

Compliments & Complaints Policy



Together We Learn

...always striving to be outstanding, transforming the aspirations of a community.

Reviewed September 2018

Ernesettle Community School

If you have a concern, compliment or complaint, we would like you to tell us about it.

We welcome suggestions for improving our work in the school. Be assured that no matter what you want to tell us, our support for you and your child in the school will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate properly an incident or problem that happened some time ago.

What to do first...

Most concerns and complaints can be sorted out quickly by speaking with your child's teacher.

If you have a complaint that you feel should be looked at by the Headteacher you can contact them first. It is usually best to discuss the problem face to face. You will need to make an appointment to do this, and can make one by ringing or calling in to the school office.

Please note, the school will not deal with complaints that have been voiced on social media or other public platforms as this is a clear breach of the Acceptable Use and Home School agreements that all families complete on joining the school.

You can take a friend or relation to the appointment with you if you want to.

All staff will make every effort to resolve your problem informally. They will make sure that they understand what you feel went wrong, and they will explain their own actions to you. They will ask what you would like the school to do to put things right. Of course, this does not mean that in every case they will come round to your point of view but it will help both you and the school to understand both sides of the issue. It may also help to prevent a similar problem arising again.

What to do next...

If you are dissatisfied with the teacher's response you can make a complaint to the Headteacher. You should talk to the Headteacher first, but if you want to make a formal complaint, this should be in writing, either by letter or on the attached complaint form. Please contact the school office if you need assistance with this.

The Headteacher will ask to meet you for a discussion of the problem. Again you may take a friend or relation with you if you wish. The Headteacher will conduct a full investigation of the complaint and may interview any members of staff or pupils involved. You will receive a written response to your complaint.

If your complaint is about an action of the Headteacher personally, then you should refer it to the Chair of Governors (see '*If you are still unhappy...*' section below).

If you are still unhappy...

The problem will normally be solved by this stage. However, if you are still not satisfied you may wish to contact the Chair of the Governing Body to ask for referral of your complaint to a Governors' Appeal Panel. You can write to the Chair at the School address.

Your complaint will then be heard by a group of at least three governors who have no previous knowledge of the problem and so will be able to give it a fresh assessment. You will be invited to attend and speak to the panel at a meeting that the Head teacher will also attend. The school Complaints Procedure explains how these meetings operate.

Further action...

Complaints about school problems are almost always settled within school but, if you are dissatisfied with the school's internal procedure you can write to the Director for Children and Young People at Plymouth City Council, Civic Centre, Plymouth PL1 2AA. However please note that the role of the Local Authority is limited to ensuring that the school has followed its own procedures and complied with its general duty of care; it is not the LA's role to re-investigate and/or direct the Governors or Headteacher to take a particular course of action.

The safety, security and well-being of our employees is of vital importance; the Trust Board recognise their responsibility to provide and maintain a safe and healthy working environment. To ensure that all employees have the confidence that the Trust will deal with all instances of abuse, aggression and violence in a robust and proactive manner, we have adopted a zero tolerance approach to protect staff:

Verbal and physical acts of aggression or intimidation towards employees of the school will not be tolerated.

- An employee is entitled to refuse to deal with any individual, either in person or on the phone, who does not communicate and behave in a calm and reasonable way.
- The employee will inform the individual that they will not deal with them under the present circumstances, terminate the conversation and then report to their line manager (or member of SLT) who will make a decision on the action to be taken, according to the severity of the incident.
- Any incident of verbal or physical abuse or intimidation will be dealt with before any associated complaint is investigated.
- Withdrawal of access to the school for those perpetrating incidents of verbal or physical abuse, aggression and violence where appropriate.
- PCSO/Police action where necessary.

Ernesettle Community School Reporting Forms

This form is designed to help you ask the Headteacher to arrange an investigation of your complaint or to ask the Chair of Governors to arrange further investigation if you are dissatisfied with the Headteacher's response to your complaint.

Data Protection Act – Personal information provided by complainants will be treated as confidential. It will be kept secure and not provided to anyone unless they are allowed to see it by law. Analysis will be restricted to types of complaints and individual complainants will not be identified. The analysis will be reported to the Governing Body on an annual basis. The reporting will include identifying particular trends of complaints, which may require some change in the school's procedures.

Please complete the form in Appendix A and return it to the main reception. The Administrator will acknowledge receipt and explain what action will be taken.

A Staff Reporting Form is also available.

COMPLAINTS PROCEDURE FOR SCHOOLS

Stages of the procedure

Stage 1 – informal discussion with appropriate member of staff and/or Headteacher

Stage 2 – formal complaint to Headteacher

Stage 3 – formal appeal to Governing Body's Complaints Appeal Panel

Stage 4 – formal complaint to Services for Children and Young People

Stage 1 – informal discussion with appropriate member of staff and/or Headteacher

Where a concern is brought to the school's attention it can often be resolved with a single conversation. Sometimes the issue is more complex and will take more than one discussion to resolve. Complainants should be encouraged to telephone to make an appointment with the appropriate member of staff or the Headteacher in order to discuss their concerns. Telephone calls should be returned within 24 hours. The school should respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. Where the complaint concerns the Headteacher and cannot be resolved by arranging a meeting with him/her, the complainant should be referred to the Chair of Governors. Occasionally despite the best efforts of those concerned these discussions do not resolve the issue, which then may become a formal complaint.

Stage 2 – formal complaint to Headteacher

The complainant should be asked to confirm to the Headteacher that they wish to make a formal complaint, and it should be acknowledged in writing on the day of receipt, confirming that the investigation will be completed within 12 school days. If however the complaint is received on the last day of the summer term the Headteacher should attempt to contact the complainant by telephone to discuss the timescale for investigation and reporting. The letter acknowledging the complaint should confirm the details of this conversation or, if the Headteacher has been unable to make telephone contact, that the situation will be investigated at the beginning of the autumn term and suggest a date for a meeting to discuss the findings. If it becomes apparent that further investigations are necessary new time limits should be set and the complainant informed of these together with the reasons for the delay.

The Headteacher should copy relevant papers to any member of staff named in the complaint and make a full investigation. On completion of the investigation the Headteacher should arrange a meeting with the complainant to discuss the results. The complainant should be encouraged to bring a friend or interpreter to the meeting. Immediately following the meeting a letter should be sent to the complainant outlining the results of the investigation and meeting and, if appropriate, detailing the proposed course of action. The complainant's right to refer the decision to the Governing Body's Complaints Appeal Panel should also be included in the letter.

Stage 3 – formal appeal to Governing Body's Complaints Appeal Panel

A complaint can only be made to the Governing Body's Complaints Appeal Panel if it relates to the Headteacher or the complainant has:

- already exhausted Stages 1 and 2;
- allowed 12 school days for the Headteacher to complete the investigation at Stage 2;
- accepted any reasonable offer by the school to discuss the findings of the investigation;
- taken part in any process of mediation offered by the school, such mediation should be undertaken by an independent person who has not been involved or know about the nature of the complaint; and
- contacted the Chair of Governors within two months of the event requesting that the complaint be referred to the Governing Body's Complaints Appeal Panel.

Where the complaint is received on the last day of the summer term the Chair of Governors should attempt to contact the complainant by telephone to discuss the timescale for the appeal process. The letter acknowledging the complaint should confirm the details of this conversation or, if the Chair of Governors has been unable to make

telephone contact, that the situation will be investigated at the beginning of the autumn term and suggest a date for a meeting of the complaints appeal panel of the Board of Governors.

The Governors should set up a panel to deal with appeals on complaints relating to the school. This could be the committee that deals with exclusions or personnel issues, since the procedures will be similar. The panel's responsibility is to hear and decide about formal complaints that have not been resolved at an earlier stage. The governors' appeal hearing is the last school-based stage of the complaints process and should not be convened to merely rubber-stamp previous decisions.

The panel should consist of 3 or 5 Governors who have not previously been involved in any aspect of the complaint. The Headteacher should not be a member of the panel and alternates should be named to ensure that the panel can be constituted when necessary. A complaint may give rise to subsequent disciplinary proceedings against a staff member and the procedure for dealing with a complaint should therefore be kept separate from any application of the school's staff discipline procedure.

It is important that the appeal hearing is independent and impartial and that it is seen to be so. In deciding the make-up of the panel, governors should try to ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

Many complainants feel nervous and inhibited in a formal setting. Parents and often feel emotional when discussing an issue that affects their child. The proceedings should therefore be as welcoming and informal as possible and the layout of the room in which the complaint is heard should be non-adversarial.

The complainant should contact the Chair of Governors within two months of the event, requesting a meeting of the panel responsible for appeals on complaints relating to the school, outlining the complaint, and providing all supporting evidence and specifying which matters remain unresolved. No new complaints may be included.

The Clerk to the Governors should arrange all matters relating to the meeting, including the date, that should be no later than 12 school days from receipt of the complaint, ensuring that it is held at a time that suits all parties. The Clerk should copy the complaint to the Headteacher who will have 5 school days in which to respond.

Any documents from either the complainant or the Headteacher to be considered by the panel, and the names of any witnesses or friends who might attend, must be received by the Clerk at least 7 school days before the meeting. Copies of the agenda and all documents should be forwarded to the panel members, Headteacher, complainant and Chair of Governors at least 5 school days before the meeting date. The Headteacher should copy relevant papers to any member of staff named in the complaint.

The complainant should be encouraged to bring a friend or interpreter to the meeting.

The Headteacher may bring a friend or professional representative to the meeting.

Any teachers or other members of staff requested to attend can bring a friend or professional representative.

Witnesses are only required to attend for the part of the hearing in which they give their evidence. The Headteacher may question both the complainant and his/her witnesses after each has spoken and the complainant may likewise question the Headteacher and his/her witnesses. The panel may ask questions at any time. Having summed up the complaint and the school's response the complainant and Headteacher should leave together while the panel decides on the issues.

The panel should consider the complaint on the basis of the papers they receive and what is said at the meeting. The Clerk should take minutes that must remain confidential.

The committee may:

- uphold the complaint in full or in part, and make recommendations to the Governing Body for action, and where appropriate recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again, or
- decide to recommend no action be taken and give reasons for the decision.

Within 5 school days of the meeting the Clerk should send a letter to the complainant, Headteacher and Chair of Governors outlining the outcome of the meeting. It is important that everyone understands that the panel is acting on behalf of the Governing Body and no further appeal to the Governing Body is available.

Stage 4 – formal complaint to Services for Children and Young people (SCYP)

If the complainant is dissatisfied with the outcome of a Stage 3 appeal and wishes to pursue the matter further this should be done by following the SCYP's procedure for dealing with those complaints about schools that fall outside statutory requirements. Complaints relating to schools should be directed to the nominated officer for school complaints in writing, by fax, by e-mail, by telephone or in person.

It must be understood however that it is not the SCYP's role to re-investigate and direct the Governors or Headteacher to take a particular course of action, but to help find a solution to a complaint. The SCYP officer will listen to the complaint, ask questions and give advice on how to break the deadlock. The Governing Body is not obliged to accept the LAs advice about how a complaint might be resolved, provided the school has acted lawfully.

Appendix A: Reporting Form

Your name:	
Pupil's name:	
Your relationship to the student:	
Your address:	
Your postcode:	
Your telephone number (daytime):	
Your telephone number (evening):	
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:	
Your signature:	
Date:	
OFFICIAL USE	
Date acknowledgement sent:	
By who:	
Complaint referred to:	
Date:	