



# Laurence Jackson School

A Specialist Sports College



## COMPLAINTS POLICY

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## **1. INTRODUCTION**

There are times when a complaint against the school is made by a parent, carer, guardian or another party. This policy sets out the procedures that should be followed by all staff and governors on receipt of such a complaint. An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances.

## **2. INFORMAL CONCERNS**

Informal concerns will be handled by the most appropriate person; this might be a member of the Support Staff, a Class Teacher, Middle Leader or member of the Leadership Team. In most cases it will be possible to address the concerns informally, either immediately or within a couple of days. A face-to-face meeting might be appropriate, but will not always be necessary. Even if the matter is resolved informally, a record of the concern and the outcome of the contact is to be kept on the student's file.

If the concern becomes a formal complaint it will need to be considered by another member of staff, then the record of the concern and action taken so far should be passed to that member of staff. Full details of the investigation including any contact made with the complainant must be kept and filed once the matter has been resolved. The relevant KS3 or KS4 leader must be kept informed at all stages.

## **3. INVESTIGATING COMPLAINTS**

At each stage, the person investigating the complaint will:

- Establish what has happened and who has been involved.
- Clarify the nature of the complaint and what remains unresolved.
- Meet or make contact with the complainant 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.

## **4. RESOLVING COMPLAINTS**

### **Stage 1 - Informal**

Parents, Carers or Guardians should, in the first instance, make an appointment to speak to the Class Teacher / Tutor about their concern. Issues can normally be resolved at this point. If this does not resolve the complaint it should be escalated to an appointment with the KS3 or KS4 Leader as part of this informal stage. A complaint made by another party (for example, a member of the community) should be made to the most appropriate person who might be the Year Leader or member of the Senior Leadership Team.

### **Stage 2 – Formal written complaint letter to the Headteacher**

An issue that has not been resolved through informal Stage 1 can become a formal complaint.

Parents, Carers or Guardians wishing to move to Stage 2 must write a formal letter of complaint to the Headteacher or complete the complaints form attached to this policy. The use of emails is not advised. The letter of complaint should be addressed “For the attention of the Headteacher”, and should describe the issues which have previously been discussed and explain why the complainant considers the issue to be unresolved.

On receipt of the letter, the Headteacher will consider the complaint and, in most cases, instruct the appropriate Senior Leadership Team member to investigate and identify suggested resolutions with the complainant. The Senior Leadership member will, in consultation with the Headteacher, offer a resolution within 15 school days of receipt of the letter and will confirm this in writing to the complainant.

At each stage of the procedure, the person dealing with the complaint should keep in mind 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 the light of the complaint

If the complainant feels that the complaint has not been resolved they may proceed to Stage 3.

### **Stage 3 – Formal written complaint to the Chair of Governors**

If the complainant feels that the complaint has not been resolved (or is a complaint about the Headteacher) then the complainant should write to the Chair of Governors at the school address marking the envelope 'Urgent, Private, and Confidential'. This letter should be sent within 20 school days of the date of the letter written by the Senior Leadership Team member/Headteacher offering resolution of the complaint and must set out why the complainant considers the matter not to be resolved. The Chair of Governors will acknowledge the complainant's letter in writing on its receipt. In the absence of the Chair of Governors, the letter will be forwarded to the Vice Chair. The Chair or Vice Chair of the Governing Body will take advice from a Governor Support Officer as to how to proceed.

Whilst a Stage 2 decision made by the Headteacher can be appealed against at Stage 3, the decision outcome cannot be used as grounds for a personal complaint against the Headteacher.

The Chair of Governors (or a “Nominated Governor” chosen by the Chair of Governors) will appoint a Panel of 3 Governors to hear the complaint, and will appoint one of these as Chair. The Complaints Panel will be assisted by a Clerk, who shall not be part of the decision-making process.

A meeting of the Panel will be held within 30 school days of acknowledgement of the complaint. If a letter of complaint is received within 29 school days of the end of term, the Panel may be delayed until the beginning of the next term; in this case the meeting will take

place within 20 school days of the start of term.

The Chair of the Complaints Panel will ensure that the Headteacher is given a copy of the complainant's letter and may request written documentation from the Headteacher or other school staff. The clerk will send copies of all documents to the Headteacher, complainant and Panel members at least 5 school days before the Panel meets.

The complainant and Headteacher will be invited to attend the meeting and to bring someone with them to provide support.

Following the meeting, 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 systems or procedures to ensure that problems of a similar nature do not recur.

All members of the Panel will bear in mind the following guidance:

- 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 s/he has had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the Panel, the Chair of Governors will be sensitive to 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. In such a situation it will be especially important to demonstrate to the complainant that her/his complaint has been taken seriously.
- c. An effective Panel will acknowledge that many complainants feel nervous or 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 formal but not adversarial.

## **5. DEALING WITH SERIAL OR PERSISTENT COMPLAINANTS**

If properly followed, the complaints procedure will ensure the speedy resolution of most complaints. However, there will be occasions when, despite all relevant stages of the procedure having been followed, the complainant remains dissatisfied, and the decision may be taken to stop responding to a complainant. Before taking such a decision, the Governors will satisfy themselves that:

- The school has taken every reasonable step to address the complainant's needs;
- The complainant has been given a clear statement of the school's position and the complainant's options (if any); and
- Although contacting the school repeatedly, no significantly new points are being made.

If the complainant tries to reopen the same issue, the Chair of Governors will inform them in writing that the procedure has been exhausted and that the matter is now closed.

## **6. NOTIFICATION OF THE PANEL'S DECISION**

The Clerk will write to the complainant within 3 school days notifying them of the Panel's decision and any recommended action. The decision of the Panel final.

As a principle once a Panel has heard the complaint, and providing this policy has been adhered to, the specific complaint cannot be reopened. If a request is received in this respect, the Chair of Governors should inform the complainant that the matter is closed.

Should the complainant continue to feel aggrieved, s/he has the right to make representation to the Secretary of State as highlighted in the Panel's decision letter.

If the decision of the Panel is that disciplinary action is considered appropriate, this will be handled in accordance with HR disciplinary process. The details of such a process will remain confidential.

## **7. GOVERNING BODY REVIEW**

At least annually, the Governing Body will receive a report indicating the nature, level and outcome of complaints.

## **ROLES AND RESPONSIBILITIES**

### **The Clerk**

The Clerk will be the contact point for the complainant and will:

- 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 Chair of the Governing Body or the Nominated Governor**

The Chair of the Governing Body or Nominated Governor will:

- Check that the correct procedure has been followed.
- If a hearing is appropriate, notify the Clerk to arrange the Panel.

### **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 might not be used to speaking at such a hearing are put at ease.
- The hearing is conducted 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 party 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.

**CHECKLIST FOR 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 and are free to leave once released by the Panel.
- 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 relevant 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.
- Members of 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 relevant school's actions and response to the complaint.
- The Chair explains that both parties will hear from the Panel within a set time scale.
- Both parties leave together while the Panel decides on the issues.



**Complaint Form**

**Please complete and return to Mrs D Anderson (complaints co-ordinator) who will acknowledge receipt and explain what action will be taken.**

**Your name:**

**Student's name:**

**Your relationship to the student:**

**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:**

# Flowchart

## Summary of Dealing with Complaints



