

DARRICK WOOD SCHOOL COMPLAINTS POLICY

Reviewed:	May 2017
Agreed:	June 2017
Next Review Due:	June 2019
Person responsible:	The Head Teacher

MISSION STATEMENT:

We deal swiftly and fairly with all complaints, satisfying the Complainants as far as possible and improve the service offered by the School.

GOALS

Customer Goal:

To resolve disagreements and maintain harmonious relationships.

Curriculum Goal:

To demonstrate the need for cooperation and understanding in life.

School Community Goal:

To give responsibility for customer satisfaction to as wide a range of staff as possible.

Quality Goal:

To leave no one with the feeling that they have been unfairly treated.

1 INTRODUCTION

- 1.1 The School is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair and efficient procedure for dealing with any complaints to or against the School, so that any complaints which arise can be dealt with as swiftly and effectively as possible.
- 1.2 All School staff will be made aware of our procedures and are expected to review this document regularly in order that they are familiar with the process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.
- 1.3 This policy applies to complaints from parents, carers and other members of the community. Complaints from School staff will be dealt with by separate procedures.
- 1.4 This policy explains the procedures that are to be followed. The steps it outlines should be referred to and followed by parents, carers and other members of the

community whenever they wish to make a complaint. The Policy refers to such people making complaints as the “Complainant”.

- 1.5 This policy does not apply to complaints about pupil admissions or exclusions as these have separate policies, which set out separate procedures for dealing with such matters. Please refer to our website www.darrickwood.bromley.sch.uk for copies of the policies.
- 1.6 If there is an allegation or concern about physical or sexual misconduct towards a pupil by a member of staff, or there is belief that a pupil may be at risk of serious harm, the School may immediately refer the case to the Local Authority’s Designated Officer (“LADO”) with responsibility for safeguarding children. If it is decided that there is cause for an official investigation the decisions by the LADO will supersede those made by the School and outlined in this policy. Where the complaint relates to a safeguarding referral made by a member of staff at the School, any consideration of that complaint by the School will be limited to a review of the reasonableness of the decision to make the referral in light of the evidence available to the member of staff at the School at that time and in light of the School’s Safeguarding and Child Protection Policy.
- 1.7 More information on how the School protects its pupils may be found in the Safeguarding and Child Protection Policy and the Allegations of Abuse by Staff Policy. Please refer to our website www.darrickwood.bromley.sch.uk for a copy of these policies.
- 1.8 Anonymous complaints will not be dealt with under this policy.
- 1.9 Complainants should be treated with courtesy and wherever possible the complaint dealt with as quickly as possible.

2 WHEN A COMPLAINT FIRST ARISES

- 2.1 Complaints should initially be raised with a member of School staff in person, over the telephone or in writing. The Complainant may then be invited to an informal meeting with the member of School staff most appropriate for dealing with the complaint.
- 2.2 Most complaints should be dealt with at the informal meeting. Only where the Complainant remains dissatisfied with the outcome of that meeting are further steps necessary.
- 2.3 Parents/carers may wish to approach their child’s Form Tutor initially as they will be best placed to help either directly or by informing parents/carers which other member of School staff should be contacted (e.g. Head of Department/Faculty).
- 2.4 The School encourages parents/carers to approach School staff with any complaints they may have and aims to resolve all complaints with open dialogue and mutual understanding.
- 2.5 A written explanation of the complaint may be requested by the member of School staff to whom the complaint is made.
- 2.6 If the complaint is about a member of School staff this should be raised with the Head Teacher.

- 2.7 If the complaint is about the Head Teacher, it should be raised with the Chair of Governors who may be contacted by post c/o the School.
- 2.8 If a complaint is made direct to any School Governor it will, except as mentioned above, be referred by the Governor to an appropriate member of School staff.
- 2.9 Complaints should be acknowledged by the School within one school day of receipt.
- 2.10 Whilst the length of time it will take to deal with a complaint will depend upon the nature of that complaint the School will endeavour to deal with all complaints as quickly as possible.
- 2.11 Details of discussions relating to a complaint should be kept confidential as far as possible and pupils should not receive comments from School staff about complaints received from parents/carers.

