

Complaints

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1. Background

Since 1 September 2003, governing bodies of all maintained schools and maintained nursery schools in England have been required, under section 29 of the Education Act 2002, to have a procedure in place to deal with complaints relating to the school, and to any community facilities or services that the school provides.

2. Introduction

- 2.1.** The governors of Isleworth & Syon School are committed to ensuring that the highest standards are maintained at the school both in the provision of education to students and in every other aspect of the running of the school. This policy explains the procedure which has been adopted by the Governing Body to ensure a systematic and fair approach to the resolution of concerns and complaints.
- 2.2.** We recognise the need to be clear about the difference between a concern and a complaint. We recognise that the vast majority of concerns and complaints can be resolved informally and aim to ensure that this is the case.
- 2.3.** Our formal complaints procedure is only necessary if efforts to resolve the concern informally are unsuccessful, and when the complainant asserts that the school has acted wrongly in some significant decision, action or by failing to take action. Even when a complaint has been made, it can be withdrawn at any time.
- 2.4.** This policy does not deal with matters that are resolved through legal appeals, such as: admission decisions, SEN appeals, or exclusions. It does not deal with curriculum complaints which should be addressed separately. Any issue that becomes a legal matter will result in the termination of the Complaints Policy.
- 2.5.** A complaint may be made in person, by telephone, or in writing. Anonymous complaints will not be processed. Please also note that we welcome interpreters attending meetings as required. Please contact the school if you require assistance in this matter.
- 2.6.** The School will not pay financial compensation as a response to complaints.

3. Objectives and Targets

To be effective, our complaints procedure will:

- Encourage resolution of problems by informal means wherever possible.
- Be easily-accessible and publicised.
- Be simple to understand and use.
- 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.
- Address all the points at issue and provide an effective response and appropriate redress, where necessary.
- Provide information to the school's senior management team so that services can be improved.

4. Stages in the Procedure

- 4.1. There are three stages in the school's complaints procedure (see Appendix A for a flow chart). At each stage in the procedure, we will remain mindful of ways in which a complaint can be resolved.
- 4.1.1. The informal stage of the procedure should be exhausted before the matter is referred to the formal stage. If any substantial complaint is made to a member of staff by a complainant, it should be referred to that member of staff's line manager, or the Headteacher, as appropriate, if it cannot be resolved immediately by the member of staff to the satisfaction of the complainant.
- 4.1.2. We encourage complainants to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.
- 4.1.3. At all times, we will seek to identify areas of agreement between the parties and clarify any misunderstandings that might have occurred, because this can create a positive atmosphere in which to discuss any outstanding issues.
- 4.1.4. At each stage, the person investigating the complaint makes sure that they:
- Clarify the nature of the complaint and what remains unresolved.
 - Establish what has happened so far and who has been involved.
 - Meet or contact the complainant to seek further information if necessary.
 - Clarify what the complainant feels would put things right.
 - Interview those involved in the matter and/or those complained of.
 - Keep notes of the interview.
- 4.1.5. At the end of a meeting or telephone call, the member of staff will ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.

4.2. STAGE 1 (INFORMAL) – DEALING WITH CONCERNS INFORMALLY

- 4.2.1. In this stage, the class teacher, form tutor, curriculum/pastoral leader, or other member of staff will deal with the concern. An appointment will need to be made.
- 4.2.2. Most complainants' concerns can be adequately resolved by discussion with the relevant member of staff. The member of staff should make sure that the complainant is clear what action - if any - or monitoring of the situation has been agreed. If the complainant wishes to take the matter further, the Headteacher is informed and stage 2 is implemented.

4.3. STAGE 2 (INFORMAL) – REFERRAL TO THE HEADTEACHER/SENIOR MEMBER OF STAFF

- 4.3.1. If the concern is not met to the complainants' satisfaction by discussion, then the initial recipient of the complaint should refer the matter to the Headteacher or a designated member of the Senior Leadership Team. It may be appropriate at this stage for the complaint to be put in writing (see Appendix B).
- 4.3.2. The Headteacher, or a designated member of the Senior Leadership Team, will consider providing an opportunity to meet with the complainant to seek additional information and a manner of resolving the situation.
- 4.3.3. If the complaint is against a member of staff, that member of staff has a right to be given details of the complaint and the opportunity to make representation about it. The person investigating the incident will take these details into account.
- 4.3.4. If necessary, the Headteacher will interview witnesses and take written statements from staff or students, or call for any relevant documentation.
- 4.3.5. The Headteacher or designated member of staff will respond to the complainant with the outcomes of the investigation, normally within ten school working days of receipt of the substance of the complaint. The response may be in writing or at a meeting with written confirmation of the outcome. If a complaint concerns the conduct of the Headteacher or a governor, or where the Headteacher or governor has been involved in the issue previously, then the matter will be referred to a member of the Senior Leadership Team or member of the Governing Body not previously involved. In some circumstances, the school reserves the right to refer the matter to an external body.

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- 4.3.6. The complainant must be informed of his or her right to have the matter referred to the governors' complaints panel if the outcome of the informal stage is not satisfactory. Any such request by a complainant should be addressed to the clerk to the governors, and the matter becomes a formal complaint.

4.4. STAGE 3A (FORMAL) – CHAIR OF GOVERNORS

When the clerk receives a formal request for the governors to consider a complaint, the clerk will refer the matter in the first instance to the chair of governors or another nominated governor. He or she will investigate, may speak to the parties involved, and will prepare a written statement of findings to be submitted to the complainant. The complainant must be informed of the right to refer the matter to the governors' complaints panel if he or she is not satisfied with the outcome.

4.5. STAGE 3B (FORMAL) – COMPLAINTS PANEL

- 4.5.1. If a hearing is requested, the clerk will write to the complainant, giving details of the meeting. This will be copied to the Headteacher. The complainant will be invited to submit any relevant paperwork, and to state clearly their complaint and how they envisage that the matter may be resolved.
- 4.5.2. The Headteacher will also be invited to prepare a written report to the Panel in response to the complaint.
- 4.5.3. The complainant will be informed of the right to be accompanied by a friend, who can act in a supportive manner at the meeting but should take no part in the proceedings.
- 4.5.4. The hearing should be on reasonable notice and be held as soon as practicable after receipt of the referral.
- 4.5.5. The aim of the meeting is to resolve the complaint and to achieve reconciliation between the school and the complainant. However, at the end of the meeting, the panel will issue a finding in writing, either upholding or not upholding the complaint, or upholding some parts and not others.
- 4.5.6. The procedure at the hearing (see Appendix C) needs to be appropriate for the circumstances and is at the discretion of the chair of the governors' Complaints Panel, but is likely to involve:
- Presentation of the complaint.
 - A reply by the Headteacher or governor.
 - Questioning by all parties.
 - Representation about ways to resolve the complaint satisfactorily.
- 4.5.7. If either party requests the attendance of witnesses, then this will be considered by the Chair of the Panel in advance of the meeting.
- 4.5.8. The Chair of the Panel will ensure that the meeting is properly conducted. The proceedings should be as friendly and informal as possible.
- 4.5.9. If either party wish to present previously undisclosed evidence, this will be considered by the Chair of the Panel and, if allowed, the meeting will be adjourned to allow for consideration of this new evidence.
- 4.5.10. The panel will consider the complaint and evidence presented and will reach a unanimous or at least majority decision. If appropriate, the panel will decide on what action to take to resolve the complaint, and suggest changes to the school's procedures to ensure that problems of a similar nature do not happen again.
- 4.5.11. The panel's decision is final. If, despite following appropriate procedures, the complainant remains dissatisfied, or tries to re-open the same issue, the chair of the Panel will inform them in writing that the procedure has been exhausted and that the matter is now closed.
- 4.5.12. The only redress the complainant may take at this stage is to refer the matter to the Education Secretary, since the right to appeal to the Local Government Ombudsman was repealed in the Education Act 2012.
- 4.5.13. In exceptional circumstances, the panel may decide, after taking advice, not to proceed to consider the complaint, on the grounds that it has already been dealt with or is malicious.

5. Time Limits

Complaints are considered, and resolved, as quickly and efficiently as possible. However, where further investigations are necessary, new time limits may need to be set and the complainant sent details of the new deadline and an explanation for the delay.

6. Recording Complaints

The progress of any complaint and the final outcome will be recorded and held on file in the school.

7. Publicising the Policy and Procedure

Details of Isleworth & Syon School's complaints policy and procedures are available to download from the school's website (www.isleworthsyon.org).

8. Monitoring and Evaluation

- 8.1. The governing body will monitor the level and nature of complaints using the records kept by the school.
- 8.2. Wherever possible, complaints information shared with the whole governing body will not name individuals.
- 8.3. The school is committed to on-going improvement. Therefore, as well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, we will identify any underlying issues that need to be addressed.

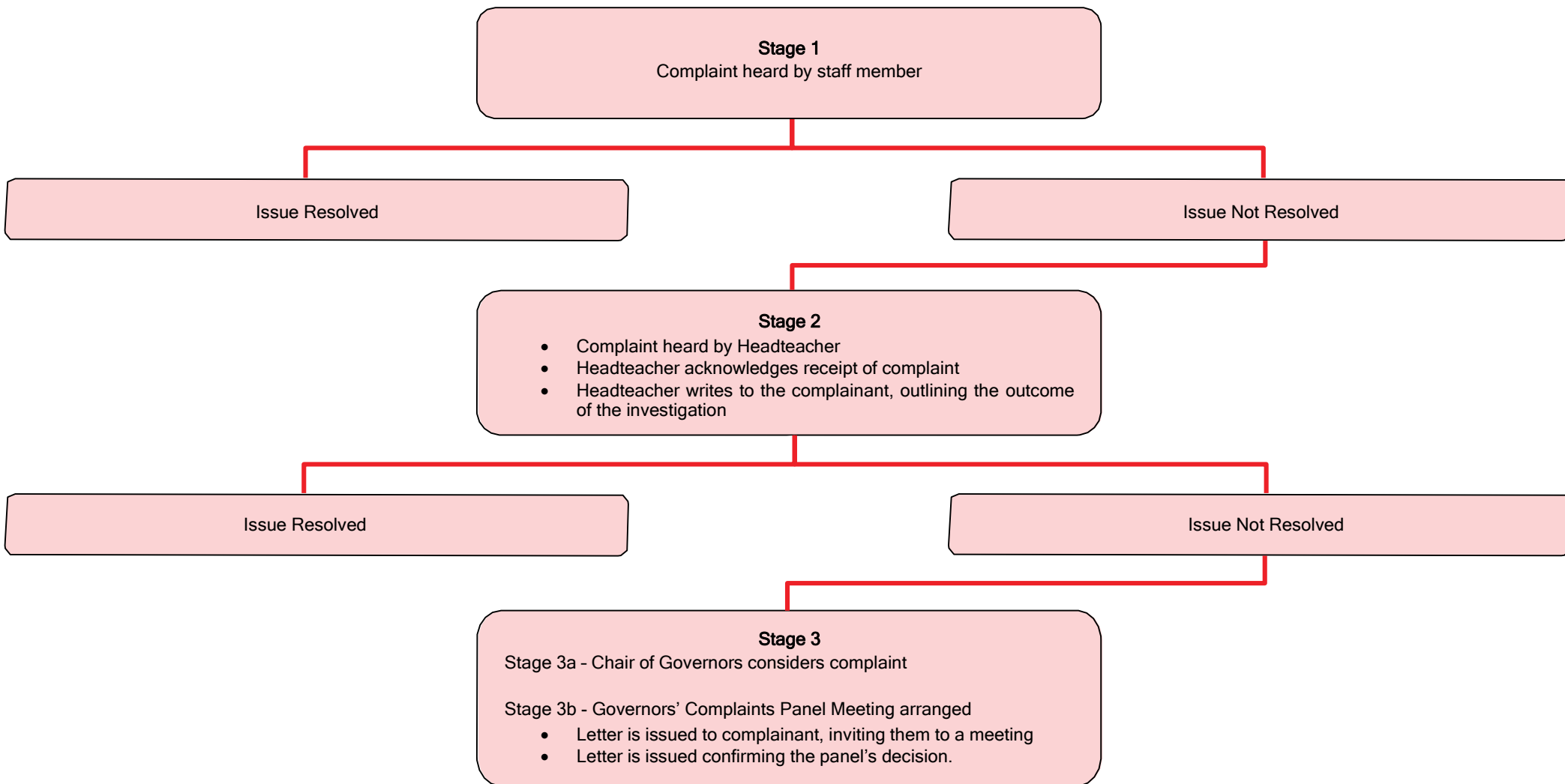
9. Retention and Data Protection

Through the application of this policy, the School may collect, process and store personal data in accordance with our data protection policy. We will comply with the requirements of the Data Protection Legislation (being (i) unless and until the GDPR is no longer directly applicable in the UK, the General Data Protection Regulation ((EU) 2016/679) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998). Records will be kept in accordance with our Privacy Notices, our Retention & Destruction Policy and in line with the requirements of the Data Protection Legislation.

10. Reviewing

The governing body will review the policy as required or every three years, to ensure the effectiveness of the procedure and make changes where necessary.

Appendix 1: Flowchart for the Complaints Procedure



Please complete this form and return it to _____, who will acknowledge receipt and explain what action will be taken.

Basic Information

YOUR NAME:		STUDENT NAME:	
RELATIONSHIP TO THE STUDENT:			
ADDRESS:		POSTCODE:	
DAYTIME TELEPHONE NUMBER:		EVENING TELEPHONE NUMBER:	

Complaints Details

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:	
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Official Use

DATE ACKNOWLEDGEMENT SENT:		BY WHOM:	
COMPLAINT REFERRED TO		DATE	

Appendix 3: Checklist for a Panel Hearing

The Governors' Complaints Panel needs to take the following points into account:

- The hearing is as informal as possible.
- After introductions, the complainant is invited to explain their complaint.
- The Headteacher may question the complainant.
- The Headteacher is then invited to explain the school's actions.
- The complainant may question the Headteacher.
- 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.
- The chair explains that both parties will hear from the panel within a set time scale.
- Both parties leave together while the panel decides on the issues.

In circumstances where witnesses form part of the proceedings, they are only required to attend for the part of the hearing in which they give their evidence. They may be questioned by the complainant and/or Headteacher and governors.