



Complaints Policy

**Signed on behalf of
The Governing Body:**.....

1 Introduction

1.1 Furze Platt Senior School aims to ensure that any concern or complaint is managed sympathetically, efficiently, quickly and at the appropriate level and resolved as soon as possible. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, we will review our systems and procedures in light of the circumstances of the complaint.

1.2 Our policy is underpinned by the following principles:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to use and understand;
- be impartial;
- be non-adversarial;
- allow swift handling with established time-limits for action and keeping people informed of the progress;
- ensure a full and fair investigation by an independent person where necessary;
- respect people's desire for confidentiality, wherever possible (some information sharing maybe necessary to carry out a thorough investigation);
- address all points of issue, providing an effective response and appropriate redress, where necessary;
- provide information to the school's senior management team so that systems and procedures can be reviewed in light of the circumstances of the complaint;
- ensure that any complaint will not adversely affect a student or their opportunities at the school.

1.3 We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment and so we need to know as soon as possible if there is any cause for dissatisfaction. Parents and students should never feel that a complaint will be taken amiss or will adversely affect a student or his / her opportunities at the school. This policy distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require investigation.

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought. A complaint may be generally defined as 'an expression of dissatisfaction' however made, about actions taken or lack of action.

- 1.4 **Parent(s)/ Carer(s) / You:** Includes a current parent or legal guardian or education guardian, and may at our discretion include a parent whose child has recently left the school. For ease of reference the complainant in this policy is referred to as “the parent“, however, this policy may be used by anyone who has a concern or complaint about any aspect of the school. This policy covers any complaints made about the school except those covered by our admissions policy, exclusions policy and staff disciplinary procedures.
- 1.5 We aim to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. When we refer to working days, we mean Monday to Friday, when the school is open during term time. The dates of terms are published on the school's website.

2 Management of complaints

- 2.1 The school's complaints procedure has three stages:
- 2.1.1 **Stage 1:** informal raising of a concern or difficulty with a member of staff orally or in writing as set out in Appendix 1.
- 2.1.2 **Stage 2:** a formal complaint in writing to the Headteacher - further details of how to make a formal complaint and the relevant procedures are set out in Appendix 2.
- 2.1.3 **Stage 3:** a reference to the Complaints Panel - further details of how to request a Panel hearing and the procedures to be followed are set out in Appendix 3.
- 2.2 Separate procedures apply in the event of a child protection issue, an issue regarding admissions or if the Headteacher excludes a student from the school.

3 Confidentiality

- 3.1 A written record will be kept of all complaints, and of whether they were resolved at Stage 1, Stage 2 or proceeded to a Panel hearing. The number of formal complaints registered during the preceding school year will be supplied to parents on request.
- 3.2 Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of a school's inspection or under other legal authority.
- 3.3 In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.

4 Complaints to the Education Funding Agency

- 4.1 If you are dissatisfied with the decision of the Complaints Panel, you may contact the Education Funding Agency (**EFA**) which will consider the complaint on behalf of the Secretary of State. The EFA's contact details are as follows:

Internet Form: Gov.uk website: enter 'school complaints form' in the search box.

Address: Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Appendix 1 Stage 1: dealing with concerns and complaints informally

1 Informal resolution of a concern or complaints

- 1.1 We expect that most concerns or complaints can be resolved informally. For example, dissatisfaction about some aspect of teaching or pastoral care or a billing error should be able to be resolved by the relevant member of staff. Complaints of discrimination, harassment or victimisation are taken very seriously and may need to be dealt with at Stage 2 without action at Stage 1.

2 Who to contact

- 2.1 Where appropriate, concerns should initially be raised as follows:
- 2.1.1 Educational issues: if the matter relates to the classroom, the curriculum or special educational needs, please speak or write to the relevant Head of Department or Special Educational Needs Co-ordinator (SENCo).
 - 2.1.2 Pastoral care: for concerns relating to matters outside the classroom, please speak or write to the Head of House.
 - 2.1.3 Disciplinary matters: a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the member of staff who imposed it
 - 2.1.4 If a concern is more sensitive or complex please contact a member of the Senior Leadership Team or Headteacher.
 - 2.1.5 A complaint against the Headteacher should be made directly to the Chair of Governors.
- 2.2 A concern provided in writing will be acknowledged by telephone, fax, email or letter within two working days of receipt during term time and as soon as practicable during the holidays. A matter raised orally will not necessarily be acknowledged in writing.
- 2.3 A concern which has not been resolved by informal means within 15 working days should be notified in writing as a formal complaint using the procedure set out in Appendix 2.

Appendix 2 Stage 2: formal complaint

1 How to make a formal complaint

- 1.1 If a parent is dissatisfied with the response to the complaint under Stage 1, or the complaint requires investigation or involves dissatisfaction with some aspect of the school's policies or management, the complaint should be made under Stage 2.
- 1.2 The full details of the complaint should be set out on the complaints form provided in **Appendix 4** and sent with all relevant documents and full contact details to the Headteacher.
- 1.3 The complaint will be acknowledged by telephone, email or letter within two working days during term time, and as soon as practicable during the holidays, indicating the action that is being taken and the likely time scale. Notice of receipt of the formal complaint will be given to the Chair of Governors.

