



Complaints Procedure policy: IOWSS P1.2

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Policy Links:

- Health and Safety policy
- Behaviour policy
- Confiscation and search policy

Signed

..... Date 14/03/2018.....

Richard White
Headteacher

..... Date 14/03/2018.....

Kevin George
Chair of Governors

1. Stages of the Procedure

It is in everyone's interest that complaints are resolved at the earliest possible stage. Staff should be familiar with the Complaints Procedure so they know what to do should they receive a complaint. The school Complaints Officer should assist with hearing complaints at the second stage. A complaint may be made in person, by telephone or in writing, but it should always be made using the standard form which is attached at Appendix 1. The time limit within which a formal complaint may be made is within 5 days of the event. Time will also be allowed for the SLT to implement any changes following a complaint being upheld.

1.1.1 Stage One: Complaint heard by class teacher or adult concerned

Initial concerns should be expressed to the class teacher or adult concerned in the first instance. This meeting will be recorded on a 'Yellow Form'. Most complaints will be resolved at this informal stage.

1.2 Stage Two: Formal Complaint Heard by the Complaints Officer (Member of SLT)

The Complaints Officer should receive complaints after a 'Yellow Form' has been submitted and no resolution has been found. In order for a complaint to be heard quickly and fairly, a letter should be submitted in writing for the attention of the Complaints Officer and should contain the following information:

- Complainant's Name;
- Student's Name;
- Relationship to student;
- Address;
- Details of the complaint;
- A summary of action that has already taken to resolve the complaint (who was spoken to/the response);
- Any action which might resolve the problem at this stage;
- Any relevant paperwork which is attached, with details included in the letter.

The Complaints Officer will refer back to the 'Yellow Form' which will have been recorded at Stage One and any other paperwork which may be relevant, and will consult with all adults concerned where appropriate, and attempt to resolve the complaint at this stage.

The ability to consider the complaint objectively and impartially is crucial.

Where the complaint concerns the Headteacher, the complainant should be advised by the Complaints Officer to write to the Chair of Governors directly.

Where the first approach is made to the Complaints Officer, or any other member of staff who is not directly involved, or a Governor, he or she should remind the complainant of the school procedure, and then refer the complainant back to the teacher or adult concerned. In the rare instance that this might not be appropriate, then the complaint should be directed to the Complaints Officer. Individual Governors should not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages, in case they are needed to sit on a Panel at a later stage of the procedure.

1.3 *Stage Three: Complaint Heard by Headteacher*

If the complainant is dissatisfied with the way the complaint was handled at Stage 2, the complaint may be escalated to the Headteacher. The Headteacher may delegate the task of collating the information to other members of the SLT, but not the decision on the action to be taken. The Headteacher should investigate the complaint, review all the information and discuss the findings, together with any recommendations or apology, with the complainant. Reconciliation should be achieved at this stage. If the complaint relates to the alleged conduct or capability of a member of staff, which could result in disciplinary action, the complaints process should be replaced by appropriate line management and disciplinary procedures. **As almost all complaints concern the day to day management of the school, few matters should need to go further.**

1.4 *Stage Four: Complaint Heard by Governing Body's Complaints Appeal Panel*

If the complainant remains dissatisfied, he/she should write to the Chair of Governors giving details of the complaint. After considering the complaint, in the first instance, the Chair will reply in writing to the complainant. However, if the matter is not resolved the Chair, will convene a Governing Body Complaints Appeal Panel. The Panel can be drawn from the nominated members and may consist of three to five Governors. **Any governor, including the Chair who has heard the complaint informally (as described above) must not participate in the Panel Hearing.** The Panel may choose its own chair. Individual complaints should never be heard by the whole 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.

2. **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 Appeal 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 he or she has 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 comprises a cross-section of the categories of Governor and is sensitive to issues of race, gender and religious affiliation.
- (b) The aim of the hearing, which should 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 that the complainant might not be satisfied with the outcome, if the hearing does not find in his/her favour. It may, however, be possible to establish the facts and make recommendations, which will satisfy the complainant that his or her complaint has been taken seriously.
- (c) An effective Panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their student. The Panel Chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting appears appropriate and not adversarial.
- (d) The Governors sitting on the Panel need to be aware of the entire complaints procedure.

A checklist for a Panel Hearing is attached at Appendix 2.

3. Roles and Responsibilities

3.1 The Role of the Clerk to the Governors

The Complaints Appeal Panel should be clerked. The clerk would be the contact point for the complainant at the fourth stage 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 all of the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the Panel's decision.

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

- check that the complaints procedure has been correctly followed to this point;
- if a hearing is appropriate, notify the clerk to arrange the Panel.

3.3 *The Role of the Chair of the Panel*

Ensure that:

- 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;
- the remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the issues are addressed;
- key findings of fact are made;
- the hearing is conducted in an informal, although structured, manner, with each party treating the other with respect and courtesy;
- 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 all parties should be given the opportunity to consider and comment on it;
- the Panel is seen to be open minded and acting independently.

4. Notification of the Panel's Decision

The Chair of the Panel should ensure that the complainant and the Headteacher are notified of the Panel's decision, in writing, within 5 days of the Panel Hearing. The letter will explain that any further appeal should be addressed to the Secretary of State.



Appendix 1

Complaints Form

Please complete and return to the Complaints Officer who will acknowledge receipt and explain what action will be taken.



Your name: _____

Student's name:

Your relationship to the student:

Address: _____

Post Code: _____

Day time telephone number:

Evening telephone number:

PLEASE give details of your complaint:

**What action, if any have you already taken to try and resolve your complaint?
(Who did you speak to and what was the response?)** _____



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

Are you attaching any paperwork? If so, please give details.

Signature:

Date:



Official use only: (please do not write below this line)

Date acknowledgement sent:

By who:

Appointment Date:



**Continuation sheet to be filled in by Complaints Officer/Headteacher/Governing Panel
(actions taken and outcomes)**



**Continuation sheet to be filled in by Complaints Officer/Headteacher/Governing Panel
(actions taken and outcomes)**

Appendix 2

The Isle of Wight Studio School

Checklist for a Panel Hearing

The Panel needs to take the following points into account:

- The hearing, while structured, is conducted as informally as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Headteacher may question both the complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher and the witnesses after each has spoken.
- The Panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the Panel decides on the issues.
- The Chair explains that both parties will hear from the Panel within 5 days.