3 INITIAL INFORMAL MEETING

- 3.1 These provisions apply if it is not possible or felt appropriate to deal with a complaint by telephone or in writing.
- 3.2 Once a complaint has been raised the Complainant will be invited to attend an informal meeting with a member of School staff or the Head Teacher or the Chair of Governors (as the School considers appropriate) to discuss the complaint.
- 3.3 The seriousness of the complaint will determine the managerial level at which it should be dealt with, but as a general rule the level should be as low as possible. The nature of the complaint will determine whether pastoral or academic staff should be involved.
- 3.4 In difficult circumstances the complaint will be passed on to a higher managerial level but complainants should not be repeatedly asked to return for informal discussions.
- 3.5 The points at issue should be thoroughly investigated before any conclusion is drawn. Where necessary, written statements should be produced by those involved.
- 3.6 In most cases it will help in the resolution of a complaint against a member of School staff if that member of School staff is present at the informal meeting. However, professional judgement will need to be applied on this issue by the person dealing with the complaint, since hostile confrontation and entrenched defensive positions may make the situation worse.
- 3.7 Complainants are welcome to bring a friend or partner to the meeting.
- 3.8 It is unlikely that the presence of pupils will help in the resolution of complaints. Pupils should never participate in discussions where they may witness confrontations between adults. On occasions, however, the School may deem it appropriate to invite a pupil to attend the meeting depending on the nature of the issue.
- 3.9 School staff have a responsibility to ensure that complainants understand any future points of action that have been agreed upon in the meeting and should make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

3.10 All School staff will do their best to ensure that complaints are dealt with appropriately and efficiently, but if an agreement cannot be reached, or the Complainant is dissatisfied with the outcome of the meeting, a formal complaint can be made in writing to the Head Teacher.

3.11 The outcome of and/or actions agreed at the informal meeting will be notified to the Complainant in writing within one school day of the meeting taking place.

4 FORMAL COMPLAINT PROCESS

4.1 Where complaints cannot be settled at an informal meeting or where the School considers that the seriousness of the complaint makes it appropriate to deal with it under the formal process, the process set out in this section 4 of this Policy document shall be followed.

4.2 In order to ensure that complaints are processed efficiently and effectively the School deals with formal complaints in three stages.

4.3 Stage 1

4.3.1 If the Complainant feels their complaint has not been dealt with as they would like, are unhappy with the outcome of the informal meeting or feel that the issue is serious enough that it warrants it, they can make a formal complaint in writing to the Head Teacher.

4.3.2 The Head Teacher will notify the Complainant that the complaint will be dealt with under the formal complaints procedure within one school day of taking that decision.

4.3.3 The Head Teacher may arrange a meeting to discuss the issue, outcome, possible solutions, or to explain what has or will happen as a result of the complaint.

4.3.4 The Head Teacher will keep a record of all interactions with the Complainant and other staff, meetings and decisions made in reference to the complaint. This record will be kept confidentially by the School but may be inspected where appropriate by the Secretary of State or any inspection body.

4.3.5 If the complaint is against a member of School staff, the Head Teacher will talk to that employee. If it is an allegation of abuse, a formal investigation may be instigated by the School or external child welfare authorities to whom the School reports. Please refer to our website www.darrickwood.bromley.sch.uk where our Allegations of Abuse by Staff Policy and other policies may be found.

4.4 Stage 2

4.4.1 If, having received the Head Teacher's written response, the Complainant is dissatisfied with the outcome, the Complainant may lodge the complaint with the Chair of Governors. The complaint must be in writing and it should explain the complaint and the steps that have led to taking this course of action.

4.4.2 If the complaint is against a member of School staff, that employee will be given the opportunity to write a response, which will be sent to the Chair of Governors within 10 school days of the complaint being lodged with them.

4.4.3 The Chair of Governors will respond in writing within 15 school days outlining his response to the complaint, and any action that has or will be taken. If the Chair of

Governors has decided not to take any further action on the issue, he will explain what he has decided, how he has reached this decision, and will outline the right of appeal and how this can be started.

5 APPEALS – STAGE 3

5.1 Stage 3

5.1.1 If the Complainant does not consider that the complaint has been dealt with to their satisfaction under stage 2 he or she may appeal to the Appeals Panel.

