



# COMPLAINTS POLICY

<b>Status</b>	Pending Final Approval 26/04/2022	<b>Approval</b>	Full Governing Body
<b>Maintenance</b>	Full Governing Body	<b>Role(s) responsible</b>	Head Teacher
<b>Date Effective</b>	March 2019	<b>Date of last review</b>	2019, 2021
<b>Date of next review</b>	March 2023	<b>Date withdrawn</b>	Not withdrawn.
<b>Lead Professional</b>	G O'Hara (SBD)	<b>Location of policy</b>	<a href="http://www.coltonhills.co.uk">www.coltonhills.co.uk</a>

## COLTON HILLS COMMUNITY SCHOOL

### Rationale

The prime aim of Colton Hills Community School's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by the school.

### Introduction

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. Colton Hills School is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint, you may wish or be asked to follow the school's formal complaints procedure. For the school to be able to investigate a complaint, it needs to be made within one year of the incident occurring. If a complaint is older than a year it will not be investigated.

The following details outline the stages that can be used to resolve complaints.

### The Policy has four main stages.

In summary they are as follows:

- Stage 1 – A concern is raised informally with a staff member.
- Stage 2 – Formal complaint is heard by the complaints coordinator or an appropriate member of staff.
- Stage 3 – Complaint is heard by the Head Teacher.
- Stage 4 – Complaint is heard by the Governing Body's Complaints Appeal Panel.

### Stage 1 – Raising a concern.

Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern. The school requests that parents make their first contact with the appropriate Form Tutor/House Leader. On some occasions the concern raised may require

investigation, or discussion with others, in which case you will receive an informal but informed response within a day or two. The vast majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result of Stage 1, please write to or call the school within 10 working days and state what you would like the school to do. The school will then look at your complaint at the next stage.

### **Stage 2 – Complaint heard by the complaints coordinator or by an appropriate staff member.**

Formal complaints shall be put in writing and addressed to the Deputy Head Teacher, (Complaints Coordinator) at Colton Hills Community School. The complaint will be logged, including the date it was received. The school will normally acknowledge receipt of the complaint within 2 school working days of receiving it. In many cases this response will also report on the action the school has taken to resolve this issue. Alternatively, a meeting may be convened to discuss the matter further. This meeting will normally take place within 10 school working days. The aim will be to resolve the matter as speedily as possible. However, if you are not satisfied with the result at Stage 2 please write to or call the school within 10 working days of getting our response.. You will need to tell the school why you are not satisfied and what you would like the school to do.

### **Stage 3 – Complaint heard by the Head Teacher.**

If the matter has not been resolved at Stage 2, the Head Teacher will arrange for a further investigation. Following the investigation, the Head Teacher will normally complete a written response within 10 school working days. If you are dissatisfied with the result at Stage 3 you will need to let the school know within 10 working days of getting the response.

### **Stage 4 – Complaint heard by the Governing Body's Complaints Appeal Panel.**

If the matter has still not been resolved at Stage 3, then you will need to write to the Chair of Governors giving details of the complaint. The Chair or nominated Governor will convene a complaints panel. The hearing will normally take place within 10 school working days of the receipt of the written request for a Stage 4 investigation.

The aim of the Appeal panel hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. All parties will be notified of the Panel's decision in writing within 3 school working days after the date of the hearing. The letter will also contain what you need to do if you wish to take the matter further. See Appendix 1 for further detail.

N.B. In cases where the matter concerns the conduct of the Head Teacher, the Head Teacher and Chair of Governors will be informed of the complaint. The Chair of Governors will arrange for the matter to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint.

The Governors appeal hearing is the last school-based stage of the complaints process.

## Appendix 1

### **Complaint Heard by Governing Bodies Complaints Appeal Panel**

The Governors' appeal hearing is the last school-based stage of the complaints process and is not convened to merely rubber stamp previous decisions.

Individual complaints would not be heard by the Full Governing Body at any stage as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

### **The Remit of the Complaints Appeal 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.

There are several points which any Governor sitting on a complaints panel needs to remember:

- 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 they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, Governors need to try and ensure that it is a cross section of the categories of Governor and sensitive to the issue 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. It may only be possible to establish the facts and make recommendations, which will satisfy the complainant that his or her complaint has been taken seriously.
- c) The Chair of the Panel will ensure that the proceedings are as welcome as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- d) Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere of the proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- e) The Governors sitting on the panel need to be aware of the complaints procedure.

### **Roles and Responsibilities**

#### **The Role of the Chair of the Governing Body or the Nominated Governor**

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

#### **The Role of the Clerk**

The Clerk would be the contact point for the complainant and be required to:

- 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.
- Record the proceedings.
- Notify all parties of the panels decision.

### **The Role of the Chair of the Panel**

The Chair of the Panel has a key role ensuring that:

- The remit of the panel is explained to all 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 may not be used to speaking at such a hearing are put at ease.
- The hearing is conducted in an informal manner 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 side 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.

### **Notification of the Panel's Decision**

The Chair of the Appeal Panel needs to ensure that a complainant is notified of the panel's decision in writing with the panel's response within the set deadline.