

Handsworth Grange Community Sports College

Complaints Policy



Minerva
Learning Trust

Date First Published	December 2012
Version	Final
Last approved	August 2017
Review Cycle	Annual

1) INTRODUCTION

The Minerva Learning Trust (MLT) asks all partner schools to adopt and use this policy unless a partner school and the Minerva Learning Trust have discussed and agreed alternative procedures that they both agree would better suit the partner school's particular circumstances.

Any reference in this policy to the Governing Body or the school relates to the independent governing bodies and schools of all Minerva Learning Trust partners. Partner schools and their respective Governing Bodies have full delegated powers from the Trust and have responsibility for the operational implementation of the policies and their associated procedures. They are encouraged to seek advice and support from Minerva Learning Trust on matters of policy and procedure in circumstances where decisions may potentially impact on the Trust as a whole, e.g. dismissing staff or making staff redundant. In such circumstances, at least one member of the relevant panel should be a member of the Trust.

- a) Legal context:** From September 2003 governing bodies of all maintained schools and nursery schools in England are required, under Section 29 of the Education Act 2002, to have in place a procedure to deal with complaints. The School Standards and Framework Act 1998 provided an additional function of the governing body to establish and publish procedures for dealing with complaints relating to the school, other than those covered by legislation and formal procedures elsewhere.

This policy sets out the procedures which Handsworth Grange Community Sports College (*HGCSC*) will follow whenever it receives a complaint where there are no alternative statutory procedures (*see section 2 below*).

- b) This policy may be used by anyone who has a concern or complaint about any aspect of the school.** In the main this will mean the parents and carers of the school's pupils, but may include neighbours of the school, any other members of the local community, external agencies or other partners.
- c) Complainants will be treated seriously and courteously and given the time they require to be heard.** It is important to the school that the complainants have confidence in these procedures and know that their cases will be impartially investigated.
- d) Complainants will be advised at the earliest possible stage of:**
- The scope, if any, for pursuing their complaint and the extent of the procedure for dealing with it.
 - The way in which the complaint is likely to be handled
- e) HGCSC defines a complaint** as an expression of dissatisfaction verbally or in writing by parents/carers or others listed (*see 'b' above*). All complaints will be investigated. After an initial investigation of the complaint, a decision might be made to use the discipline, capability (*or other more appropriate procedure*) in relation to a member of staff.

Anonymous complaints would not normally be considered under this procedure.

This procedure outlines the informal and formal stages by which a complaint may be made against the school. At all stages the aim of the policy is to reach a mutual understanding of the problems so that improvements can be made where necessary, appropriate or possible.

Where agreement cannot be reached, the aim of the procedure is to ensure that all parties are treated fairly.

Conciliation between school and the complainant(s) can be considered at any time within the informal or formal stages.

There is a quick reference/summary of the policy available (*See Appendix 1*).

1) LINKS

If another policy is more appropriate than this complaints policy for any given situation, then it should be used instead e.g. Pupil Exclusions, Pupil Admissions, Child Protection and Safeguarding.

Where there are established statutory or other procedures for dealing with a complaint, these will be followed. These guidelines do not cover those matters already provided for such as:

- a)** Criminal investigations
- b)** Pupil admissions
- c)** Pupil exclusions
- d)** Special Educational Needs Provision (*SEN Tribunal*)
- e)** School re-organisation
- f)** Matters concerned with the curriculum
- g)** Serious complaints against staff
- h)** Child Protection issues
- i)** Public examinations
- j)** Collective worship
- k)** Religious education
- l)** employee grievances

This complaints policy is distinct from formal staff disciplinary proceedings and this should be made clear to all concerned. There may be occasions where a complaint gives rise to disciplinary procedures which put the complaints process on hold. In these cases the investigations under the complaints procedure will be suspended until action under the procedure (*including any appeals*) has been concluded. The complainant will be advised that alternative action is being taken, but it will have to remain confidential until that procedure has been completed. If and when this occurs, the complainant should be informed. Any non-disciplinary aspects of the complaint should continue to be dealt with through the usual complaints procedures.

2) AIMS and OBJECTIVES

This policy aims to:

- a)** Encourage the resolution of problems by informal means wherever possible.
- b)** Ensure that concerns are dealt with quickly, fully, fairly and within clearly defined time limits.
- c)** Provide effective responses and appropriate redress.
- d)** Maintain good working relationships between all people involved with the school.
- e)** Inform School Improvement strategies.

