



Complaints Policy

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Aims

This document aims to reassure parent/carers and others with an interest in Broadstones School that:

- Any complaint against the school will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution
- The school recognises that a willingness to listen to questions and criticism and to respond positively can lead to improvements in school practices and provision for pupils

The procedure for dealing with any complaint has an informal stage and then a further formal 3 stages.

Informal Stage

On occasions, a parent/carer may raise a concern directly with school staff without any formality. This can be done either in person, by telephone or in writing. At this stage we may need to clarify whether you are making a complaint, seeking information or have misunderstood a situation. At this stage a parent/carer will be given a copy of this policy.

Stage 1 - Complaint heard by Head Teacher

If your concern is not resolved immediately and you confirm that you wish to make a complaint, the opportunity to discuss the matter with the Head Teacher will be given. If your complaint is against the Head Teacher then this will be heard by the Proprietor. Complaints can be made either verbally or in writing.

Stage 2 – Complaints heard by the Proprietor

If the complaint is not resolved at stage 1 then a written complaint should be submitted to the Proprietor.

Stage 3 - Complaints heard by Governing Body's Complaints Committee

If the complaint is not resolved by the Proprietor then a letter should be written to the chair of the committee requesting that the complaint be heard by the full committee.

Unreasonably Persistent Complaints:

There may 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 management committee is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Further Recourse:

If the complainant is not satisfied with the outcome of a complaint they can contact the Department for Education (DfE) in writing and their complaint may be taken up during the next Ofsted inspection.

If the complaint is about the conduct of a member of staff and meets any of the following criteria:

- behaved in a way that has harmed, or may have harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children

In any of these cases the Local Authority Designated Officer (LADO) is the point of contact.

LADO: Gill Moore

Tel: 0161 474 5657

Email: gill.moore@stockport.gov.uk / stockport.lado@stockport.gov.uk

Websites:

- www.safeguardingchildreninstockport.org.uk
- <http://www.educationstockport.uk/Services/1676>
- <https://www.stockport.gov.uk/start/contact-the-lado>

Informal stage

- You can bring a person of choice to any discussion
- The member of staff dealing with the concern should make sure that you are clear as to what action (if any) or monitoring of the situation has been agreed
- This stage should be completed speedily and concluded in writing with appropriate detail
- Where no satisfactory solution has been found, you should be informed that you can consider making a formal complaint in writing to the Headteacher which will take matters to Stage 1 on the complaints procedure

STAGE 1 – Complaint to the Head teacher for investigation

- a. The Headteacher should acknowledge your complaint in writing within 5 working days. In some cases the Headteacher will have already been involved in the matter; in others it will be their first involvement
- b. The Headteacher will consider providing an opportunity to meet with you to supplement any information previously provided
- c. If the complaint is against a member of staff, the Headteacher will talk to the staff member against whom the complaint has been made
- d. If necessary, the Headteacher will interview witnesses and take statements from those involved.
- e. The Headteacher will maintain reasonable written records of meetings, telephone conversations and other documentation

- f. Once all the relevant facts have been established, the Headteacher will produce a written response to you. The Headteacher may wish to meet with you to discuss/resolve the matter before confirming the outcome in writing
- g. The written response will include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action the school will take to resolve the complaint
- h. You should also be advised that if you are not satisfied with the response and wish to take the matter further, you can do so, by writing to the Proprietor within three weeks of receiving the outcome letter.
- i. Stage 1 should be completed in ten school days. However, it is recognised that this timetable is likely to prove challenging for complaints which are complex. In such cases, the Headteacher will write to you giving a revised target date.
- j. Schools will not pay financial compensation as a response to complaints, though may spend money on a relevant educational purpose (e.g. paying a fee for a repeat examination).

Complaints against the Headteacher

Stage 2 – A written complaint is submitted to the Chair of the Committee

The Proprietor must acknowledge the complaint within 5 school days and provide a full written response within 15 school days.

The Proprietor will investigate the complaint and the written response will include what action, if any, the school proposes to take to resolve the matter. Information will be provided to the complainant on how to progress the complaint to stage 3.

Stage 3 – Consideration by the Management Committee

a. If the complainant decides to take the matter further, the Chair of the Committee will write to the parent/carer to acknowledge the complaint within **five school days of receipt of the complaint**. A copy of the acknowledgement and the complaints form should be sent to the Headteacher and to the management committee.

b. Investigating the complaint

If the complaint has been investigated at Stage 1 and 2 the result of the investigation must be made available to the Chair of the Committee by the Headteacher. However, where the complaint is against the Headteacher and the complaint is referred to Stage 3, the Chair of the Management Committee must decide, in consultation with the full Committee (see c below) whether and how the complaint should be investigated.

c. Committees are advised to establish a complaints panel from which three members can be drawn from the Committee. The Headteacher should not serve on this Committee.

d. The Committee should consider the complaint on the basis of the written evidence and commonly set up a hearing for both parties. Committee members may also take evidence on their own initiative. Committee members should reconsider the issues raised in the original complaint and not confine themselves to consideration of procedural issues. If they decide to set up a hearing, the Committee should follow the procedure set out below.

The Chair of the Committee should take a decision at the beginning of Stage 3 on whether to seek an independent source to:

- Deal with the administration of the procedure
- Provide independent advice on procedure and evidence
- Ensure that the relevant facts are established
- Minute the meeting
- Draft the decision letter

e. The Chair of the complaints committee should write to the parent/carer to explain how the review will be conducted. The letter should be copied to the Headteacher.

f. The Chair of the Complaints Committee should confirm the date of the meeting with the other members

g. The parent/carer and Headteacher should be invited to attend the meeting. The date and time of the meeting should be convenient to the parent/carer and Headteacher, within reason. The meeting will be within **twenty school days** of receiving the complaint. The notification should inform the parent/carer of his/her right to be accompanied to the meeting by a friend/representative. It should also explain how the meeting will be conducted and of the parent/carer right to submit further written evidence to the committee and that these must be made available to the chair of the committee within **five school days** of the letter receipt

h. The Headteacher should also be invited to prepare a written report for the Committee in response to the complaint

i. All relevant correspondence regarding the complaint should be circulated to the committee members, the parent/carer and the Headteacher at **least 5 days** in advance of the meeting

j. If the Headteacher and/or the parent/carer wish to call witnesses, the agreement of the Chair of the Committee should be obtained in advance of the meeting

k. It is the responsibility of the Chair to ensure that the meeting is properly conducted. However, the proceedings should be as informal as possible

l. The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. However, at the end of the meeting the Committee will need to issue a finding in writing either upholding or not upholding the complaint or upholding some parts and not others

m. If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interest of natural justice to adjourn the meeting so that the other side has time to respond to the new evidence. Late evidence of witnesses should not be accepted unless there is a good reason for the delay

n. The meeting should allow for:

- The parent/carer to explain his or her complaint and the Headteacher and to explain the reasons for his or her decision
- The Headteacher to question the complainant about the complaint and the complainant to question the Headteacher
- Panel members to have an opportunity to question both the complainant and the Headteacher

- Any party to have the right to bring witnesses (subject to the approval of the Chair) and all parties having the right to question all the witnesses
 - Final statement by the Headteacher and parent/carer
- o. The Chair of the Committee should explain to the parent/carer and the Headteacher that the Committee will consider its decision and a written response will be sent to both parties as soon as possible. The complainant, Headteacher and any witnesses will then leave.
- p. The panel will consider the complaint and all the evidence presented and reach a unanimous or majority decision on the complaint. Where appropriate, the Committee can decide on the action to be taken to resolve the complaint and/or suggest recommended changes to the procedure in place to ensure that problems of a similar nature do not happen reoccur
- q. As in Stage 1, the proprietor will not pay financial compensation as a response to a complaint, though may fund an appropriate educational purpose
- r. The Committee Chair will send a written statement outlining the decision with reasons to both the complainant and the Headteacher
- i. The complainant should be advised that if s/he is dissatisfied with the response s/he has the right to take the matter further by complaining to the Department for Education (DfE)
- ii. Stage 3 should be completed in 15 school days. However, it is recognised that this time scale is likely to prove challenging for complaints which are complex. In such cases the Chair of the Complaints Committee should write to the complainant giving a revised target date
- s. In exceptional circumstances the Committee may decide after taking advice not to proceed to consider the complaint on the grounds that the complaint has already been dealt with or is malicious

Links with other policies

- Code of Conduct