

COMPLAINTS POLICY
(2010)

Part 1: Introduction

Introduction

Highgate Wood School is committed to serving the school community to the best of its ability at all times. However the school accepts that occasionally things can go wrong or that parents/carers or others are dissatisfied with some aspect of school.

The purpose of this policy is to outline how the school deals with complaints that are raised. Highgate Wood School welcomes any contact and feedback as it enables us to learn from experience, improve our performance and deal with issues swiftly and effectively.

In order to ensure that the complaint is dealt with effectively, it is very helpful that the exact nature of any complaint is made clear, in the right form and to the appropriate person. This policy aims to ensure that the procedure is outlined with sufficient clarity to achieve this.

Highgate Wood School is committed to doing its best to ensure that all complaints are dealt with to the satisfaction of all stakeholders.

Statutory Position

Section 29 of the Education Act 2002 requires all governing bodies to have in place a procedure to deal with complaints relating to aspects of the school, and to any community facilities or services that the school provides. The procedure must be publicised.

This policy sets out the procedures that will be followed in the case of complaints against the school generally, against a member of staff or against the governing body.

There are separate arrangements, laid down by law to cover the following:

- Complaints against the curriculum, collective worship and religious education
- Appeals against admissions
- Appeals against exclusions
- Appeals about assessments and statements of special educational needs
- Complaints about public examinations
- Staff grievance of disciplinary procedures
- Complaints about collective worship
- Complaints about public examinations
- Staff grievance of disciplinary procedures
- Complaints about collective worship

Third parties that use the school premises for any purpose should have their own policy and procedures.

1. Stage One – Informal Stage: Complaint Heard by Staff Member

- 1.1. 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 is crucial in determining whether the complaint will escalate. To that end, the school takes responsibility for ensuring that all staff are familiar with the procedures, so that they know what to do when they receive a complaint.
- 1.2. Complaints can be made to the school in a variety of ways. Those wishing to make a complaint can do so by phone call, letter, E-mail or by arranging an appointment to come in and discuss an issue. It is usually the case that initial complaints at the informal stage are raised directly with the member of staff concerned. However, if there is any uncertainty, then complaints can be addressed to Headteacher's PA who will ensure that it is passed on to the most appropriate person to deal with it.
- 1.3. Staff dealing with complaints will ensure that the views of the complainant are fully respected. If the complainant indicates that he/she would have difficulty discussing a complaint with a particular member of staff, the relevant SLT line manager will refer the complainant to an alternative staff member or deal with

it themselves. Where the complaint concerns the Headteacher, the matter will be referred to the chair of governors.

- 1.4. Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the SLT line manager 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.
- 1.5. Governors will 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. Where the first approach is made to a governor, the next step would be to refer the complainant to the Headteacher's PA who will advise them about the procedure and direct their complaint to the appropriate person.
- 1.6. At stage 1 of the process, complainants can expect a response to their complaint within 5 school days. The school will do everything possible to resolve the complaint within 15 school days

2. Stage Two – Formal Stage: Complaint referred to the Headteacher

- 2.1. In the event that initial attempts to resolve the issue are unsuccessful and the person making the complaint remains dissatisfied and wishes to take the matter further, it is necessary to move to stage two of the process.
- 2.2. At stage two (the formal stage) of the process the issue will be dealt with by the Headteacher. The Headteacher may delegate the task of collating the evidence to an appropriate person, but not the decision on the action to be taken.
- 2.3. Complaints to the Headteacher should be made in writing, detailing the nature of the complaint and the reasons why the complainant is dissatisfied with the outcome from stage one.

In some situations the Headteacher may conclude that all efforts have not been exhausted at the previous stage. In this case, she/he may then delegate the complaint to a Deputy Headteacher or an Assistant Headteacher to further explore stage one of the complaints procedure.

- 2.4. On receipt of the written complaint, the Headteacher will respond in writing within 5 working days. The response may be to do any of the following, depending on the nature of the concern.
 - 2.4.1. Acknowledge receipt of the complaint and inform the complainant of the next steps, e.g. that an investigation will take place, and also indicating process and timescales

- 2.4.2. Respond to the concerns fully – addressing the issues raised; drawing conclusions – making apologies and giving assurances where appropriate, in the event of a complaint being upheld
 - 2.4.3. Invite the complainant to meet with the Headteacher (and any other relevant staff), in the event that it is felt that a face to face discussion is the most appropriate way forward
 - 2.4.4. Refer the matter to an Assistant Head or Deputy Head to further explore stage one of the complaints procedure
 - 2.4.5. Dismiss the complaint, expressing the reasons why it has not been upheld as a valid complaint
- 2.5. The Headteacher will aim to resolve all complaints made at stage two of the process within 15 school days of the complaint being made.

3. Stage Three: Complaint referred to the Governing Body

- 3.1. In the event that a complainant feels that the issue has not been resolved at stage two, they have the right to take the complaint to the Governing Body.
- 3.2. Complaints should be made in writing to the Chair of Governors, detailing the nature of the complaint and the reasons why the complainant is dissatisfied with the outcome from stages one and two.

In some situations the Chair of Governors may conclude that all efforts have not been exhausted at the previous two stages. In this case, she/he may then direct the complainant back to appropriate stage of the complaints procedure.

- 3.3. On receipt of the written complaint, the Chair of Governors will respond in writing within 5 working days. The response may be to do any of the following, depending on the nature of the concern.
 - 3.3.1. Acknowledge receipt of the complaint and inform the complainant of the next steps, e.g. that an investigation will take place with a complaints panel convened, and also indicating process and timescales
 - 3.3.2. Refer the matter back to the Headteacher to further explore stage 2, if it is felt that this has not been fully exhausted
- 3.4. On receipt of a complaint deemed to be stage three of the process, the Chair of Governors will convene a complaints panel of three governors within 15 school days. Each panel that is convened will appoint their own Chair.
- 3.5. All complaints will be heard fairly, and without bias towards the previous outcome.
- 3.6. The complainant will have the opportunity to present their case and associated evidence to the 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
- 3.7. Individual complaints will not be heard by the whole Governing Body at any stage as this would compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint
- 3.8. Once the panel have reached a decision, this will be communicated in writing to all parties within 10 working days of the hearing.
- 3.9. The governors' appeal hearing is the final stage of the complaints process.

4. Vexatious Complaints

- 4.1. 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 Governors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.



Complaints Procedure

Appendix I

1. Principles for Staff Dealing with Complaints

Any member of staff dealing with a complaint will:

- Do so sensitively
- Encourage resolution of problems by informal means wherever possible
- Be impartial
- Be non-adversarial
- Deal with issues swiftly and within established time-limits
- Keep people informed of the progress
- Ensure a full and fair investigation by an alternative staff member 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 Senior Leadership Team so that provision can be improved

2. Investigating Complaints

At each stage, the person investigating the complaint must make sure that they:

- Establish the full extent of the complaint, and the persons 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. Resolving Complaints

At each stage in the procedure schools will want to 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 light of the complaint

It would be useful if complainants were 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.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

4. Recording Complaints

At stages two and three, the person handling the complaint should record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing. At the end of a meeting or telephone call, the member of staff should 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 should be kept and a copy of any written response added to the record.

5. Governing Body Review

The Headteacher should report once a year to the Governing Body. The Governing Body has the responsibility to monitor the number, level and nature of complaints and review the outcomes to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole Governing Body does not name individuals.

As well as addressing an individual's complaints, the process of listening to and resolving complaints contributes to school improvement. When individual complaints are heard, the school is more than likely identifying underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Body should be one of a number of useful tools in evaluating the school's performance.

6. Publicising the Procedure

There is a legal requirement for the Complaints Procedures to be publicised. Details of the Highgate Wood School Complaints Procedures will be included in:

- The school prospectus
- The information given to new parents when their children join the school
- The school website

A copy of the policy is available from the Headteacher's PA upon request.

Complaints Procedure

Appendix II

Checklist for a Governors' 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.

HIGHGATE WOOD SCHOOL
arts college

Summary of Dealing with Complaints



