably" in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State for Education and Skills could instruct either party to do to put matters right.

9. Allegations of abuse against a member of the school staff must be reported to the headteacher immediately. Allegations of abuse against the headteacher must be reported to the chair of governors immediately.

In all cases, the Children's Services information taken from Safeguarding Children in Education (issued November 2005 ref: DfES/0027/2005) must be followed. Contact must be made by the Headteacher or Chair of Governors with the Children's Services Education Officer (Child Protection).

C Lynch: Original document produced January 2011

Reviewed and updated by the Governing Body Spring 2013, 2015 and 2017

Reviewed every two years

Additional guidance for Great Baddow High School Staff and Governors regarding procedures and best practice.

- Research shows that someone experiencing an unhappy situation with an organisation is likely to tell up to 10 other people about his/her negative experience. In terms of the reputation of the school this will relate to people within the local community, other parents, friends and relatives.
- However, someone having a good experience of how an issue is handled will tell up to 10 people about his/her positive experience.
- How an issue is handled gives people a clear idea of how committed the school and governing body are to giving the best possible provision.
- Issues need to be dealt with by parents, carers or guardians and the school as calmly, courteously and as quickly as possible.
- School staff must always give consideration to their own safety.
- Guidance and procedures are available regarding violence at work in Section 8 of the Children's Services Health and Safety Manual.
- The school and governing body is committed to obtaining feedback from parents which could allow for some issues to be dealt with before parents feel it necessary to raise concerns with the school.
- Concerns and complaints should be viewed positively as data gathered can be used to inform school evaluation and future plans and strategy.
- Parents, carers and guardians are reminded to let teachers and the headteacher know when the school has done something they are pleased with.
- Skills that can be used to show understanding of and to resolve the concern or issue are:
 - Listening and probing for specifics
 - Clarifying ambiguities
 - Separating out multiple concerns
 - Repeating back to check understanding
 - Discussing realistic solutions

It is important that the school keeps a written record of any meetings that take place regarding an issue or complaint.

The school wants pupils to be healthy, happy and safe, and to achieve. It recognises that parents/carers play an important part in making this happen. Cooperation between parents/carers, staff and governors leads to a shared sense of purpose and a positive atmosphere in the school.

Guidance on informal level 1:

- Concerns should initially be handled informally in a manner that offers the best way of resolving issues.
- A class teacher or head of year should offer an appointment to discuss the issue as quickly as possible, as this will give both parties time to talk about it calmly and politely without being interrupted. This can allow parties to remain calm. It will also show a commitment to resolving issues.

Guidance on informal level 2:

- It is always best to resolve issues informally at the earliest possible time but if the person is not satisfied with the result of the talk with the teacher or head of year then he/she can ask for an appointment to meet with the headteacher or a member of the leadership team.
- It is in everyone's interest, particularly the child or children, for concerns and complaints to be sorted out quickly and smoothly.
- The aim should be that discussions end on a positive note with no bad feeling.
- It is good practice for the headteacher or member of the leadership team to write a letter to parents summarising what has been agreed regarding the issue.
- The headteacher or member of the leadership team may feel that a particular governor's input would be helpful in bringing about a resolution but there is no obligation on any governor to become involved at this level.

- The advice from a Local Authority Representative will be designed to help facilitate a resolution to the problem as quickly as possible.

It is hoped that most problems will have been resolved by now.

Guidance on level 3- formal:

- An unresolved issue can now move to a formal complaint. This is a serious step to be taken. In consideration of future home/school relationships everyone concerned will need to negotiate an agreement and concentrate on finding a resolution to the issue.

Level 4 – formal complaint requesting a Governors’ Complaints Panel.

Time Scales:

Receipt of parent’s letter	Acknowledgement within 5 school days
Receipt of parent’s letter	Governors’ Panel meeting within 15 school days (unless this goes into school holidays)
Written documentation sent to Governors’ Panel members and parent and headteacher	5 school days before meeting.
Governors’ Panel members decision communicated to all concerned	As soon as possible but within 10 school days of meeting.

- Members of the Governors’ Complaints Panel should have no prior knowledge of the complaint and it is, therefore, unlikely that staff governors will be members of the panel.
- The Complaints Panel must be made up of at least three members and a clerk.
- Although this is a formal meeting, every effort should be made to make it as informal as possible for all concerned.
- Everyone attending should be in the room at the same time.
- Consideration may need to be given to the seating arrangements to make everyone feel equal and comfortable.
- The clerk should take notes of the meeting, listing who is present and stating who is the Chair of the Governors’ Complaints Panel

Before the meeting:

- The chair of governors should appoint a clerk to the Governors’ Complaints Panel, acknowledge the parent’s letter in writing within 5 school days of receipt and arrange for a panel of governors to meet within 15 school days of receipt. It must be recognised that if the letter is received within 14 school days to the end of term it may not be possible to organise the governors’ panel meeting. In this case the matter should be dealt with within 10 school days of the school reopening.
- The headteacher should be given a copy of the parent’s letter and written documentation should be requested from the school. The clerk should send both the parent’s letter and the school documentation to the Governors’ Complaints Panel members, parent and headteacher (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.
- The parent and headteacher will be invited to attend the Governor’s Complaints Panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.

At the meeting:

- The chair of the Governors’ Complaints Panel should open the meeting stating the purpose and the format of the meeting to clarify this to all in attendance.
- People present should introduce themselves stating their reason for being at the meeting.

- The parent and headteacher (or representative) should provide all the relevant information they wish and the Governors' Complaints Panel members should clarify any points. The chair of the Governors' Complaints Panel should request a verbal statement from the headteacher (or representative) in support of the written account of the complaint and the steps taken to resolve the issue. The Governors' Complaints Panel members can ask questions to make sure they understand the issue from the headteacher's point of view.
- The members of the Governors' Complaints Panel should make sure they fully understand the issues and ask any further questions to clarify any points that are still not clear to them.
- The chair of the Governors' Complaints Panel must ask the parent and the headteacher (or representative) if they are satisfied that they have provided all the information they wanted or if there is something they wish to add and if they feel they have had a fair hearing.
- When the Governors' Complaints Panel members understand all the issues, the chair will ask all parties to leave except the panel members and the clerk.

After the meeting:

- The Governors' Complaints Panel members then discuss the issues in private and the clerk remains to record the decision.
- The Panel members will need to consider the information, come to a decision and suggest a way to resolve the issue taking into account the best interests of the child or children.
- The Governors' Complaints Panel will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate. The decision of the Governor's Complaints Panel is final.
- Once a Governor's Complaints Panel has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the chair of governors should inform the parent that the matter is closed.
- Any complaints concerning the conduct of school staff will be handled in accordance with the school's internal disciplinary procedures. The details of such an investigation will remain confidential.

Vexatious Complainants: it is important to distinguish between people who make a number of complaints because they really think things have gone wrong, and people who are being difficult. Complainants can be frustrated and aggrieved and it is therefore important to consider the merits of the case rather than their attitude. Even though someone has made vexatious complaints in the past, it cannot be assumed that the next complaint is also vexatious. Each complaint must be considered as to whether it is vexatious or genuine. There is no way of avoiding evaluating each complaint.

Please see the next page for flowchart.

Flowchart of procedure for handling concerns and complaints:

