

## **COMPLAINTS POLICY & PROCEDURE**

### **Arnold Aims**

- 1) Each pupil, parent and member of staff will be welcomed and valued as a full member of the Arnold community.
- 2) Arnold seeks to serve its pupils and parents, meeting their educational needs and involving all Arnold families in the life of the school.
- 3) Arnold will have a strong and caring professional culture, which sets high expectations for staff and supports their individual professional development and needs with appropriate guidance, resources and facilities.
- 4) The Arnold organisation will operate as a team with clear leadership and governance, where each adult and pupil recognises their individual contribution and responsibility, where successful achievements are acknowledged and rewarded, and where actions are accountable.

### **Regulatory Context**

From September 2003, governing bodies of all maintained schools and nursery schools in England are required, under Section 29 of the Education Act 2002, to have in place a procedure to deal with complaints.

### **Overview**

This policy sets out the procedures which Arnold School will follow whenever it receives a complaint for which there are no alternative procedures. This policy applies to the Senior School, Junior School and Kindergarten and is based on UCST guidelines. A summary of the various stages is given below:

<b>Stage</b>	<b>Level of Complaint</b>	<b>Responsibility</b>
1	Informal discussion and resolution	School staff
2	Complaint in writing addressed to Complaints Co-ordinator (SS/JS)	Complaints Co-ordinator (SS/JS)
3	Complaint in writing addressed to and investigated by the Headmaster	Headmaster
4	Complaint in writing addressed to and reviewed by the Local Governing Body (LGB) Complaints Committee	Chair of the LGB

Each of these stages will usually occur in order and there will usually be no return to previous stages. It should be stressed that the majority of complaints are resolved on an informal basis (Stage 1).

**Circumstances under which this procedure should not be used:**

- 1) Child protection procedures
- 2) Pupil exclusions
- 3) Pupil admissions
- 4) Issues related to criminal investigations and employee grievances must also all be handled separately from this policy.

This complaints policy is distinct from formal staff disciplinary proceedings and this should be made clear to all concerned. There may be occasions where a complaint gives rise to disciplinary procedures which put the complaints process on hold. If and when this occurs, the complainant should be informed. Any non-disciplinary aspects of the complaint should continue to be dealt with through the usual complaints procedures.

**Circumstances under which stages of the procedure should be missed out:**

- 1) This policy sets out the most suitable and effective process for dealing with the majority of complaints that are not covered by alternative statutory procedures (see above). In most cases any concern or complaint, regardless of whose attention to whom it is initially brought, should be discussed informally (Stage 1) before being submitted at any of the following consecutive formal stages.
- 2) However, occasionally there will be circumstances under which it is unsuitable for complaints to be dealt with in this way.
- 3) In all cases where the complaint concerns the school's Headmaster directly, Stage 3 will be missed out and the procedure will begin at Stage 4. A complaint against the Deputy Head/Headmaster of Arnold Junior School will be dealt with by the Headmaster and will commence at Stage 3.
- 4) Complainants may choose to contact the Headmaster/Headmaster of Arnold Junior School directly of their own accord. In these cases it will be at the discretion of the Headmaster/Headmaster of Arnold Junior School as to whether or not it is appropriate for the complainant to discuss the matter informally (i.e. return to stage 1).

**Who is allowed to complain?**

This policy may be used by anyone who has a concern or complaint about any aspect of the School. Primarily, this means the parents/guardians of pupils.

**Specific Aims and Objectives**

- 1) Encourage the resolution of problems by informal means wherever possible;
- 2) Ensure that concerns are dealt with quickly, fully and fairly and within clearly defined time limits;
- 3) Provide effective responses and appropriate redress;
- 4) Maintain good working relationships between all people involved with the school.

## **1. Monitoring Complaints**

At all formal stages of the complaints procedure, the following information should be recorded:

- 1) The name of the complainant;
- 2) The date and time at which complaint was made;
- 3) The details of the complaint;
- 4) The desired outcome of the complainant;
- 5) How the complaint is investigated (including written records of interviews held);
- 6) Findings and recommendations of investigations;
- 7) Any action taken;
- 8) The complainant's response (satisfaction or further pursuit of complaint).

A formal record will be kept by the Complaints Co-ordinators. This will be the Deputy Head, Mr. Jim Keefe, in the Senior School and the Junior School Headmaster, Mr. Peter Hopkinson, in the Junior School/Kindergarten. Complaints pertaining to the EYFS will be kept for three years and Ofsted will be provided, on request, with a written record of all complaints made during any specified period and the action which was taken as a result of each complaint. A report will also be made to the Education Committee of the Local Governing Body on an annual basis.

## **2. Findings and Recommendations.**

At each stage of the complaints procedure, any findings and recommendations will be communicated to the complainant and, where relevant, the person complained about. It may be appropriate for the School to offer one or more of the following:

- a) an apology;
- b) an explanation;
- c) an admission that the situation could have been handled differently or better;
- d) an assurance that the event concerned will not recur;
- e) an explanation of the steps that have been taken to ensure that it will not happen again;
- f) an undertaking to review school policies in light of the complaint.

In the second instance, the complainant may then choose to take no further action or to take their complaint to the next relevant stage.

## **3. Publicity and Communication**

- 1) There is a legal requirement for schools to have a complaints procedure.
- 2) All staff and members of the Local Governing Body should be made aware of the complaints procedure and the various stages involved.
- 3) At all stages of the complaints procedure, everybody involved needs to be clear about what is happening and what their responsibilities are. In addition, the complainant should be told how to proceed to the next stage of the procedure if and when their

complaint is not upheld.

#### **4. Confidentiality**

Complainants have the right to know that correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act, as amended, requests access to them.

#### **5. Equal Access, Accompaniment and Representation**

- 1) Appropriate steps should be taken to ensure that any individual has the opportunity to raise their concerns or submit a formal complaint. This includes the right to be accompanied or represented by a friend or relative at discussions and hearings and/or to submit formal complaints, which have been written by another individual on their behalf.
- 2) It is an expectation that equal respect will be granted to each person involved within the process and that differences between people will be respected and understood.

#### **6. Time Scale**

- 1) Although each of the stages within the procedure should occur consecutively, it is not necessary for each stage to follow the last immediately. Complainants may need some time to decide whether or not they wish to pursue the matter any further.
- 2) After each stage, the complainant and the individual dealing with their complaint at that time should agree an appropriate time limit within which the next stage should be accessed, if at all. If the complaint is not submitted to the next stage within this agreed time limit it will be considered as closed.
- 3) For EYFS, the requirement to notify complainants of the outcome of an investigation within 28 days of having received the complaint.

#### **7. Changes to Time Limits and Deadlines**

- 1) Time limits relate to school days in term time.
- 2) In general, the time limits and deadlines contained within this policy should be adhered to. However, in certain circumstances it may be deemed inappropriate or impossible to guarantee that this is possible.
- 3) Where a complaint leads to criminal proceedings this will always be the case.
- 4) If and when it becomes necessary to alter the time limits and deadlines set out within this policy, the complainant should be told and given an explanation as to why this has been the case.

#### **8. Appeals**

If, at any stage, as the result of a complaint, a decision or course of action is taken with regards to an individual (apart from the complainant) which they feel is ungrounded, unjustified or incorrect they have the right to appeal to the Local Governing Body.

## **STAGE 1: INFORMAL DISCUSSION**

### **Introduction**

The vast majority of concerns and complaints can be dealt with informally. There are many occasions where concerns are resolved immediately without the need to submit a formal complaint. Indeed, many concerns raised at this level might not be classified as complaints. A complainant will be asked if they wish the issue that they have raised to be recorded as a complaint. Complaints or concerns at this stage may be verbal or written, and addressed to the relevant member of staff.

### **Monitoring**

Details of the complaint/concern and any action taken should be recorded on the pupil database. Any additional information can be placed in the pupil file.

This information should be entered by the member of staff responsible for dealing with the complaint/concern. As a matter of course, the relevant line manager to the member of staff dealing with the complaint/concern should be informed of the concern and the outcome.

### **Time Scales**

There are no specific time scales for dealing with concerns at this stage. However, as at all stages, issues should be acknowledged within twenty four hours and then considered and dealt with as quickly and effectively as possible.

### **Response**

The individual who raised the issue should be informed of any findings or recommendations taken to resolve the matter.

### **Options for Complainant**

If the individual is dissatisfied with the response they have been given and would like to take their complaint further, they should be referred to the school's complaints procedure and told how to move on to the next stage.

## **STAGE 2: COMPLAINT IN WRITING ADDRESSED TO COMPLAINTS CO-ORDINATOR**

### **Introduction**

This is the first stage of the formal complaints process and, as a result, all communications between parties need to be carefully recorded and monitored as set out in the 'monitoring complaints' section of this document. Complaints at this stage must be written and addressed to the respective Complaints Co-ordinator (SS/JS)

### **Monitoring**

A formal record of the complaint will be kept by the Complaints Co-ordinator.

### **Process**

The Complaints Co-ordinator in the Senior School is Mr. Jim Keefe, the Deputy Head. The Complaints Co-ordinator in the Junior School/Kindergarten is Mr. Peter Hopkinson, the Junior School Headmaster. If the complainant so wishes they can use the template on Page 12. If you have difficulty in putting your complaint in writing, you are asked to make an appointment with the Complaints Co-ordinator who will help you do that.

The Complaints Co-ordinator will decide the best person to hear the complaint. It would be helpful if you could indicate if there is someone with whom you might have difficulty discussing the complaint so that your views can be respected. Similarly, if the member of staff directly involved feels too compromised to deal with the complaint, the Complaints Co-ordinator may consider referring you to another staff member. The member of staff may be more senior but does not have to be.

In most instances, there will need to be an investigation in order to understand the circumstances surrounding the complaint. That investigation will normally be undertaken by the Complaints Co-ordinator.

As indicated within the 'equal access, accompaniment and representation' section of this document, all individuals have the right, at this or any other stages, to be accompanied or represented by a friend or relative at discussions and hearings. This includes the right of teachers to be accompanied by a representative from their Trade Union.

### **Time Scales**

The Complaints Co-ordinator should formally acknowledge the complaint within 24 hours of receipt and should complete the investigation within five school days.

### **Response**

The individual who raised the complaint should be informed in writing of any findings or recommendations as a result of the investigation.

### **Options for Complainant**

If the individual is dissatisfied with the response they have been given and would like to take their complaint further, they should be referred to the school's complaints procedure and told how to move on to the next stage.

## **STAGE 3: COMPLAINT IN WRITING ADDRESSED TO AND INVESTIGATED BY THE HEADMASTER**

### **Introduction**

This is the second stage of the formal complaints process and, as a result, all communications between parties need to be carefully recorded and monitored as set out in the 'monitoring complaints' section of this document.

### **Monitoring**

A formal record of the complaint will be kept by the Complaints Co-coordinator.

### **Submitting a complaint for investigation by the Headmaster**

The complainant must submit a written request to the Headmaster for their complaint to be considered at Stage 3 of the complaints process. If the complainant wishes they can use the template on Page 12.

### **Informal discussion with Headmaster**

Before proceeding with a formal investigation, the Headmaster may meet with the individual and discuss their concerns and wishes.

### **Acknowledgement and Time Scales**

The Headmaster should formally acknowledge the complaint within 24 hours of receipt and begin an investigation.

### **The Investigation**

The Headmaster, or his representative, will need to investigate the complaint and review any relevant documentation and information. If necessary, the investigator will interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil will also usually be interviewed. When pupils are interviewed, an additional member of staff should always attend.

As indicated within the 'equal access, accompaniment and representation' section of this document, all individuals have the right, at this or any other stages, to be accompanied or represented by a friend or relative at discussions and hearings. This includes the right of teachers to be accompanied by a representative from their Trade Union.

### **Response**

The Headmaster will place in writing the findings or recommendations of his investigation within 10 school days of acknowledging the complaint.

### **Options for Complainant**

If the individual is dissatisfied with the response and would like to take their complaint further, they should be referred to the school's complaints procedure and told how to move on

to the next stage.

## **STAGE 4: COMPLAINT IN WRITING ADDRESSED TO AND REVIEWED BY THE LOCAL GOVERNING BODY COMPLAINTS COMMITTEE**

### **Introduction**

Complaints rarely reach this formal level, but it is important that the Local Governing Body is prepared to deal with them.

Upon receiving a formally submitted complaint at this stage the Chairman of Governors will usually choose to deal with it by holding a Complaints Committee Hearing. However, in some cases, it may be possible and appropriate for the Chairman of the Local Governing Body to resolve the issue with the complainant by other means without the need for a Complaints Committee review.

The Complaints Committee must be clerked. The clerk may be a member of the school staff, the clerk to the Local Governing Body or another governor.

When stage 3 is omitted, this is the first stage under which a formal complaint about the Headmaster will be dealt with.

### **Monitoring**

A formal record of the complaint will be kept by the Complaints Co-ordinator.

### **The Committee**

It is recommended that Local Governing Body annually agree five governors who will be able to form part of a Complaints Committee if and when this becomes necessary at any point. The two governors appointed to the Complaints Committee in any case will usually be chosen from this group of five. The panel would normally consist of three people, at least one of whom will be independent of the school.

The committee will generally consist of two governors who have not previously been involved with dealing with the complaint. The committee should elect its own chair.

### **Submitting a Formal Complaint**

The complainant must submit a written request to the Chairman of the Local Governing Body for their complaint to be considered by the Complaints Committee. His address is Mr J. Wooding OBE, Chairman of Governors, Arnold School, Blackpool, FY4 1JG

### **Acknowledgement and Time Scales**

The Chairman of the Local Governing Body should acknowledge receipt of this letter within five school days. This letter will inform them that their complaint will be heard by

a Complaints Committee within 15 school days.

### **Preparation**

The Chairman of the Local Governing Body will then contact the clerk and ask him or her to begin making preparatory arrangements.

The clerk will convene a meeting of the Complaints Committee. The membership of the Complaints Committee will be confirmed, a date and time will be arranged for a hearing and all existing relevant documentation will be given to the three members of the committee.

The clerk should then formally write to the complainant, the Headmaster and any other relevant staff or witnesses and inform them:

- a) Of the date, time and venue of the hearing;
- b) Of the aims and objectives of the hearing and how it will be conducted;
- c) That any documentation they wish the committee to consider must be returned to the Clerk no later than five school days before the hearing takes place;
- d) Of the rights of equal access, accompaniment and representation as set out within this document;
- e) How and when the committee will reach their decision.

It is the responsibility of the clerk to ensure that all parties receive all relevant documents at least three school days before the date of the hearing so as to allow individuals to familiarise themselves with them.

### **The Hearing**

The hearing should allow each involved party to explain their understanding or interpretation of events and permit other parties to question them. The hearing will, therefore, usually operate according to the following format:

- 1) The Chair will introduce all parties to one another and explain the principles, objectives and format of the hearing.
- 2) The complainant will be given the opportunity to explain their complaint. Following this the Headmaster and the Complaints Committee will be allowed to question the complainant.
- 3) The Headmaster will then be given an opportunity to explain the school's official response, interpretation or view about the complaint. Following this the complainant and committee will be allowed to question the Headmaster.
- 4) Every party will be given the opportunity to call witnesses and question witnesses called by other parties.
- 5) The Headmaster and the complainant will both be given the chance to give final statements.
- 6) The hearing will be concluded by the Chair who should explain that the committee shall give its findings and recommendations within five school days. A copy of the

findings and recommendations will be sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Alternatively, they will be made available for inspection on the school premises by the Headmaster.

Ultimately, the Chair of the meeting has control over its proceedings.

### **After the Hearing**

The committee will then consider the complaint and all the evidence presented and:

- 1) Give its findings and recommendations;
- 2) Where appropriate, suggest changes to, or request a review of, the school's systems or procedures to ensure that problems of a similar nature do not happen again.

This information will be included in both the letters to the Headmaster and the complainant. The decision of the Committee is final.

A complainant may also make a complaint to OFSTED or ISI. Their contact details are:

The Secretary of State  
Department for Children, Schools and Families  
Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT

Independent Schools Inspectorate  
CAP House  
9 - 12 Long Lane  
London  
EC1A 9HA

### **Access to complaints information**

Two complaints have been registered under the formal procedure (Stages 2, 3 & 4) during the past 12 months.

### **Monitoring and Review**

This policy document will be monitored by the Complaints Co-ordinators, who will report to the Education Committee of the LGB on its implementation on a regular basis. This policy is reviewed in the summer term each year or at other times, as appropriate. The policy is made available to parents, staff and other relevant parties in accordance with the school's Provision of Information Policy.

**ARNOLD - FORMAL COMPLAINT FORM**

Please complete in BLOCK CAPITALS and return to the Complaints Co-ordinator who will acknowledge receipt and explain what action will be taken.

<b>Your name</b>	
<b>Student's name</b>	
<b>Your relationship to the student</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Daytime telephone number</b>	
<b>Evening telephone number</b>	
<b>Please give details of your complaint</b>	
<b>What action, if any, have you already taken to try and resolve your complaint? (To whom did you speak and what was the response?)</b>	
<b>What actions to you feel might resolve the problem at this stage?</b>	
<b>Are you attaching any paperwork? If so, please give details</b>	

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

<b>For Official use only</b>	
Date acknowledgement sent	
Acknowledgement sent by	
Complaint referred to	
Complaint referred on (date)	