GLOUCESTERSHIRE COUNTY COUNCIL

Alderman Knight School
Ashchurch Road
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Head Teacher: Clare Steel

Complaints Policy & Procedure

Date Reviewed	January 2021
Reviewed By	Ceri Jones, Business Manager
Next Review Due	**January 2023**
Ratified by Governors	Headteacher January 2021

Complaints Policy & Procedure

This policy has been drawn up by the Governing Body to be used in the event of a complaint from parents about any issue regarding the provision made by the school. It is based upon Gloucestershire LA's recommended procedure for dealing with complaints.

There are also other categories of complaint in relation to Safeguarding that arise in schools for which a specific procedure is already laid down. These procedures involve both the school and Local Authority, and may not be altered.

General Parental Complaints

Wherever possible most parental concerns will be dealt with informally, by the pupil's class teacher. However, should that prove unsuccessful, the complaint will be referred to the next stages of the procedure.

Recommended Procedure

A sequential Procedure involving four stages has been adopted. A complaint should be considered as follows:

Stage 1 – Informal

Parental concerns are often addressed to tutors or teachers. These are normally resolved informally to the full satisfaction of the parent.

Stage 2 – Formal

However, there may be occasions when concerns cannot be resolved by the informal stage. At this stage parental concerns should be addressed by the appropriate member of the senior leadership team with responsibility for the Key Stage related to the concern.

Stage 3 – Formal

If the parental concern was relating to a member of the Senior Leadership Team the concern should be addressed to the Head Teacher;

Stage 4 – Panel Hearing

If the concern raised has not been resolved to the satisfaction of the complainant, then the complainant will have the right to a governor panel hearing

A Complaints Form, for completion by the complainant will need to be completed if it has not been possible to resolve the complaint and relating issues informally. [**See Appendix 1**]

It is important that this form is used to both assist the resolution of individual complaints and allow their overall volume to be monitored. If necessary, parents will be supported in completing the form.

Governors' Complaints Appeal Panel
It is anticipated that the vast majority of parental complaints will be resolved by the Head Teacher or other staff. However, there may be a few exceptions that have to be considered by the Governing Body and these may be contentious. The following process has therefore been put in place that will be used by governors in these instances and will ensure a robust process that is understood on all sides.

Appendix 2 illustrates this School Complaints Procedure and provides guidance to governors concerning the following:

- the establishment of a Complaints Appeal Panel
- conduct of an Appeal Panel hearing
- ensuring impartiality
- time-scales for communicating governors' decisions,
- the role of Chair and Clerk.

Governors on the Complaints Appeal Panel will draw up their own procedures, and these will of course depend upon the nature of the complaint being investigated. However, a non-adversarial approach will always be recommended. [e.g. If a parent has complained about a teacher, for example, it will probably be more helpful for the Panel to interview them separately, rather than together.]

The full Governing Body will only become involved with the complaint when it receives a confidential report providing reasons for any recommended action. This report should be in summary form and avoid naming individuals. The full Governing Body will also monitor the volume and nature of complaints. This will allow any trends to be identified, and governors to assure themselves that the procedure is effective.

Unresolved Complaints
If a Governing Body cannot resolve a complaint, it will be referred to the LA. The LA will not overturn a decision of the Governing Body, and its role is therefore advisory. The Governing Body will contact the LA as soon as it receives a formal complaint and will then seek advice and support particularly over any legal requirements.

If a complainant tries to re-open an issue which has been considered at every stage of the procedure, the Chair of Governors may inform him/her in writing that the procedure has been exhausted and that the matter is now closed.

Alderman Knight Complaints Procedure

Complaint Form

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

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

What action, if any, have you already taken to try and resolve your complaint.
(Who did you speak 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 who:

Complaint referred to:

Date:

Complaints for which a Specific Procedure is laid down

Child Protection
Any complaint involving an allegation of child abuse will immediately be dealt with in line with the school Safeguarding/Child Protection Policy and referred in line with Gloucestershire Safeguarding Children Board guidelines.

In cases where the allegation is against a member of staff the Local authority will be contacted immediately:

Exclusion of pupils from school
Complaints about exclusion of a pupil from school by the Head Teacher which have already been considered by the Governing Body will be referred to the Local Authority.

Complaints about the curriculum
Complaints within this category include those concerning:

- provision of the National Curriculum
- provision of Religious Education and worship
- exemptions from the National Curriculum
- operation of Charging and Remission Policy in relation to the curriculum
- compliance with regulations about the provision of information

Any such complaint will initially be discussed with the school's Link Adviser.

Complaints against staff
If it appears that disciplinary action against a member of staff may be necessary, Conduct Procedures detailed in the LA's "School's Personnel Handbook" will be followed. The Head Teacher will immediately seek advice from the LA's Employee Relations Officers:

- Margaret Wilkins, Principal Personnel Officer - margaret.wilkins@gloucestershire.gov.uk

- Maryanne Carter, Senior Personnel Officer maryanne.carter@gloucestershire.gov.uk

Confidential complaints by staff ("Whistle Blowing")
The County Council's Code of Conduct and Confidential Reporting Procedure (Whistle Blowing) allows school staff who are concerned about possible malpractice or corruption at work to raise such issues in confidence. Areas covered by the Code include:

- gifts, hospitality, and sponsorship;
- use of school facilities and equipment;
- membership of a secret society.

Advice about the use of this procedure can be obtained from the LA's Employee Relations Officers (details above).

Complaints about Hate Crime

A hate crime is defined as “any incident which the victim, or anyone else, thinks is based on someones prejudice towards them because of their race, religion, sexual orientation, disability or because they are transgender”. This definition has been agreed by the Government, the LA and Police Service. Guidance on responding to racist incidents is provided in the LA guidance “Racial Harassment in Schools”. The school has a very clear policy on Equal Opportunities including racial incidents and the school will immediately contact the relevant personnel at the Local Authority should additional advice and support be required to deal with complaints in this area.

Alderman Knight School aims to create and maintain a safe environment for children and to positively manage situations where there are child welfare concerns. The school has clearly laid down and recognised procedures for dealing with abuse or suspected abuse, which is in line with recommendations made by the Gloucestershire Safeguarding Children Board. In addition, there are clear procedures and guidelines in place for those children with medical needs. For further information in these areas, please refer to the school’s Safeguarding Children/Child Protection, Administration of Medication and Health and Safety Policies.

Alderman Knight School

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Alderman Knight Complaints Procedure

Stage One: Complaint heard by staff member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they know what to do when they receive a complaint.

It would assist the procedure if the school respected the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complaints co-ordinator can refer the complainant to another staff member. Where the complaint concerns the headteacher, the complaints co-ordinator can refer the complainant to the chair of governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator 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 complaint 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. It would be useful if governors did not act unilaterally on an individual complaint 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 Head teacher

The headteacher's influence will already have shaped the way complaints are handled in the school. 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 head may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

Stage Three: Complaint heard by Governing Bodies Complaints Appeal Panel

The complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a GB complaints panel.

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 would not be heard by the whole GB 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 procedure adopted by the panel for hearing appeals would normally be part of the school's complaints procedure. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.

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.

There are several points which any governor sitting on a complaints panel needs to remember:

a. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

b. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

c. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.

d. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.

e. The governors sitting on the panel need to be aware of the complaints procedure.

Roles and Responsibilities

The Role of the Clerk

The Department strongly recommends that any panel or group of governors considering complaints be clerked. 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;
- record the proceedings;
- notify all parties of the panel's decision.

The Role of the Chair of the Governing Body or the Nominated Governor
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 Panel
The Chair of the Panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- 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;
- each side is given the opportunity to state their case and ask questions;
- 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 Panel's Decision

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within a set deadline which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

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Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing needs to be as informal as possible
- Witnesses are only required to attend for the part of the hearing in which they give their evidence
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Head teacher may question both the complainant and the witnesses after each has spoken
- The Head teacher is then invited to explain the school's actions and be followed by the school's witnesses
- The complainant may question both the Head teacher 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 Head teacher is then invited to sum up the school's actions and response to the complaint
- Both parties leave together while the panel decides on the issues
- The chair explains that both parties will hear from the panel within a set time scale

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Summary of dealing with complaints

1. **The Head teacher will be informed about the complaint**
2. **The complainant will be asked to complete a complaint form**
3. **The complaint will be heard by the Head teacher who will:**
    - **acknowledge receipt of the complaint**
    - **meet with the complainant if felt to be appropriate prior to detailed investigation**
    - **investigate the situation fully and then:**
    - **write to the complainant with the outcome of the investigation**
4. **If the issue is resolved then no further action will be taken other than to inform Governors at the next appropriate meeting. However if it is not resolved then:**
5. **The Local Authority will be made aware of the complaint and advice and support requested**
6. **A meeting of the Governors Complaint Panel will be arranged**
7. **A letter will be issued to the complaint inviting them to the meeting**
8. **The meeting will be held [as previously described]**
9. **A letter will be issued to the complainant by the Chair of the Complaint Panel confirming the panel's decision**

N.B. At all stages detailed notes and minutes of meetings must be kept.

Concern or Complaint?

Information for Parents and Carers

It is very important to us that you are confident that while at school your child feels safe, secure, enjoys learning and is achieving well. Obviously there may be times when you feel that there are issues that may be impacting on your child's progress and well-being and if this the case then it is vitally important that these issues are resolved as quickly as possible.

This information is simply intended to act as a guide in helping you work with us to ensure that this happens swiftly.

Stage 1 – Who is the first point of contact?

- If the concern is relating to a particular subject area then please contact the subject teacher first either by phone or letter. If the issue cannot be resolved through a discussion on the phone then the subject teacher will arrange to meet with you to discuss further.

- If the concern is of a more general nature then the first point of contact should always be your child's form tutor. Again hopefully a discussion by phone will resolve the situation but if a meeting is necessary your child's form tutor will arrange one at a mutually convenient time.

If a solution is found then no further action will be needed.

However if a solution cannot be found at this stage a second meeting will be needed to seek alternative solutions.

Stage 2 – What if the situation does not improve?

This second meeting will involve the appropriate member of the senior leadership team with responsibility for the day-to-day management of your child's Key Stage.

Stage 3 – What if I am still not happy with the outcome?

At this stage it is very important that you discuss your concerns directly with the Head teacher.

If following this there are still unresolved issues you may wish to consider referring to the Formal Complaints Procedures and deciding if you wish to actually register your concern as a formal complaint. Copies of the Formal Complaints Procedures are available on request from the school office.

If you decide you want to make a formal complaint then the first thing you will need to do is to complete a Complaint form and give it to the Head teacher. The Head teacher will then continue to work with you to try and resolve the issues. If still unsuccessful then the Head teacher will inform the Governors and Local Authority and request that the complaint be heard by the Governor's Complaint Panel. This panel will meet to hear the complaint and make a final decision on the case. At this point you would be expected to provide evidence to the Governors and meet with them to explain why you have decided to make a complaint.

Clearly we hope very much that you will never feel the need to make a formal complaint against the school but by law it is necessary for us to make sure you are aware of the procedures should the need ever arise. We will always do our absolute utmost to work with you as, like you, our top priority is the safety, well-being and achievement of each of our pupils and clearly if there are any concerns then we will want to resolve them as quickly and effectively as we possibly can.

A Complaints Form, for completion by the complainant will need to be completed if it has not been possible to resolve the complaint and relating issues informally. [**See Appendix 1**]

It is important that this form is used to both assist the resolution of individual complaints and allow their overall volume to be monitored. If necessary, parents will be supported in completing the form.