

## **P012- Complaints Policy and Procedure**

### **Introduction**

The majority of issues raised by parents, or pupils, are concerns rather than complaints. Ameina Community Education is committed to taking concerns seriously at the earliest possible stage.

### **Aim**

Staff and the complaints panel at Ameina want their pupils to be healthy, happy and safe, and to achieve at or beyond their full potential. They recognise that parents, guardians or carers play an important part in making this happen. Cooperation between parents, staff and Management leads to a shared sense of purpose and a productive learning atmosphere in the School.

Each level of the procedure set out below offers the opportunity for concerns and complaints to be resolved as quickly as possible.

### **Level 1 – informal**

Parents, carers or guardians should, in the first instance, make an appointment to speak to the most appropriate teacher or other member of staff about the concern.

It is best to resolve issues at this point.

### **Level 2 - informal**

Parents, carers or guardians dissatisfied with the result of the discussions with the teacher or other member of staff should ask for an appointment to meet with the Head Teacher.

### **Level 3 – formal Complaint Form to the Head Teacher**

An issue that has not been resolved through the informal levels 1 and 2 can become an official complaint.

Parents, carers or guardians wishing to move to level 3 must complete the Complaints Form and forward to the Head Teacher. The form will help the complainant to set out clearly the issues which have previously been discussed and why the parent, carer or guardian considers the issue to be unresolved.

The Head Teacher should consider the complaint and discuss a resolution with the complainant. The Head Teacher should offer a resolution to the complainant in writing within 10 working days of receipt of the Complaint Form.

**Concerns or complaints specifically about the Head Teacher**

If the concern or complaint is specifically about the Head Teacher, the headteacher will convene a panel of at least 3 people, none of whom should be directly involved in the matters detailed in the complaint. Parent, carer or guardian will be invited to attend and can be accompanied at the panel hearing if they wish. The Chair of the Panel should acknowledge the complainant’s letter in writing within 5 working days of receipt.

The Head Teacher should be given a copy of the complainant’s letter and written documentation should be requested from the School. The clerk should send both the complainant’s letter and the School documentation to the Panel members, complainant and Head Teacher (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.

The complainant and the Head Teacher will be invited to attend the Complaints Panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.

The panel will make findings and recommendation and a copy of these will be provided to the complainant and will be available for inspection on the school’s premises.

**Level 4 – formal complaint requesting a Complaints Panel Hearing.**

The complaint panel will consist of:

- A member of staff who is not involved in the complaint,
- One Director
- The Independent Complaints panel member: Mr Andy Hobson.

Time Scales:

Receipt of complainant’s letter	Acknowledgement within 5 working days
Receipt of complainant’s letter	Panel meeting within 15 working
Written documentation sent to Panel Members complainant and Head Teacher	5 working days before the meeting
Panel members decision communicated to all concerned	As soon as possible but within 10 working days of meeting

**Before the meeting:**

The Chair of the complaints panel should appoint a clerk to the complaints panel. Who will acknowledge the complainant's letter in writing within 5 working days of receipt and arrange for a panel of the complaints panel to meet within 15 school days of receipt. It must be recognised that if the letter is received within 14 school days to the end of term it may not be possible to organise the complaints panel's Panel meeting. In this case the matter should be dealt with within 10 school days of the School reopening.

**At the meeting:**

The complainant and the Head Teacher (or his/her representative) should provide all the relevant information they wish, and the Complaints Panel members should clarify any points. After the complainant and Head Teacher (or his/her representative) have provided all the information they wish, the chair will ask all parties to leave except the panel members and the clerk.

**After the meeting:**

The Complaints Panel will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate. The decision of the Complaints Panel is final.

Anyone can complain to the Secretary of State for Education if he or she believes that a school is acting "unreasonably" or is failing to carry out its statutory duties properly. However, intervention can only occur if the school has failed to carry out a legal duty or has acted "unreasonably" in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State for Education and Skills could instruct either party to do to put matters right.

Once the Complaints Panel has heard a complaint and it is clear that the correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the chair of the Complaints Panel should inform the complainant that the matter is closed.

Any complaints concerning the conduct of school staff will be handled in accordance with the Schools internal disciplinary procedures. The details of such an investigation will remain confidential.

**Record Keeping**

The school shall maintain a record of all correspondence, conversations and meetings concerning your complaint. These records shall be held confidentially in the school and shall be kept apart from pupil records. Except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them. All such records will be destroyed five years after the date of the last correspondence on the issue.

If you do not respond within 5 working days to the outcome of an investigation into your comment / complaint we will assume that you are satisfied and do not require us to take further action.

**Vexatious Complainants:**

It is important to distinguish between people who make a number of complaints because they really think things have gone wrong, and people who are being difficult. Complainants can be frustrated and aggrieved and it is therefore important to consider the merits of the case rather than their attitude. Even though someone has made vexatious complaints in the past, it cannot be assumed that the next complaint is also vexatious. Each complaint must be considered as to whether it is vexatious or genuine. There is no way of avoiding evaluating each complaint.

	Name	Signature	Position	Date
Approved by				
Reviewed by				

### **Guidance on informal level 1:**

- Concerns should initially be handled informally in a manner that offers the best way of resolving issues.
- A teacher, support worker or Subject / Progress Leader should offer an appointment to discuss the issue as quickly as possible, as this will give both parties time to talk about it calmly and politely without being interrupted. This can allow parties to remain calm. It will also show a commitment to resolving issues.
- It is important for parents to recognise that schools are busy organisations and that it may not be possible to offer an appointment straight away. The parties involved should be encouraged to offer their view of what would be a realistic resolution to the problem.

### **Guidance on informal level 2:**

- It is always best to resolve issues informally at the earliest possible time but if the person is not satisfied with the result of the talk with the class teacher or other member of staff then he/she can ask for an appointment to meet the Head Teacher
- It is in everyone's interest, particularly the child or children, for concerns and complaints to be sorted out quickly and smoothly.
- The aim should be that discussions end on a positive note with outcomes and actions agreed with no bad feeling.
- It is hoped that most problems will have been resolved by now.

### **Guidance on level 3- formal:**

An unresolved issue can now move to a formal complaint. This is a serious step to be taken. In consideration of future home/School relationships everyone concerned will need to negotiate an agreement and concentrate on finding a resolution to the issue.

### **Guidance on level 4- formal:**

Complainants wishing to move to level 4 of the formal complaints procedure will need to write a letter to the complaints panel to request that a Management Committee Complaints Panel meets to hear the complaint. This formal complaint letter must be received within 10 school days of the last meeting with the Head Teacher concerning the issue. The letter will need to set out the complaint that has previously been formally discussed with the Head Teacher and show why the matter is not resolved.