2 Investigation

- 2.1 The Headteacher may ask a senior member of staff to act as Investigator. The Investigator(s) may request additional information from you and will probably wish to speak to you personally and to others who have knowledge of the circumstances. Written records will be kept of all meetings and interviews held in relation to the complaint. The Investigator(s) will prepare a report on the investigation which will be considered by the Headteacher.

3 Decision

- 3.1 The Headteacher will then notify the complainant by telephone, fax, email or letter of his / her decision and the reasons for it within 10 working days from the receipt of the complaint. Where there are exceptional circumstances resulting in a delay, the parents will be notified of this and informed of the new timescales as soon as possible.

Appendix 3 Stage 3: Complaints Panel

1 What is a Complaints Panel hearing?

- 1.1 A Complaints Panel hearing is a review of the decisions taken by the Headteacher. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.
- 1.2 The role of the Panel is to establish the facts surrounding the complaints that have been made by considering:
 - 1.2.1 the documents provided by both parties; and
 - 1.2.2 any representations made by the parents and the Headteacher;and to reach a decision, on the balance of probabilities, as to whether to uphold the complaint in full, uphold the complaint in part or dismiss the complaint.
- 1.3 It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, students or parents. The Panel may make recommendations on these matters or any other issues to the Headteacher and / or to the Governing Body, as appropriate.

2 How to request a Complaints Panel hearing

- 2.1 A request for a hearing before the Complaints Panel must be put in writing (marked Complaints Panel on the envelope) to the Clerk to the Governors within five working days of the decision complained of. The request will usually only be considered if the procedures at Stages 1 and 2 have been completed.
- 2.2 The written request should include:
 - 2.2.1 A copy of the original complaints form, indicating which matters are unresolved, a copy of all relevant documents and full contact details;
 - 2.2.2 details of all the grounds of the complaint and the outcome desired;
 - 2.2.3 a list of the documents which the parents believe to be in the school's possession and wish the Panel to see.
- 2.3 If assistance with the request is required, for example because of a disability, please inform the Clerk to the Governors of this and she / he will be happy to make appropriate arrangements.
- 2.4 The Clerk to the Governors will acknowledge the request for a hearing in writing within two working days of receipt during term time and as soon as practicable during the holidays.
- 2.5 Every effort will be made to enable the hearing to take place within 15-30 working days of receipt of the request.

3 Planning the hearing

- 3.1 As soon as reasonably practicable, and in any event at least ten working days before the hearing, the Clerk to the Governors will send written notification to each party of the date, time and place of the hearing.
- 3.2 Copies of any additional documents you wish the Panel to consider should be sent to the Clerk to the Governors to be received at least five working days prior to the hearing.
- 3.3 You may be accompanied to the hearing by another person, for example a relative, teacher or friend. The Panel hearing is not legal proceedings and so legal representation is not necessary. The parents should note that the Panel will wish to speak to them directly and this person will not be permitted to act as an advocate.
- 3.4 The Clerk to the Governors will circulate a copy of the bundle of documents to be considered by the Panel to all parties at least three working days prior to the hearing.

4 Composition of the Panel

- 4.1 The Panel will normally comprise three individuals who have no detailed prior knowledge of the circumstances on the complaint, including Governing Body members and at least one independent member who has no connection with the governance, management and running of the school.
- 4.2 The parents may ask the Clerk to the Governors to tell them who has been appointed to sit on the Panel ahead of the hearing.
- 4.3 The Panel members will choose one of themselves to be the Chair of the Panel throughout the proceedings.

5 The Panel hearing

- 5.1 The hearing will be conducted in an informal manner.
- 5.2 All those present at the hearing shall have the opportunity to ask questions and make comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses. The Panel may, at the Chair's discretion, take written statements into account.
- 5.3 All statements made at the hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. A clerk appointed by the Panel will take a handwritten minute of the proceedings.
- 5.4 All those attending the hearing are expected to show courtesy, restraint and good manners or, after due warning, the hearing may be adjourned or terminated at the discretion of the Chair. If terminated, at the discretion of the chair, the original decision will stand. Any person who is dissatisfied with any aspect of the way the hearing is conducted must say so before the proceedings go any further and his / her comment will be minuted.

- 5.5 The Chair may, at his / her discretion, adjourn the hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.
- 5.6 A hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.

6 The decision

- 6.1 The Panel will reach a decision on a balance of probabilities unless there is an agreed position.
- 6.2 The decision, findings and any recommendations will be confirmed in writing by electronic mail or otherwise will be given to the complainant, and where relevant the person complained about, normally within five working days of the hearing. If you do not wish to receive the decision by electronic mail, please inform the Clerk to the Governors of this and a copy will be given or posted to you.
- 6.3 The decisions, findings and any recommendations will also be available for inspection on the school premises by the Governing Body and the Headteacher.
- 6.4 This represents the conclusion of the school's complaints procedure.

Appendix 4: School Complaints Form

Please complete this form and return it to the Headteacher who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name:

Relationship with school (e.g. parent of a pupil on the school's roll):

Pupil's name (if relevant to your complaint):

Your address:

Telephone number:

Mobile number:

Please give concise details of your complaint, including dates, names of witnesses, etc, to allow the matter to be fully investigated:

What action, if any, have you already taken to try to resolve your complaint? (For instance, who have you spoken with or written to and what was the outcome?)

What actions do you feel might resolve the problem at this stage?

You may continue on a separate sheet of paper or attach additional paperwork.

Please state number of additional pages attached:

Signature:

Date:

For school use only:

Date form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:

Date: