

Chapel-en-le-Frith High School

Complaints Policy and Procedure

Rationale:

A robust complaints procedure is part of this school's commitment to excellence, it aims to provide accountability to everyone. It is important that all who feel a genuine concern have the right to express it and have it dealt with fairly. A successful school is a partnership, and it is essential, in the spirit of this partnership, that any dissatisfaction is acknowledged and discussed.

Sensible and clear procedures will help us to get things right and improve our provision for all who come into contact with the school.

This policy should be read in conjunction with other relevant policies; Grievance, Equal Opportunities, Health and Safety etc.

Principles

1. The policy aims to treat all with equal concern, deal appropriately with justified concerns, ease out the unfounded, deter the mischievous and defuse the unreasonable. The rigour of the process will balance the person who regularly or aggressively complains.
2. All complaints will be impartially investigated by an identified member of staff, and dealt with in confidence within a timescale agreed with the person making the complaint.
3. Our Complaints Procedure aims to:
 - encourage resolution of problems by **informal** means wherever possible;
 - be easily **accessible** and **publicised**;
 - be **simple** to understand and use;
 - 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**;
 - address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
 - provide **information** to the school's leadership group so that services can be improved.

Guidelines

1. Complaints can be made to anyone within the establishment, although they will pass the matter on if they are not the most appropriate person to deal with the complaint. If this is the case we will inform you of the name of the person who will deal with the complaint as soon as possible. Complainants need to be aware that issues can be far more complex than they appear at first and so it is sometimes inevitable that complaints are passed on.
2. It is suggested that at each stage, the person investigating the complaint (the complaints co-ordinator), makes 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;
 - keep notes of the interview.
3. At each stage in the procedure we will consider ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the 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 explanation of the steps that have been taken to ensure that it will not happen again;
 - an undertaking to review school policies in light of the complaint.
4. 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.

Vexatious Complaints

5. If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Time Limits

6. Complaints will be considered, and resolved, as quickly and efficiently as possible. Realistic time limits will be set for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

7. Our school complaints procedure has well-defined stages. A flow chart of suggested stages can be found in Annex C. At each stage we will clarify exactly who will be involved, what will happen, and how long it will take. There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the headteacher after a meeting with the complainant.
8. Normally there will be three school-based stages:
 - Stage one: complaint heard by staff member (though not the subject of the complaint);
 - Stage two: complaint heard by headteacher;
 - Stage three: complaint heard by Governing Body's complaints appeal panel.
9. An unsatisfied complainant can always take a complaint to the next stage.
10. The school will record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing. Our complaint form is attached. At the end of a meeting or telephone call the member of staff will ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.
11. The complaints co-ordinator (P Griffiths) will be responsible for the records and hold them centrally.

Governing Body Review

12. The Governing Body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole Governing Body or its committees will not name individuals.

Conclusion

The school should be able to demonstrate that complaints are treated seriously and fairly and are acted upon to positive effect.

Approved by Governors Personnel Committee: July 2002

Approved by Governors: July 2002

Approved by Governors Personnel Committee: June 2005

Approved by Governors: July 2005

Approved by Governors Personnel Committee: June 2008

Approved by Governors: July 2008

Approved by Governors Personnel Committee: October 2011 Minute 6 (a)

Approved by Full Governors: December 2011 Minute 7 (g)

Approved by Governors Resources & Personnel Committee: November 2014 Minute 9(b)

Approved by Full Governors: December 2014 Minute 4(e)

Chapel-en-le-Frith High School 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 Headteacher

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 Governing Body 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 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.

School Complaints Procedure

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.

School Complaints Procedure

- 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.

School Complaints Procedure

Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The hearing is 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 headteacher may question both the complainant and the witnesses after each has spoken.
- The headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the headteacher 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 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.

Complaint Form

Please complete and return to P Griffiths (complaints co-ordinator) who will acknowledge receipt and explain what action will be taken

1. Your personal details Please write clearly in the spaces or tick the boxes	Your name:	Tutor group of child	Address:
	Your child's name: (if appropriate)		
	Your daytime telephone number:	Home telephone number:	
2. Complaint Please give details here of your issues and complaints			
3. Timescales	Date complaint raised:	Thank you for taking the time to tell us of your complaints.	
	We undertake to resolve this issue by: Or contact you within this time setting out timescales for resolution.		
4. Staff contact details	Staff contact name:	Chapel-en-le-Frith High School Long Lane Chapel-en-le-Frith High Peak SK23 0TQ Tel: 01298-813118 Fax: 01298-812055 Email: enquiries@chapelhigh.org.uk	
5. Action taken			
	Staff name:	Date:	