3) SUMMARY OF THE COMPLAINTS PROCEDURE:

This policy sets out the procedures which HGCSC will follow whenever it receives a complaint for which there are no alternative statutory requirements or more appropriate procedures. (*See section 2 above*).

There are 5 stages to for handling complaints. *See Appendix 1 for a diagrammatic summary.* Normally the stages occur in order and *there is not usually a return to previous stages.*

In most cases any concern or complaint, regardless of whose attention it is initially brought to, should be discussed informally (*stage 1*) before being submitted at any of the following consecutive formal stages. *However, occasionally there will be circumstances under which it is unsuitable for complaints to be dealt with in this way e.g:*

- a) In all cases where the complaint concerns the school's Headteacher directly, stage 2 will be missed out and the formal complaints procedure will begin at stage 3.
- b) In some cases, it may be considered inappropriate for individuals to discuss concerns informally at Stage 1. In such cases, complainants may be directed to contact the Headteacher or Complaints Co-ordinator directly (*i.e. begin at stage 2*).
- c) Complainants may also choose to contact the Headteacher or Complaints Co-ordinator directly of their own accord. In these cases it will be at the discretion of the Headteacher as to whether or not it is appropriate for the complainant to discuss the matter informally (*i.e. return to stage 1*).

4) CO-ORDINATING, MONITORING AND RECORDING COMPLAINTS PROCEDURES

- a) The Headteacher or another appropriate colleague, will act as '*Complaints Co-ordinator*'. He or she will have the responsibility for the operation and management of the school complaints policy and will be responsible for monitoring complaints. Records should be retained for the periods specified in guidance on records retention. He or she will also liaise closely with the appropriate member(s) of the Governing Body (GB).
- b) At each stage the Complaints Co-ordinator must ensure that they:
 - i) Establish **what** has happened so far, and **who** has been involved.
 - ii) Clarify the nature of the complaint and what remains unresolved.
 - iii) Meet with the complainant or contact them (*if unsure or further information is necessary*).
 - iv) Clarify what the complainant feels would put things right.
 - v) Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
 - vi) Conduct the interview with an open mind and be prepared to persist in the questioning.
 - vii) Keep notes of the interview.
- c) A complaint may be made in person, by telephone, by email or in writing. The following information should also be recorded by the complainant independently or in consultation with the Complaints Co-ordinator using the HGCSA Complaints Form (*See Appendix 2 for informal or Appendix 3 for formal*):
 - The name of the complainant;
 - The date and time at which complaint was made;
 - The details of the complaint;
 - The desired outcome of the complainant;
 - How the complaint is investigated (*including written records of interviews held*);
 - Results and conclusions of investigations;
 - Any action taken;
 - The complainant's response (*satisfaction or further pursuit of complaint*).

The Stage 1 Form is for internal use although it may be sent to the complainant. The stage 2+ Complaints Form must be provided for the complainant and further copies as and when there is an update or amendment. The Complaints Co-ordinator should do as much as possible to 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 also be kept and a copy of any written response added to the record.

- d)** Further copies of the complaints form should be provided for the Headteacher, if he/she is not the Complaints Co-ordinator, and the appropriate member(s) of the GB.
- e)** A central records system will be established and maintained.
- f)** The Complaints Co-ordinator will provide the Leadership Team (*LT*) and the GB with appropriate information to enable it to 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 GB will not name individuals.
- g)** The monitoring and review of complaints by the school and the Governing Body will be used as a tool in evaluating the school's performance.
- h)** HGCSC will also seek to use the complaints procedure as a means of identifying underlying issues that need to be addressed. In this way HGCSC will be able to use the process of listening to, addressing and resolving an individual's complaints as an opportunity for contributing to school improvement.

6) UPHOLDING OR NOT UPHOLDING COMPLAINTS

At each stage of the complaints procedure, the conclusion will be either:

- a)** That the complaint is upheld (in part or in full) and, where appropriate, some form of action is taken.
- Or*
- b)** That the complaint is not upheld and reasons for this are clearly given.

In the first instance, 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. This is not the same as an admission of negligence.
- 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/procedures in light of the complaint.

In the second instance, the complainant may either choose to take no further action or to take their complaint to the next relevant stage.

7) VEXATIOUS COMPLAINTS

The HGCSC complaints policy is intended to 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 GB is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

8) TIME-LIMITS

There are no specific time scales for dealing with concerns at Stage 1. However, concerns and/or complaints should be considered and resolved as quickly and efficiently as possible.

There are realistic time limits for each action within each of the other stages. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline with an explanation for the delay.

9) PUBLICITY AND COMMUNICATION

HGCSC will use all appropriate means to comply with the legal requirement for schools to publicise complaints procedures and any outcomes affecting other parents and pupils e.g.

- Reference made in the Home School Agreement.
- Copies available on the school website.
- Hard copies available in the Parent Room and on request from appropriate members of staff.
- Reference made in school newsletters including the resolution of complaints which leads to changes in practice.

All staff and members of the Governing Body are made aware of the complaints procedure and the various stages involved. It will also form part of the staff induction process.

At all stages of the complaints procedure, everybody involved will be made clear about what is happening and what their responsibilities are. In addition, the complainant should be advised how to proceed to the next stage of the procedure if and when their complaint is not upheld.

10) CONFIDENTIALITY

Confidentiality is vital. All conversations and correspondence will be treated with discretion. Complainants have the right to know what use will be made of personal information and, accordingly, personal information will only be shared between staff on 'a need to know' basis.

11) EQUAL ACCESS, ACCOMPANIMENT AND REPRESENTATION

HGCSC will ensure that any individual will understand that they have the opportunity to raise their concerns or submit a formal complaint. This includes the right to be accompanied or represented at any stage of the procedure by a friend or relative at discussions and hearings and/or to submit formal complaints which have been written by another individual on their behalf.

Should any meeting need to be held where any parties would have difficulties in terms of access or understanding, the school and complainant will agree an appropriate venue and any necessary available support e.g. an interpreter.

It is an expectation that equal respect will be granted to each person involved within the process and that differences between people will be respected and understood.

12) APPEALS

If at any stage of the complaint's procedure a decision or course of action is taken with regards to an individual which the complainant feels is ungrounded, unjustified or incorrect, they have the right to appeal using HGCSC's appeal procedure.

1. STAGE 1: Dealing with Concerns and Complaints Informally

1.1 Introduction

HGCSC intends that all concerns and complaints are resolved as early and informally as possible without the need to submit a formal complaint. Complainants (*usually, but not exclusively, Parents/carers*) need not only to be listened to but to also feel that they have been listened to.

Complainants must feel able to raise concerns with members of staff without any formality, either in person, by telephone, by email or in writing. Individuals may decide to raise their concerns with a member of school administrative staff, class teacher, senior teacher, governor or Headteacher depending on their wishes and the type of issues they want to discuss.

On occasions it may be appropriate for someone to act on behalf of a Complainant. At first it may be unclear whether a Complainant is asking a question or expressing an opinion rather than making a complaint. A Complainant may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further. The school should facilitate this.

1.1.2 The person dealing with the concern or complaint needs to use the Stage 1: HGCSC Complaints Procedure Record (*See Appendix 2*) and copies sent to any relevant Line Managers, the Complaints Co-ordinator and, if appropriate, the Complainant.

1.2 Procedures

1.2.1 Complainants will be given an opportunity to discuss their concern with the appropriate member of staff (*see note 'a' below*). The Complainant has the right to be accompanied by a friend or relative (*See Section 11 above*). Under normal circumstances the member of staff (*usually the person with whom the complainant has an issue*) has a professional obligation (*Core Teachers Professional Standards 4b,c and 6*) to meet with the Complainant (*see note 'b' below*). The member of staff also has the right to be accompanied by another appropriate member of staff if deemed to be helpful to the process. This meeting provides the opportunity for the Complainant to clarify the nature of the concern and for the school to provide reassurance that it wants to hear about the matter and resolve it. The member of staff may explain to the Complainant how the situation arose, what was said, done and why. It would also be helpful to identify what sort of outcome the Complainant is looking for.

- a) The school will respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In such cases, the Complaints Co-ordinator can refer the complainant to another appropriate staff member. Complaints about the Headteacher, are referred to the Chair of Governors and the formal process starts at Stage 3.
- b) Similarly, if the member of staff directly involved feels too compromised to deal with a complaint e.g. in the event of there being a history of previous and/or difficult unresolved issues with the Complainant. The Complaints Co-ordinator may consider referring the complainant to another staff member. ***The ability to consider and resolve the complaint objectively, impartially and quickly is crucial.***
- c) 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. Governors should 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 (*Governor Complaints Review, Appeals etc*) at a later stage of the procedure

1.2.2 The member of staff will need to respond appropriately, taking into account the seriousness of the concern. Hopefully, the appropriate member of staff can resolve the matter immediately.

