

# Complaints & Resolutions Policy for Schools



## The Cottesloe School

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<b>Last reviewed on:</b>	22 March 2016	
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## Introduction

Our Governing Board has adopted this procedure to deal with concerns or complaints from members of the school community or general public. It is based on the Department for Education's 'Best practice guidance for schools complaints procedures 2019' updated 11 January 2019.

## Aims and Objectives

Our school aims to be fair, open and honest when dealing with any complaint and to resolve it through open dialogue and mutual understanding.

Careful consideration will be given to all concerns and complaints and we will deal with them as swiftly as possible. We will provide sufficient opportunity for any complaint to be fully discussed.

In all cases we will put the interests of the child above all other issues.

Our procedure is underpinned by the following **framework of principles**: -

- encourage resolution of problems by informal means wherever possible
- be easily accessible and publicised
- be simple to use and understand
- 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, wherever possible (some information sharing may be necessary to carry out a thorough investigation)
- address all points of issue, providing an effective response and appropriate redress, where necessary
- provide information to the school's senior management team so that services can be improved.

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

You must 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.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

## Areas not covered by this procedure

This procedure covers all complaints about any provision of community facilities or services by The Cottesloe School, other than complaints that are dealt with under other statutory procedures, including those listed below:

Exceptions	Who to contact
<ul style="list-style-type: none"><li>• Admissions to schools</li></ul>	Concerns about admissions, statutory assessments of SEN, or school re-organisation proposals should be

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>• Statutory assessments of Special Educational Needs</li> <li>• School re-organisation proposals</li> </ul>	<p>raised with relevant Buckinghamshire County Council department.</p>
<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the Local Authority Designated Officer (LADO) who has local responsibility for safeguarding (contact details 01296 382070).</p>
<ul style="list-style-type: none"> <li>• Exclusion of children from school*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> and <a href="https://www.buckscc.gov.uk/services/education/education-support/exclusion-and-reintegration/">https://www.buckscc.gov.uk/services/education/education-support/exclusion-and-reintegration/</a></p> <p>*complaints about the application of the Behaviour Management Policy can be made through the school's complaints procedure</p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>
<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedure.</p>
<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint, however, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>• National Curriculum – content</li> <li>• When children are at risk of harm</li> <li>• Missing education</li> <li>• When a complainant is being prevented from having their complaint progress through the published complaints procedure</li> <li>• There is evidence that the school is proposing to act or is acting unlawfully or unreasonably</li> </ul>	<p>Please contact the Department for Education at <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a></p>

In addition, Ofsted has the power to investigate certain (qualifying) complaints about maintained schools, including those from parents. A qualifying complaint is one that affects the whole school, not an individual. More information can be obtained from the school or Ofsted.

All other complaints are handled by the school according to the arrangements set out below.

### Stage 1 – initial concerns

If you have any concerns about the school, or the education we are providing at any time, please discuss the matter with your child’s Subject Teacher or Form Tutor at the earliest opportunity.

It is **not** appropriate to publicise any concerns you may have on social networking sites. Please speak, or write, to someone at the school at your earliest convenience, rather than using any other means.

The school considers any concerns very seriously and most problems can be resolved following discussion and a shared understanding of the issues. All members of staff work very hard to ensure that each child is happy at school and is making good progress and they always want to know if there is a problem so they can help to resolve it.

Most concerns can be resolved at this level, however, if after speaking to your child’s Subject Teacher or Form Tutor, you are still concerned please discuss the matter with the Headteacher.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

Complaints against school staff (except the Headteacher) should be made in the first instance to the Headteacher via the school office ([office@cottesloe.bucks.sch.uk](mailto:office@cottesloe.bucks.sch.uk)). Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors via the school office (atitley@cottesloe.bucks.sch.uk). Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole Governing Board should be addressed to the Clerk to the Governing Board via the school office (clerk@cottesloe.bucks.sch.uk). Please mark them as Private and Confidential.

## **Stage 2 – formal procedure**

Most concerns are resolved at Stage 1, however if you remain dissatisfied and wish to take the matter further you will be asked to complete a complaint form (Annex 1).

### ***Complaint Form***

The aim of the form is to ensure each party has a clear and common understanding of the complaint and includes a section on what actions might resolve the problem at this stage. It can be used by anyone making a complaint about the operation of the school which is not covered by an alternative procedure.

We are happy to provide the assistance of someone unconnected with the complaint, if you would like support in completing the form.

The form (see Annex 1) should be returned to the Headteacher, unless the complaint concerns the Headteacher, in which case it should be returned to the Chair of the Governing Board at the school address, marking the envelope 'FOR IMMEDIATE ATTENTION'. If your complaint is about the Chair of the Governing Board or a governor, your completed form should be returned to the Clerk of the Governing Board.

You will receive an acknowledgement of the receipt of your complaint form within 5 school days.

### **Investigation**

An investigation will be carried out into the complaint and the way it has been handled by the school. The Headteacher (or Chair of Governors or Clerk as appropriate) may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken. The investigation will include a review of any relevant documentation and information and seeking the views of relevant people, where necessary. The person undertaking the investigation will normally write to you with the outcome of this process within 15 school days of receiving the complaint.

If, at any time, it becomes apparent that the complaint is a disciplinary or capability issue, the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. You will be notified if this is the case with your complaint, however, you are not entitled to know which procedure, or the final outcome, because of the right to confidentiality of the member of staff involved.

If, following the outcome of the investigation, you feel your concern has not been resolved, you may choose to refer your complaint to Stage 3 of the procedure. This must be done in writing to the school within 15 school days of the completion of Stage 2.

### **Stage 3**

At this stage the complaint will be considered by a panel, who will meet to consider the complaint and make a final decision about it on behalf of the Governing Board.

Panel members will have no detailed prior knowledge of the complaint, or connection with the complainant. The meeting will normally take place within 15 school days of your request.

You will have the opportunity to submit written evidence on the complaint prior to the meeting of the panel and also to attend, accompanied by a friend/partner if you wish, to put your case. The headteacher will be given the same opportunities. Appendix 2 outlines the process that will be followed at a panel hearing.

### **Outcome of the Panel Hearing**

The panel will write to you with its conclusion within 5 school days of the meeting, and its decision is final.

If you are still not satisfied, you may wish to put your complaint to the Secretary of State for Education, who can review whether the school has acted reasonably and followed the correct procedures. The complainant can refer their complaint to the Department for Education online at [www.education.gov.uk/contactus](http://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.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by The Cottesloe School. They will consider whether The Cottesloe School has adhered to education legislation and any statutory policies connected with the complaint.

### **Serial or Persistent Complaints**

Unfortunately, in a small minority of cases, people pursue their complaints in a way which can either impede the investigation of their complaint or can have significant resource issues for the school. These actions can occur either while the complaint is being investigated, or once the school has concluded the complaint investigation.

In such cases, the school will follow any advice from the Department for Education and the Local Government Ombudsman.

### **Monitoring and Review**

The Governing Board monitors the complaints procedure, in order to ensure that all complaints are handled properly. The headteacher logs all formal complaints received by the school and records how they were resolved. Governors examine this log on a regular basis and consider the need for any changes to the procedure.

