

COMPLAINTS POLICY



Dormers Wells High School

**Maths, Computing and Applied
Learning Specialist College
& Leading Edge School**

Reviewed: January 2015

Sub Committee: Whole School and Community

Date Approved:

Complaints Policy

Key Points and Summary

1. Dormers Wells High School takes all concerns or complaints seriously. Taking informal concerns seriously at the earliest stage reduces the numbers of formal complaints and reflects the commitment to working effectively with all members of the community.
2. This policy aims to ensure that:
 - As far as possible all concerns should be dealt with as informally as possible;
 - All complaints are dealt with as quickly and sensitively as possible, and by the person best able to do so;
 - Where a formal process is required, the steps involved are clearly outlined;
 - People are aware of their responsibilities.
3. The emphasis is to understand, investigate and resolve the complaint as early as possible.
4. The formal process has three stages:
 - a. Complaint heard by a member of staff;
 - b. Complaint heard by an appropriate member of senior staff appointed by the Headteacher;
 - c. Appeal heard by governors.

1. Introduction and Statement of Intent

Dormers Wells High School takes all concerns or complaints seriously. Taking informal concerns seriously at the earliest stage reduces the numbers of formal complaints and reflects the commitment to working effectively with all members of the community.

This policy aims to ensure that:

- As far as possible As far as possible all concerns should be dealt with as informally as possible;
- All complaints are dealt with as quickly and sensitively as possible, and by the person best able to do so;
- Where a formal process is required, the steps involved are clearly outlined;
- People are aware of their responsibilities.

2. Scope and Applicability

This policy applies to all complaints received by the school.

This policy applies to all staff and governors.

3. The Policy

Concerns and Complaints

It is important to distinguish between a 'concern' and a 'complaint'. Most concerns can be made informally to the initial member of staff and be resolved without the need to go through the formal complaint procedures. Initial concerns should be made with the school as soon as possible to allow for a proper investigation if the need should arise.

A concern may arise (for example):

- From uncertainty regarding the application of schools rules or disciplinary procedures
- From misunderstanding or misrepresentation of an incident which has taken place inside or outside of the classroom
- Where a parent believes that their child has been misunderstood or treated unfairly and feels it necessary to raise the matter so that steps may be taken to restore goodwill
- Where a parent believes that their child is being bullied or has suffered some form of discrimination and brings the matter to the school's notice so that action can be taken to prevent a recurrence.

Concerns should normally be raised with the member of teaching staff most directly involved in the situation giving rise to the concern. Parents will appreciate that it is helpful if a concern is expressed as soon as possible after the relevant incident. The staff member will respond as soon as practicable, and in any case within three working days.

A complaint may arise (for example):

- When an individual has previously raised a concern and is not satisfied with the response offered
- Where an individual has serious disquiet over an incident that has taken place or a decision made in the school and believes the school has fallen short of appropriate standards.

A complaint must be made in writing to the Headteacher (using the Notification of a Formal Complaint Form – available from school reception). If the complaint concerns the Headteacher it should be addressed to the Chair of Governors.

Complaint from non-parents which are not made on the behalf of individual children (e.g. by local residents) will usually be processed normally, i.e. as if from a parent of a student at Dormers Wells High School.

All complaints, including all Complaint Forms, will be held by the Headteacher's PA.

Investigating Complaints

The person investigating the complaint will make sure that they:

- Establish what has happened so far, and who has been involved;
- Clarify the nature of the complaint and what remains unresolved;
- Meet with the complainant or contact them (if unsure or further information is necessary);
- Clarify what the complainant feels would put things right;
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- Conduct the interview with an open mind and be prepared to persist in the questioning; and
- Keep notes of the interview.

Resolving Complaints

At each stage in the procedure the person attempting to resolve the complaint will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is a valid complaint (in whole or in part) without admitting liability. In addition, it may be appropriate to offer one or more of the more following:

- An apology;
- An explanation;
- An admission that the situation could have been handled differently or better;
- An assurance that the event complained of will not recur;
- An undertaking to review Dormers Wells High School policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

At all stages those hearing the complaint will attempt to identify areas of agreement between the parties and to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

4. Stages of Complaint

Stage 1: Complaint Heard by a Member of Staff

It is in the interests of everyone that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the academy can be crucial in determining whether their complaint will escalate.

Staff need to be sensitive to any potential actual or perceived conflicts of interest or difficulties of a particular member of staff being involved in hearing and investigating the complaint.

To ensure clarity of understanding, a Notification of a Formal Complaint Form needs to be completed. This ensures that there is no conflict in determining what the complaint consists of and the action taken by members of staff.

The member of staff hearing the complaint will respond to the complainant in writing.

It is normally expected that complaints will be acknowledged within three working days, and the Stage 1 process completed within ten school days. If it is clear that the process is going to take longer than this, the reasons for this should be explained to the complainant.

If the complaint is resolved, the Notification of a Formal Complaint Form should be completed and passed to the Headteacher's PA for retention.

If the complaint is not resolved, the Notification of a Formal Complaint Form should be passed to the Headteacher who will determine which senior member of staff should be involved in Stage 2.

Stage 2: Complaint Heard by Appropriate Senior Member of Staff Appointed by the Headteacher

The designated senior member of staff will consider both the original complaint and the process followed during Stage 1.

The designated member of staff may formally reject a complaint if, in their judgement, the complaint:

- Was received too long after the alleged incident for realistic investigation to take place;
- Does not identify specific actions or incidents that are capable of being investigated;
- Refers only to issues that have already been determined;
- Raises only minor matters that should have been resolved in discussion with the staff member involved.

The designated senior member of staff will put their judgement and rationale, including details of the process followed, in writing to the complainant.

It is normally expected that the Stage 2 process would be completed within ten school days of the Headteacher initiating Stage 2. If it is clear that the process is going to take longer than this, the reasons for this should be explained to the complainant.

If the complaint is resolved, the Notification of and Official Formal Complaint Form should be completed and passed to the Headteacher's PA for retention.

If the complaint is not resolved, the complainant has the option of appealing to the Governing Body.

Stage 3: Independent Panel for Appeals

The complainant should write to the Chair of Governors giving details of the complaint and the process followed to that point. An independent complaints panel will be convened; none of whose members will have been directly involved in a previous consideration of the complaint. This panel will always have at least one independent member, i.e. who is not part of the management or governance of the school. The panel will have the powers to determine the complaint.

Individual complaints would 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 appeal hearing should be heard within 10 school days of the Chair receiving notice of the complaint.

The appeal hearing will be heard in private, will give careful consideration to the substance of the complaint, consider all the views expressed, and decide the outcome. The complainant may be accompanied by a friend/colleague.

The panel can:

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or in part;
- Decide on appropriate action to resolve the complaint; or
- Recommend changes to the school's systems or procedures.

The decision of the panel is binding. The decision must be communicated within three working days of the hearing.

5. Responsibilities under the Policy

The Governing Body

The governing body is responsible for:

- Approving the school policy, procedures and guidelines;
- Hearing and deciding on appeals at stage 3;
- Monitoring the level and nature of complaints and review the outcomes annually or earlier if so determined by the Chair.

The Chair of the Governing Body is responsible for:

- Receiving complaints at stage 3 of the complaints procedure;

- Nominating a panel from the governing body to hear the appeal; and
- Checking that the correct procedure is followed.

The Chair of Governors Panel at stage 3 is responsible for ensuring that:

- The parties understand the procedure;
- The issues are addressed;
- Key findings of fact are established;
- Complainants are put at ease;
- The hearing is conducted as informally as possible;
- The panel is open minded and acts independently;
- No member of the panel has a vested interest in the outcome, or has been involved in the issues previously;
- All parties have the chance to be heard;
- Any written material is seen by all parties' and
- Related Child Protection and Data Protection rules are observed and maintained.

Headteacher

The Headteacher is responsible for:

- The overall internal management of the procedure;
- Identifying who will hear complaints at stage 2 of the procedure;
- Ensuring that the procedures are monitored and reviewed and reports made to the governing body as appropriate.

Headteacher's PA

- To maintain records of all complaints received by the school.

All Staff

All staff are responsible for:

- Listening to any concerns brought to them by parents and students;
- Reassuring them that they will be dealt with as soon as possible by the appropriate member of staff;
- For informing the relevant staff of the concerns being raised; and
- Passing any complaints received from other people who are not parents or students to the Complaints Coordinator.

Policy Review

The governors have overall responsibility for the operation of this policy and it will be reviewed annually.

Signed: _____ Date: _____

Chair of Governors: Saynap Isman

Signed: _____ Date: _____

Headteacher: Róisín Walsh

Notification of a Formal Complaint Form

Name of Parent: _____

Name of Student: _____

Nature of Complaint:

Signed: _____

Date: _____

Received by: _____

Date: _____