1.2.3 If the member of staff first contacted cannot deal immediately with the matter, he/she must make a clear note of the date, the name, and contact address or phone number, of the complainant. The Complaints Co-ordinator/Headteacher will be given a copy.

- 1.2.5** Where the concern relates to the Headteacher, the complainant should be advised to contact the Chair of Governors.
- 1.2.6** The member of staff dealing with the concern or complaint will make sure that the parent/carer is clear what action (if any) or monitoring process has been agreed, using the Stage 1 Concern/Complaints Record if appropriate.
- 1.2.7** Where no satisfactory solution has been found ***within 10 school working days***, Complainants should be given clear information, both orally and in writing, about how to proceed with their complaint and about any independent advice available to them.

2. STAGE 2: Referral to the Complaints Co-ordinator/Headteacher for Formal Investigation

2.1 Introduction

2.2 Procedures If the Complainant is not satisfied with the outcome of the informal stage and wishes to take the issue further it triggers Stage 2 - the concern becomes a definite complaint. In some cases the Complaints Co-ordinator/Headteacher will already have been involved in looking at the matter; in others it will be their first involvement. The latter is preferable as it ensures that more people actually hear the complaint. In either case these guidelines should be used to ensure consistency among cases, and to make sure that nothing happens at this stage which could make it difficult for later stages to proceed smoothly.

Before proceeding with a formal investigation, the Headteacher or Complaints Co-ordinator will meet with the individual and discuss their concerns and wishes. It may still be appropriate and satisfactory to reach an informal resolution at this point. If not, the headteacher will decide whether the individual's complaint will be dealt with by this policy or another statutory procedure and advise them on what they will need to do.

2.2.1 Complaints should normally be in a written format using the Stage 2+ Complaints Form (*See Appendix 3*). In exceptional cases the school will consider progressing an oral complaint where there are sufficient grounds to do so. ***The Complaints Co-ordinator/Headteacher will acknowledge the complaint orally or in writing within three working days of receiving the written complaint.***

2.2.2 Schools should be sensitive to the needs of the parent/carer who may have literacy difficulties or for whom English is not their first language AND take appropriate steps to address such needs. All individuals have the right, at this or any other stages, to be accompanied or represented by a friend or relative at discussions and hearings. This includes the right of teachers to be accompanied by a representative from their Trade Union.

2.2.3 The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. ***This will normally be within 10 school working days; if this proves unworkable, a letter will be sent explaining the reason for the delay and giving a revised target date.***

2.2.4 It may be possible even at this stage to reach an agreed solution to the problem. The Advice and Conciliation Service of the LA is able to offer advice to parents/carers and may be able to suggest a mediation format to discuss the complaint in private without invoking formal procedures. The aim here is to progress the matter for the good of the child, their parents/carers and the school. Prolonging a complaint longer than is necessary may be harmful to any or all parties involved. Such a route would be seen as an attempt to resolve the complaint informally and would not compromise the complainant's right to move to more formal procedures at any time.

2.2.5 The Complaints Co-ordinator/Headteacher will provide an opportunity for the complainant to meet him or her to supplement any information provided previously. It will be made clear to the complainant that if they wish, they may be accompanied to any meeting by a friend, relative,

representative or advocate who can speak on their behalf; and that interpreting facilities are available if needed.

- 2.2.6** If necessary, the Complaints Co-ordinator/Headteacher will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. Another member of staff with whom the pupil feels comfortable should be asked to attend. Written pupil statements should NOT be taken. Instead the member of staff dealing with the complaint should note down what is said and ask the pupils to sign it once they have agreed that it represents their opinions. In certain circumstances, and taking into account the nature of the complaint, it may be appropriate to invite a parent/carer to be present when the Complaints Co-ordinator/Headteacher interviews a pupil. The Complaints Co-ordinator/Headteacher will keep written records of meetings, telephone conversations and other contacts.
- 2.2.7** Once all the relevant facts have been established, the Complaints Co-ordinator /Headteacher will then produce a written response for the complainant, and/or may wish to meet the complainant to discuss/resolve the matter directly. A written response will include a full explanation of the decision and the reasons for it ***within 10 school working days (See 2.2.3 above)***. Where appropriate, this will include what action the school will take to resolve the complaint. If any action is to be taken against a member of staff, to protect the rights of the staff concerned, the phrase **'Appropriate action has or will be taken'** should be used.
- 2.2.8** The complainant will be advised that *should they wish to take the complaint further they should notify the Chair of the Governing Body ***within 10 school working days of receiving the outcome letter****. Normally, the Chair will arrange for a Governors' Complaints Committee to investigate on the parents/carers behalf, and would also chair the Governors Complaints Committee unless a chair of that Committee has already been designated by the Governing Body.
- 2.2.9** Where the complaint is against the Headteacher, arrangements should be made for the initial investigation to be conducted by a single Governor (*usually the Chair of Governors, or Vice Chair of Governors*), or a suitably constituted Governors' Complaints Committee that will carry out all the Stage 2 procedures.
- 2.2.10** If the individual is dissatisfied with the response they have been given and would like to take their complaint further, they should be referred to the school's complaints procedure and told how to move on to the next stage.