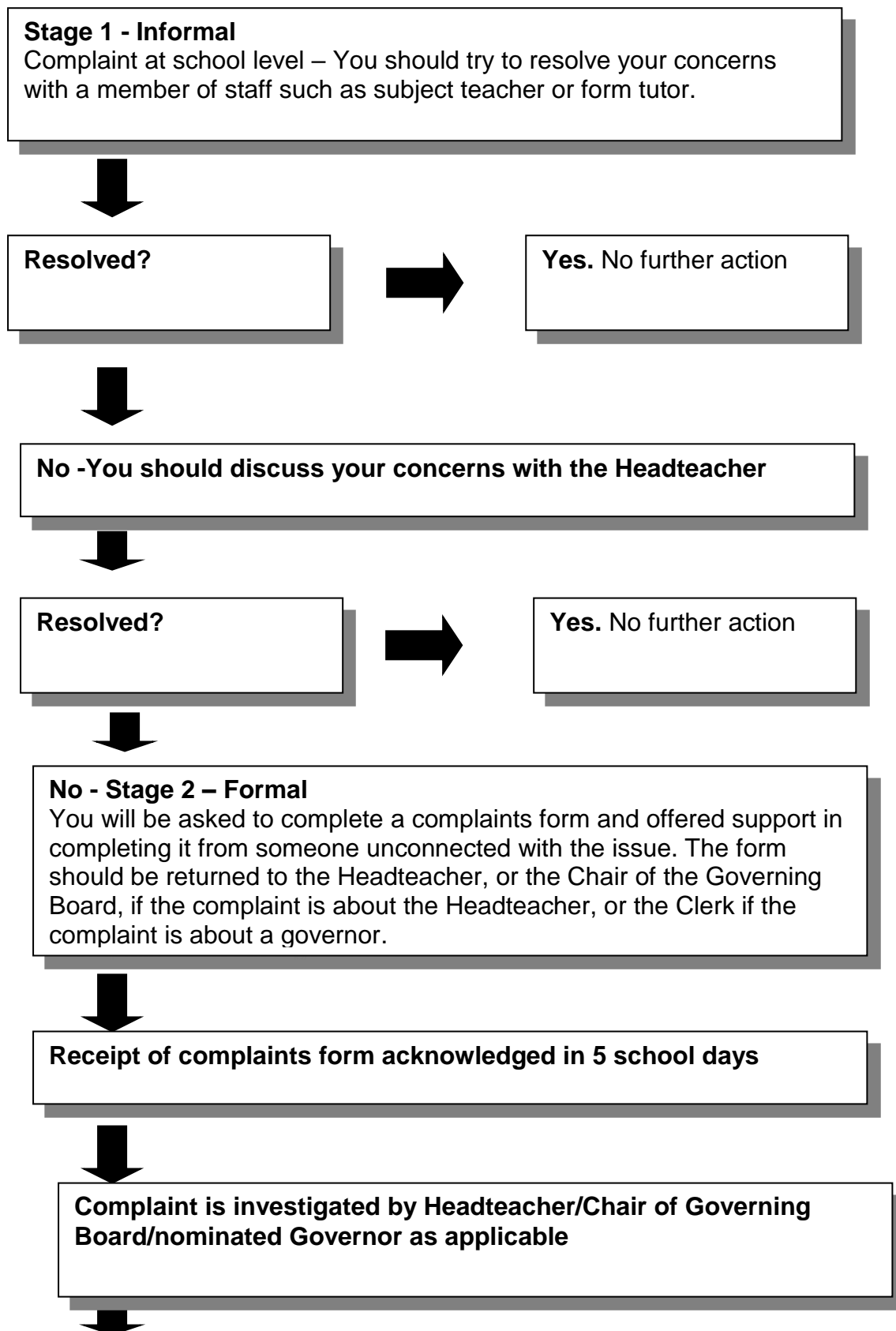
### **Review**

This policy will be reviewed in three years' time (earlier any legislative change).

January 2019

## Flowchart Summary\*

\* Please refer to the procedure for more detailed information.





**You will be informed of the outcome of the investigation within 15 school days of receiving the complaint.**



**Resolved?**



**Yes. No further action**



No - If you wish to take your complaint to Stage 3 of the procedure you will be asked to confirm this in writing within 15 school days of the completion of Stage 2.



Governor Complaints Panel (three impartial governors) meets to consider your complaint with 15 school days. You will be asked to submit written evidence in advance and attend the panel meeting to explain the nature of your complaint



Panel will make a final decision on behalf of the Governing Board and writes to you within 5 school days



**Resolved?**



**Yes. No further action**



No - You can write to the Secretary of State for Education if you feel the school has acted unreasonably or not followed the correct procedures.



**Appendix One - Complaint Form**

**Please complete and return to the school office, who will acknowledge receipt and explain what action will be taken.**

**Your name:**

**Student's name:**

**Your relationship to the student:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Please give concise details of your complaint, including dates, names of witnesses etc, to allow the matter to be fully investigated**

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

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

**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By whom:**

**Complaint referred to:**

**Date:**

## **Appendix Two - At the Panel Hearing**

- After introductions, the complainant will be invited to explain their complaint, and be followed by their witnesses (if any).
- The Headteacher/Chair of Governors may question both the complainant and the witnesses after each has spoken.
- The Headteacher/Chair of Governors is then invited to explain the school's actions and be followed by the school's witnesses (if any).
- The complainant may question both the Headteacher/Chair of Governors and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher/Chair of Governors is then invited to sum up the school's actions and response to the complaint.
- The Chair of the panel explains that both parties will hear from the panel within five school days.
- Both parties leave together while the panel decides on the issues.
- The Clerk remains to support the panel.