5.1.2 Complainants should write to the Clerk to the Governing Body by post c/o the School to exercise this right within ten school days of the outcome of stage 2. If no request for an Appeals Panel hearing is received within ten school days of the outcome of stage 2, it will be deemed that the decision is accepted and the complaint will be closed.

5.1.3 If an Appeals Panel is requested, the Clerk to Governors will acknowledge the appeal and make the necessary arrangements, and will usually convene the Appeals Panel within 15 school days from the acknowledgement of the complaint being sent. Where it is not possible to find a mutually convenient date within that timescale, the School will take reasonable steps to agree a time and date mutually convenient to all parties.

5.1.4 The Clerk will ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents. Any supporting documentation relevant to the complaint must be submitted to the Appeals Panel by both parties at least five school days before the Appeals Panel hearing.

5.1.5 Complainants will be entitled to be accompanied to the Appeals Panel hearing and should notify the Clerk in advance if they intend to bring anyone.

5.2 The Appeals Panel

5.2.1 The Appeals Panel will be made up of between three to five members of the School's Governing Body and at least one person independent of the management and running of the School.

5.2.2 No person can sit on the Appeals Panel if they have had any former knowledge or involvement in the complaint that is being dealt with at that time. The Chair of the Appeals Panel will be nominated from within the group of panel members. All panel members will be familiar with and have access to the Complaints Policy.

5.2.3 The Appeals Panel will give careful consideration to how the Complainant can be made to feel most comfortable presenting to the Appeals Panel, especially in the case of a young pupil having to present or explain information.

5.3 The Appeals procedure

5.3.1 The Appeals Panel will determine the procedure to be followed to ensure that it is best placed to deal with the issues arising from the complaint. The procedure for an appeal is usually as follows:

(a) The Complainant and Head Teacher will enter the hearing together.

- (b) The Chair will introduce the Appeals Panel members and outline the process.
- (c) The Complainant will explain the complaint.
- (d) The Head Teacher and Appeals Panel will question the Complainant.
- (e) The Head Teacher will explain the School's actions.
- (f) The Complainant and Appeals Panel will question the Head Teacher.
- (g) The Complainant will sum up their complaint.
- (h) The Head Teacher will sum up the School's actions.
- (i) The Chair will explain that both parties will hear from the Clerk to the Appeals Panel within five school days setting out the decision of the Appeals Panel.
- (j) Both parties will leave together while the Appeals Panel decides.
- (k) The Clerk will stay to assist the Appeals Panel with its decision making.

5.3.2 On occasions, it may be decided by the Appeals Panel to hear from the School and complainant separately.

5.3.3 The Clerk will notify the Complainant of the Appeals Panel's decision in writing within 5 school days of the appeal. The letter will set out the decision of the Appeals Panel together with the reasons underpinning that decision. The letter may set out recommendations which will be made to the School's Governing Body.

5.3.4 The Appeals Panel may:

- (a) dismiss all or part of the complaint;
- (b) uphold all or part of the complaint;
- (c) decide on the appropriate action to be taken to resolve the complaint;
- (d) evaluate all the evidence available and recommend changes to the School's systems or procedures as a preventative step against similar problems arising in the future.

5.3.5 If the Complainant is unhappy with the outcome, they may wish to put the complaint to the Secretary of State. Complaints can be submitted online at <https://www.gov.uk/complain-about-school>.

6 VEXATIOUS COMPLAINTS

6.1 Whilst it is hoped that this policy will reduce any dissatisfaction with the School, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the School and the outcomes achieved under the complaints procedure.

6.2 Where a complainant attempts to re-open an issue which has already been dealt with under the complaints procedure, the Chair of Governors will contact them to inform them that the matter has already been dealt with and that either that stage

of the Policy has been exhausted, or that the complaints procedure has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the School will be under no obligation to respond to that correspondence.

7 GOVERNING BODY – REVIEW AND MONITORING OF COMPLAINTS

- 7.1 The School will review and evaluate all complaints no matter how far they are taken, or what the outcome, to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively.
- 7.2 The School's Governing Body will review the complaints policy every two years.