



Complaints Procedure

DEALING WITH COMPLAINTS

1. Initial concerns

- 1.1 We need to be clear about the difference between a concern and a complaint. Our aim is to take informal concerns seriously at the earliest stage and reduce the number that develops into formal complaints.
- 1.2 Concerns ought to be handled, if at all possible, without the need for formal procedures. We encourage staff to be able to resolve issues on the spot, including apologizing where necessary.

2. Formal procedures

- 2.1 The formal procedure will invoke when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.
- 2.2 The Head of the School is nominated to manage the formal complaints procedure.
- 2.3 The action should be taken the day a complaint has been submitted or the next school day.

3. Investigating Complaints

- 3.1. The person investigating the complaint makes sure:
 - **what** has happened so far, and **who** has been involved;
 - to clarify the nature of the complaint and what remains unresolved;
 - to meet with the complainant or contact them (if unsure of further information is necessary);
 - to clarify what the complainant feels would put things right;
 - to Interview those involved in the matter and/or those complained of, allowing them
 - to be accompanied if they wish;
 - to conduct the interview with an open mind and be prepared to persist in the questioning;
 - to keep notes of the interview.

4. Resolving Complaints

- 4.1 At each stage in the procedure we will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, 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;
 - 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 in light of the complaint.
- 4.2 The complainants will be encouraged to state what actions they feel might resolve the problem at any stage.
- 4.3 It is of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

5. Vexatious Complaints

There might 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, Chair of the Complaints Committee is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

6. Time-Limits

Complaints must to be considered and resolved, as quickly and efficiently as possible. The general rule is actions should be taken the same day or next school day and a feedback should be written and sent out to the candidate within 5 school days. However, where further investigations are necessary, certain time limits can be set and the complainant sent details of the new deadline and an explanation *for* the delay.

THE FORMAL COMPLAINTS PROCEDURE

1. The Stages of Complaints

1.1 Stage one: complaint heard by staff member.

It is in everyone's interest that complaints are resolved at this stage. In case a complainant indicates that he/she would have difficulty discussing a

complaint with a particular member of staff, he/she should be referred directly to The Head of the School.

1.2 Stage two: complaint heard by The Head of the School.

This stage should be completed in ten business days. However, it is recognised that this timetable is likely to prove impossible for complaints which are complex. In such cases, The Head of the School should write to a complainant giving a revised target date.

- 1.2.1 The Head of the School should acknowledge the complaint in writing within 2 school days.
- 1.2.2 The Head of the School should consider providing an opportunity to meet with a complainant to supplement any information previously provided.
- 1.2.3 If the complaint is against a member of staff The Head of the School should talk to the staff member against whom the complaint has been made.
- 1.2.4 If necessary, The Head of the School should interview witnesses and take statements from those involved.
- 1.2.5 The Head of the School should keep reasonable written records of meetings, telephone conversations and other documentation.
- 1.2.6 Once all the relevant facts have been established, The Head of the School should produce a written response to a complainant. The Head of the School may wish to meet with a complainant to discuss/resolve the matter before confirming the outcome in writing.
- 1.2.7 The written response should include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action the school will take to resolve the complaint.
- 1.2.8 A complainant should also be advised that if he/she is not satisfied with the response and wish to take the matter further, you can do so, *by writing to the Chair of the Governing Body* within three weeks of receiving the outcome letter.

1.3 Stage three: complaint heard by the Governing Body.

This stage should be completed in 15 business days. However, it is recognised that this timetable is likely to prove impossible for complaints which are complex. In such cases the Chair of the Complaints Committee should write to the parent giving a revised target date.

- 1.3.1 If the complainant decides to take the matter further, the Chair of the Governing Body should write to the parent to acknowledge the complaint within two school days of receipt of the complaint. A copy of the acknowledgement and the complaints form should be set to The Head of the School and the Clerk to the Governing Body
- 1.3.2 Investigating the complaint — If the complaint has been investigated at Stage 2 the result of the investigation must be made available to the Clerk/Chair by The Head of the School.

- 1.3.3 Governing Bodies are advised to establish a complaints panel from which three governors can be drawn by the Clerk to constitute a Committee. The Head of the School should not serve on the committee.
- 1.3.4 The Committee should consider the complaint on the basis of the written evidence and usually also set up a hearing and hear both parties. Governors may also take evidence on their own initiative. Governors should reconsider the issues raised in the original complaint and not confine themselves to consideration of procedural issues. If they decide to set up a hearing, the Committee should follow the procedure set out in paragraph 1.3.5 to 1.3.18 below.
- 1.3.5 The Chair of the Committee should:
- deal with the administration of the procedure;
provide independent advice on procedure and evidence;
 - ensure that the relevant facts are established;
 - minute the meeting and
 - draft the decision letter.
- 1.3.6 The Clerk/Chair of the complaints committee should write to the parent to explain how the review will be conducted. The letter should be copied to The Head of the School.
- 1.3.7 The Clerk/Chair of the Complaints Committee should confirm the date of the meeting with the other governor(s).
- 1.3.8 The parent and The Head of the School should be invited to attend the meeting. The date and time of the meeting should be convenient to the parent and The Head of the School, within reason. The notification should inform the parent of his/her right to be accompanied to the meeting by a friend/representative. It should also explain how the meeting will be conducted and of the parent's right to submit further written evidence to the committee.
- 1.3.9 The Head of the School should also be invited to prepare a written report for the Committee in response to the complaint.
- 1.3.10 All relevant correspondence regarding the complaint should be circulated to the committee members; the parent and The Head of the School in advance of the meeting.
- 1.3.11 If The Head of the School and/or the parent wish to call witnesses, the agreement of the Chair of the Committee should be obtained in advance of the meeting.
- 1.3.12 It is the responsibility of the Chair to ensure that the meeting is properly conducted. However, the proceedings should be as informal as possible.
- 1.3.13 The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. However, at the end of the meeting the Committee will need to issue a finding in writing either upholding or not upholding the complaint or upholding some parts and not others.
- 1.3.14 If either party wishes to introduce previously undisclosed evidence or witnesses, it is in the

interest of natural justice to adjourn the meeting so that the other side has time to respond to the new evidence. Late evidence of witnesses should not be accepted unless there is a good reason for the lateness.

1.3.15 The meeting should allow for:

- the parent to explain his or her complaint and The Head of the School to explain the reasons for his or her decision;
- The Head of the School to question the complainant about the complaint and the complainant to The Head of the School;
- panel members to have an opportunity to question both the complainant and The Head of the School;
- any party to have the right to bring witnesses (subject to the approval of the Chair) and all parties having the right to question all the witnesses.
- final statement by The Head of the School and parent.

1.3.16 The Chair of the Committee should explain to the parent and The Head of the School that the Committee will consider its decision, and a written response will be sent to both parties as soon as possible. The complainant, The Head of the School and any witnesses will then leave.

1.3.17 The panel will consider the complaint and all the evidence presented and reach an unanimous, or at least a majority, decision on the complaint. Where appropriate the Committee can decide on the action to be taken to resolve the complaint and/or suggest recommended changes to the school's system or procedures to ensure that *problems of a similar nature do not happen again*.

1.3.18 The Clerk/Chair will send a written statement outlining the decision with reasons to both the complainant and The Head of the School within 5 school days.

1.3.19 In exceptional circumstances the Committee may decide not to proceed to consider the complaint on the grounds that the complaint has already been dealt with or is malicious.

THE COMPLAINT TO REGULATION BODY

All candidates have the right to complain to REGULATION BODY about assessment-related matters, but not assessment judgements, if they remain dissatisfied after exhausting the centre's complaints procedure.¹

¹ Revision 2024