

## COMPLAINTS POLICY

### 1. Complaints Policy Statement

- 1.1. Churchward School always welcome comments, suggestions, complaints and compliments. Churchward School sees them as ways of giving everyone a better service. Complaints show Churchward School where things may be going wrong and compliments show that Churchward School are providing the service that is expected and wanted.

### 2. Introduction

- 2.1. Churchward School suggests that complaints or concerns should be brought to the attention of the class teacher, or where this is inappropriate or proves to be unsatisfactory, to the attention of the Head Teacher (HT). In the case of a complaint being made against the HT it should be brought to the attention of the Chair of Governors.
- 2.2. The Education and Skills Funding Agency (ESFA) has limited powers to investigate internal school matters and all complaints received by the ESFA will, with the agreement of the complainant, be passed to the HT or the Chair of Governors (COG) of Churchward School for response. There may be occasions when the HT or Governing Body (GB) would like the ESFA to investigate a complaint on behalf of Churchward School. This will apply to cases where child protection issues arise and Social Care are involved or where there is a serious complaint against the HT.

### 3. Complaints Procedure

- 3.1. **STEP 1** - Most complaints and concerns from parents can be resolved satisfactorily through direct discussion with the student's class teacher, the HT or other member of staff, without the need to resort to a formal procedure. However, if the discussion seems unlikely to resolve matters, there may be a need to proceed to the next step.
- 3.2. **STEP 2** – The complaint should now be set out in writing and submitted to the HT (or Chair of Governors), although discretion exists to receive complaints verbally or by telephone. The complaint should outline:
  - a. The precise nature of the complaint, specifying dates, times etc.
  - b. What the complainant would like done to resolve the matter.

If the complaint involves an allegation of a potentially serious criminal nature, the HT (or Chair of Governors) must inform the ESFA so that it can be recorded and Churchward School advised about further action.

For most other complaints, which are likely to relate to specific actions or events, there will be a need for further investigation in order to clarify facts. The HT or nominee will normally undertake this.

Receipt of the complaint will be acknowledged within five working days and a

meeting with the complainant will be arranged in order to establish the precise nature of the complaint and to discuss ways in which the matter can be resolved. If a formal investigation follows, the HT should invite all parties to provide written comments as part of the investigation.

Investigations at Step 2 should normally be completed within two weeks of receipt of the complaint, unless there are exceptional circumstances. A formal response will be sent within two weeks of completion of the investigation.

- 3.3. **STEP 3** – In all cases where the HT is unable to resolve a complaint to the satisfaction of the complainant, the matter will need to be considered by the GB. The complaint will need to be submitted to the COG who will acknowledge receipt within two working days. The function of the GB would be to check over the facts of the case again and, if necessary, meet with the complainant, within a period of two weeks, in order to attempt to reach an appropriate solution. The outcome of their scrutiny will usually give rise to one of two options:
- a. The GB may be able to take the appropriate action necessary to resolve the complaint.
  - b. The GB may report to the complainant that all investigative measures have been exhausted.
  - c. To ensure impartiality and to promote objectivity – all governors involved in examining the complaint will have no direct involvement in the complaint.
  - d. In a formal complaint panel hearing it is assured that at least one member of the complaints panel will always be completely independent from the school – this is most likely to be a Headteacher from one of the sister MAT schools.

**The decision of the GB should be communicated in writing to the complainant within a week of the meeting giving a written apology or, if inappropriate, reasons why the panel was unable to uphold the complaint.**

- 3.4. **STEP 4** – Complainants can request an investigation by the ESFA when they feel that their complaint has not been investigated fairly by the GB. The ESFA retains a responsibility to ensure that Governors have acted properly in the exercise of their functions. Following the investigation, any findings would normally be presented to the GB to see if an agreement can be reached.
- 3.5. **STEP 5** – Finally, complainants have a right of appeal to the Secretary of State for Children, Schools and Families if they feel that the ESFA has acted unreasonably. In such cases, the Department for Education (DfE) will examine the complaint against the ESFA and adjudicate. The DfE has the power to require the ESFA to take certain actions (including issuing instructions to School Governing Bodies in appropriate circumstances).

**Note: Parents and Carers are encouraged to be accompanied by a friend or advocate as they wish to any meetings re the complaint.**

#### **4. Confidentiality**

**4.1 Confidentiality is of absolutely of essence – all correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting and inspection under section 109 of the 2008 Act requests access to them.**

#### **5. Efficiency**

5.1 It is important to ensure that complaints are always dealt with as efficiently as possible. Most enquiries and concerns can be dealt with satisfactorily at Step 1. The value of informal discussion and meetings should not be underestimated.

#### **6. Policy Review**

6.1. This policy has been produced in consultation with staff at Churchward School and has the approval of the Governing Body (GB). A copy of this policy is available to all who request it and on the school website. The Governors will review the policy annually.