3. STAGE 3: Appeal to the Chair of Governors and/or Governing Body Complaints Committee

3.1 Introduction

Complaints only rarely reach this formal level. It is important that a Stage 3 appeal/review should not only be independent and impartial on behalf of the Governing Body, but that it is seen to be so. *As such the appeal should be dealt with by Governors who have had no prior knowledge or involvement in the case.* The Governing Body should annually agree six governors who will be able to form part of a Complaints Committee if and when this becomes necessary at any point. ***Appendix 4 summarises the key roles and responsibilities of the complaints committee.***

As this may be the last chance for a solution or compromise to be reached, every effort should be made to **mediate** and **conciliate**. Parents/carers may particularly wish to seek advice from the Advice & Conciliation Officer at this stage if they have not previously made contact.

Complaint appeals should normally be in a written format. In exceptional cases the school will consider progressing an oral complaint appeal where there are sufficient grounds to do so. This complaint should state clearly why the complainant feels their case has not been dealt with and should be based on evidence or supported by witness statements.

All complaints which reach this stage will have done so because the complainant has not been satisfied by the Complaints Co-ordinator/Headteacher response at the earlier stage of the procedure or this is an investigation into complaint about the Headteacher.

In the unlikely event of pupils needing to be interviewed, extreme care will need to be taken. A single governor should interview the child, after gaining parental/carer permission. The parent should be invited to attend but if they are unable, parents/carers could nominate a member of staff to accompany the child.

3.2 Procedures

3.2.1 Upon receipt of a written request by the complainant for the complaint to proceed to Stage 3, the procedures outlined below will be followed:

- a) The Chair of the Governing Body will write to the complainant to acknowledge receipt of the written request
- b) The acknowledgement will inform the complainant that the complaint will be investigated by the Chair of Governors or three members of the school's Governing Body Complaints Committee ***within 20 school working days of receiving the request.***
- c) The letter will also explain that the complainant has the right to submit any further documents relevant to the complaint
- d) Documents must be received in time for them to be sent to three members of the Committee, if the Chair of Governors is not conducting the investigation on their own.

3.2.2 If the investigation is being conducted by a Governors Complaints Committee, the Chair of Governors will convene a Committee elected from the members of the Governing Body. The Committee members will be governors *who have had no prior involvement with the complaint.* Generally it is not appropriate for the Headteacher or staff to have a place on the Committee. Governors will want to bear in mind the advantages of having a parent/carer (who is also a governor) on the Governors' Complaints Committee. Governors will also want to be sensitive to issues of race, gender and religious affiliation. The make-up of the Committee should, if possible, reflect the three categories of LA, Parent/Carer and Co-opted governors.

3.2.3 The Chair/Vice Chair will ensure that the Committee hears the complaint ***within 20 school working days of receiving the request.*** All relevant correspondence regarding the complaint will be given to each Governors Complaints Committee member as soon as the composition of the Committee is confirmed.

3.2.4 The Chair/Vice-Chair will write and inform the complainant, Headteacher, any relevant witnesses and members of the Governors Complaints Committee ***at least ten school working days in advance, of the date, time and place of the meeting.*** The details of the complaint available at that time should also be sent in writing to the Headteacher.

3.2.5 The notification to the complainant should also inform him/her of the right to be accompanied to the meeting by a friend/advocate/interpreter. The letter will also explain how the meeting will be conducted and the complainant's right to submit further written evidence to the Committee, ***at least five school working days in advance of the meeting.*** The Chair/Vice Chair of the

Governing Body will invite the Headteacher, to attend the Governors Complaints Committee meeting and prepare a written report for the Committee in response to the complaint.

- 3.2.6** The Headteacher may also invite members of staff directly involved in matters raised by the complainant to respond in writing or at the discretion of the Chair to attend the meeting. All concerned, including the complainant, will receive any relevant documents including the Headteacher's report, at least five school working days prior to the meeting.
- 3.2.7** It is the responsibility of the Chair of the Committee to ensure that the meeting is properly minuted.
- 3.2.8** The aim of the meeting will be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations, which will satisfy the complainant that his or her complaint has at least been taken seriously.
- 3.2.9** The Committee should remember that some parents/carers are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the Committee. It is therefore recommended the Chair of the Committee ensures that the proceedings are as informal as the situation allows.
- 3.2.10** If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.
- 3.2.11** At Stage 3 the complainant and the Complaints Co-ordinator/Headteacher and any other staff should be interviewed separately, so the Committee can form a clear and unbiased view of the complaint. The interviews, which can be arranged to run consecutively if this is more convenient, should allow –
- The Complainant to explain their complaint(s)
 - The Headteacher to explain the school's response
 - The Governors Complaints Committee members to have an opportunity to question both the complainant and the Headteacher
 - Any party to have the right to call witnesses (subject to the approval of the Chair) and the Committee having the right to question all the witnesses
 - The Complainant, Headteacher and staff have the right of representation at the interview if they so wish.
- 3.2.12** The Chair of the Committee will explain to the complainant and the Headteacher that the Committee will consider its decision, and ***a written response will be sent to both parties within 15 school working days.***
- 3.2.13** The Committee will then consider the complaint and all the evidence presented and
- a) Reach a unanimous, or at least a majority decision on the complaint
 - b) Decide upon the appropriate action to be taken to resolve the complaint
 - c) Where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again

3.2.14 Recommendations will be reported to the governing body at an appropriate time.

3.2.15 A written statement outlining the decision of the Committee must be sent to the complainant and Headteacher. If any action is to be taken against a member of staff, to protect the rights of the staff concerned, only the phrase '**Appropriate action has or will be taken**' should be used.

3.2.16 The Governors will ensure that a copy of all correspondence and notes are kept on file in the governor's records. These records should be kept separately from the pupil's personal records.

The Advice & Conciliation Officer at the Local Authority (LA)

Complaints may be referred to the Advice & Conciliation Officer at the LA who is independent of the school and can be contacted on 0114 2922164.

4. STAGE 4: Referral to the Secretary of State or Local Government Ombudsman

4.1 The Secretary of State

Complaints can be taken to the Secretary of State for Education and Employment under Section 496 of the Education Act 1996, on the grounds that a Governing Body or LEA is acting or proposing to act unreasonably, or under Section 497 of the same Act, on the grounds that either the Governing Body or the LA has failed to discharge its duties under the Act. The Secretary of State may contact the Governing Body or the LA for more information in order to consider the complaint.

5. STAGE 5: Referral to the Secretary of State or Local Government Ombudsman

Complaints about the maladministration of Local Authority services including the way it operates any general complaint procedure may be made to the Ombudsman. **However, the Ombudsman does not look at internal school management matters** and usually expects that thorough attention has been given to a complaint locally before investigation by the Ombudsman.

6. Complaining to Ofsted

Ofsted has powers to investigate certain types of complaint from parents to help them to decide whether to inspect a school - though in most cases, they should raise any problems with the school first.

Types of complaint to which Ofsted can respond include:

- the school is not providing a good enough education
- the pupils are not achieving as much as they should, or their needs are not being met
- the school is not well led and managed, or is not using its resources efficiently
- the pupils' personal development and well-being are being neglected

When considering a complaint, Ofsted can require the school or local authority to provide information, or require the school to arrange for a meeting of parents to seek their views.

Ofsted can also record parents' concerns for consideration during the school's next inspection.

Where a complaint is very serious, Ofsted can arrange an immediate inspection of the school.

If parents or carers require further information, they should call the Ofsted helpline on 08456 40 40 45 or they can go to the Ofsted website: <http://www.ofsted.gov.uk> . Type '*parent complaints*' into the search box.

7. Appendices:

App. 1 Complaints Policy Summary Chart

App 2. A Stage 1 (Informal) Staff Record exemplar

App 3. A Stage 2 or above Complaints Form – to be completed by the complainant.

App. 4. Complaints Review/Hearing Procedure



Approved by

Governor: **Date:**

Signature: