

# **New Horizon Community School**

## **Complaints Policy**

**2018/19**

Updated: January 2019

Date of next Review: November 2019

NEW HORIZON COMMUNITY SCHOOL “committed to the safety and welfare of its pupils”

### **COMPLAINTS POLICY**

This policy is based on guidance from the DFE and the Local Authority.

Definition:

We believe that our school provides a good education for all our children, and that the Head teacher and other staff work very hard to build positive relationships with all parents/carers.

However, the school has procedures in place in case there are complaints by parents/carers or a member of the community. The following policy sets out the procedure that the school follows in such cases. The majority of issues raised by parents/carers, the community or pupils are concerns rather than complaints. New Horizon Community School is committed to taking concerns seriously and improving the school in response to feedback.

Aim:

Our aim is to resolve concerns informally. If we are unable to do this you may wish or be asked to follow the school’s formal Complaints Procedure. For the school to be able to investigate a complaint, it needs to be made within three months of the incident occurring. If a complaint is older than one term it will not normally be investigated.

What kind of complaints?

This policy describes the procedure taken at New Horizon Community School for dealing with complaints it can be used to resolve complaints about the way school is run or about the way, a school policy has been implemented. Most of these complaints are about decisions, which affect a particular pupil or pupils. It cannot be used to resolve matters where other legal procedures already apply. For example, staff discipline special educational needs, admissions, exclusions, and some National Curriculum matters.

Who can complain and when?

This procedure applies to complaints made by: Parents/carers of pupils currently or recently at the school. People who either have 'parental responsibility' for a pupil or who care for him or her, but are not the pupil's parents/carers.

Agreed Procedures

New Horizon Community School will attempt 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.

The following details outline the stages that can be used to resolve complaints.

See Appendix 1 Diagram of Complaints Procedures.

The School Complaints Policy has four main stages.

In summary, they are as follows: - Stage 1 – A concern is raised informally with a staff member. Stage 2 – A Complaint is heard by the Head teacher. Stage 3 – A Referral is made to the Chair of Governors. Governing Body's Complaints Appeal Panel hears ☐ Stage 4 – A Complaint.

All meetings from Stage 2 onwards will be recorded.

Stage 1 – Raising a concern with a member of staff

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/carers make their first contact with the class teacher. In many cases parents'/carers' concerns and complaints are resolved at this early

part of the informal stage. On some occasions, the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within a day or two. The majority of concerns will be satisfactorily dealt with in this way. If the concern

remains unresolved, the class teacher may involve the Key Stage Coordinator in a second attempt to resolve the concern. However, if you are not satisfied with the result at Stage 1 the class teacher/Key stage Coordinator should advise the parent/carer that they might complain to the Head teacher. Parents/carers can do this in writing or request a meeting. Please write to or call the school within 10 school working days and state what you would like the school to do. The school will then consider your concern as a complaint and move to Stage 2.

If the complaint is received from a member of the school community this would normally be directed to a senior member of staff, such as the Key Stage Leader, for Stage 1 or straight to the Head teacher for Stage 2.

#### Stage 2 – Complaint heard by the Head teacher

If the matter has not been resolved at Stage 1, the Head teacher will arrange further investigation. Please write to the Head teacher of the school telling them why you are still not satisfied and what you would like the school to do. See Appendix 2 Complaints Form.

The complaint will be logged in the complaints book, including the date it was received. The school will acknowledge receipt of the complaint within two working days of receiving it. Either you will receive a written response reporting on the actions being taken, or the Head teacher will arrange a meeting to discuss the matter further. If possible, this meeting will take place within 10 school working days of the receipt of the complaint. The aim will be to resolve the matter as speedily as possible. The Head teacher will ensure written records are kept of all meetings, telephone discussions, and any other relevant documents. They will then consider all the facts and reach a conclusion. Following the investigation, the Head teacher will normally give a written response within 10 school working days. They may meet the person making the complaint giving a full explanation of the decision, the reasons for it and, where appropriate, what action the school proposes to take. The meeting or letter should inform the parent/carer that if they are not satisfied with the outcome they may complain to the Chair of the Governing Body within ten working days.

If you are dissatisfied with the result at Stage 2, you should write to the Chair of Governors at the school address within 10 school working days of getting the response marking the envelope 'Private & Confidential'. This will then be referred directly to the Chair of Governors.

### Stage 3 – Referral to the Chair of Governors

The Chair of Governors will review the documentation and may speak to the persons involved. He/she will then mediate between the persons involved to attempt a resolution. The Chair of Governors will give a written response within 10 school working days. If the complainant believes the response from the Chair of Governors is not sufficient or appropriate, an appeal can be made within 10 working days to a Governing Body Complaints Panel.

If the Chair has had some prior involvement in the matter, which is being complained of, he or she should ask the vice-chair to undertake this role instead of the Chair.

N.B. Complaints against the Head teacher In cases where the matter concerns the conduct of the Head teacher, a written complaint should be sent 'For the Attention of the Chair of Governors' to the school and marked 'Private & Confidential'. The Chair will refer the matter directly to a Governing Body Complaints Panel to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body, the member will be informed of the complaint. The above procedure will then be followed.

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

If the matter has still not been resolved at Stage 3, then the Chair of Governors will pass the matter for consideration to a Governing Body Complaints Panel. The Complaints Committee of the Governing Body deals with any complaint, which has reached the formal stage.

This involves 1. Receiving the complaint 2. Investigating the complaint 3. Making a decision on the complaint 4. Reporting the decision of the Complaints Committee to the Governing Body.

The clerk or a nominated governor will convene a panel of usually two governors and an independent person. If possible, the hearing will take place within 10 school working days of the receipt of the written request for a Stage 4 investigation.

The aim of the Appeal Panel Hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. All parties will be notified of the panel's decision in writing within 5 school working days after the date of the hearing. The letter will also contain what you need to do if you wish to take the matter further.

1. Receiving the complaint The Complaints Committee should try to meet as soon as possible after the complaint is received to agree and be clear about what needs to be done and draw up a timetable for doing it. The Chair of the Complaints Committee should write to the person making the complaint to: a) explain that the committee is now dealing with the complaint b) confirm that the committee has received a copy of any written complaint c) set out what appears to be the nature of the complaint and to invite the complainant to send any further written information about the complaint d) set out the committee's timescale for dealing with the complaint e) invite the person making the complaint to meet the committee to give full details of their complaint, and inform them they may be accompanied by a friend or representative f) set a reasonable deadline for reply by the person making the complaint, and make it clear that if there is no response by this deadline the committee will proceed on the basis of the information it already has.

☐ If the person making the complaint accepts the invitation to meet the Committee, arrangements should be made to make this as easy as possible. The Committee may wish to consider the most appropriate time and place for the meeting to take place and whether other facilities such as providing an interpreter would be helpful. ☐ The Committee should also write to the person(s) complained of informing him/her of the complaint and explaining that they will be given the opportunity to give their version of events.

The purpose of all the above is to find out precisely what the complaint is about and to inform the complainant of the procedure and timescale.

## 2. Investigating the complaint

The Committee must meet to discuss the complaint and decide what information they need, who they may need to interview in addition to the person(s) complained of and what questions will need to be asked. The interviews can proceed with prepared questions followed by other questions if necessary, and the people being interviewed should be asked if they have anything to add. Answers to the questions should be carefully recorded and the people being interviewed should be asked to sign the record of answers. The investigation is not a staff disciplinary investigation. Following interviews with staff it may be necessary to ask for further information from the person making the complaint. ☐ The complainant and the person(s) who is the subject of the complaint should be informed if there is any delay in the investigation process. ☐ When the Complaints Committee is satisfied that it has all the available information it will consider the complaint and all the evidence. Governors serving on the Committee should all try to reach an agreed decision and should decide what should be done to resolve the complaint. ☐ It may be possible for the Complaints Committee to

### 3. Making the decision

The Complaints Committee must make their decision based on the information in their possession. They should produce an investigation report, which documents their decision. This would need to be produced if the complainant was to refer the matter to the Secretary of State. The Chair of the Committee usually writes this report. The investigation report will be brief and will usually keep the names of the pupil, parents/carers and people interviewed confidential. Its purpose is to: a) Summarise the evidence gathered b) Give the decisions made by the Complaints Committee c) Give any recommendations made by the Complaints Committee to prevent a similar problem happening again. Where conflicting versions of events have been given it should be clear from the report why one version has been preferred over the other. In very few cases it could happen that one of the recommendations is for the Governing Body to hold a formal disciplinary investigation to find out if staff disciplinary action is necessary. In this case the Complaints Committee should seek the advice of the School Governor Service and/or the Human Resource Service before the investigation report is issued to the Governing Body. The decisions and recommendations of the Committee should be: a) Sent to the person making the complaint with the information that if the Governing Body's response has failed to satisfy the person making the complaint he or she may complain to the Secretary of State for Education and Skills on the grounds that the Governing Body has failed to discharge its statutory duties.

b) Sent to the Headteacher c) Sent to the person(s) complained of.

### 4. Reporting the decision

The outcome of the complaint should be reported to the Governing Body, for information only, as with any delegated decision. The report back should take the form of a paragraph briefly summarising the complaint, the investigation and the outcome. The Committee's recommendations should be given. No names should be given in the report back.

The Governors Appeal Panel Hearing is the last school-based stage of the complaints process.

If you are not satisfied with the outcome of Stage 4, the final stage of appeal is to the Secretary of State for Education. Complainants should be advised to write to:

What will the Department for Education do?

If a complaint has exhausted the local procedures, School Complaints Unit (SCU) will examine if the school's complaints policy and any other relevant policies were followed in accordance with the provisions set out. SCU also examines policies to determine if they adhere to education legislation. However, the department will not re-investigate the substance of the complaint. This remains the responsibility of schools.

If legislative or policy breaches are found, SCU will report them to the school and the complainant and, where necessary, require remedial action to be taken. Failure to carry out remedial actions could ultimately result in a formal Direction being issued by the Secretary of State.

**Monitor and Review:**

The Governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. A copy of findings from complaints are available for inspection, written record kept regardless of how far the complaint has progressed through the policy. Written actions will be taken by the school and kept confidential. The Headteacher logs all complaints received by the school and records how they were resolved. Governors examine this log on an annual basis.

Governors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents/carers, so that they can be properly informed about the complaints process.

**Dissemination of the Policy:**

The policy will be published on the school's website. All school staff will be informed of this policy and be encouraged to support its implementation.

This policy will be reviewed every two years or earlier if deemed necessary.

Signed: ..... Dated: July 2018 Chair of Governors

APPENDIX 1 - NEW HORIZON COMMUNITY SCHOOL- COMPLAINTS PROCEDURE

APPENDIX 2 - NEW HORIZON COMMUNITY SCHOOL- COMPLAINTS FORM

Initial concern/ complaint

If initial concern/ complaint not resolved

If concern/ complaint still not resolved

If the concern / complaint remains unresolved the complainant is entitled to appeal to the Secretary of State for Education

Following discussion with Headteacher should the concern/ complaint remain unresolved then a formal complaint should be made in writing to the Chair of Governors.

Discuss with Headteacher

Discuss with Key Stage Leader

Discuss with Class Teacher

**Initial concern/ complaint**

**Discuss with Class Teacher**



**If initial concern/ complaint not resolved**

**Discuss with Key Stage Leader**



**If concern/ complaint still not resolved**

**Discuss with Headteacher**



**Following discussion with Headteacher should the concern/ complaint remain unresolved then a formal complaint should be made in writing to the Chair of Governors.**



**If the concern / complaint remains unresolved the complainant is entitled to appeal to the Secretary of State for Education**

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
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:
<b>Official Use</b> Date acknowledgement sent:
By whom:
Complaint referred to:
Date: