



## St Martin's School Policy Document

### COMPLAINTS POLICY 2016

#### The purpose of a Complaints Procedure

Parents or carers should feel able to express their views and be confident that the school seeks to have a shared approach to any problems which may arise.

This procedure explains how the school will deal with general complaints. It does not cover those aspects of school life where the law sets specific complaints procedures i.e. admissions, exclusions, complaints about the delivery of the National Curriculum and the provision of collective worship and religious education.

#### Aims

To provide parents and carers ( *known for ease in the rest of this document as parent(s)* ) with an easily understood procedure for complaints. We would encourage the raising of a concern at the earliest opportunity through the appropriate channels, in the assurance that making their anxiety known will not adversely affect their child.

#### Procedure

##### Stage One - Informal

- 1.1 The vast majority of concerns and complaints can be resolved informally through the class teacher, the administration staff, the Headteacher or Chair of Governors, depending on the nature of the concern.
- 1.2 If the person contacted cannot deal with the matter immediately, it will be recorded by date, name, contact address or telephone number and the nature of the complaint.
- 1.3 The Headteacher may decide to deal with certain concerns directly at this stage.
- 1.4 Should the complaint relate to the Headteacher, the parent is recommended to contact the Chair of Governors.
- 1.5 The person dealing with the complaint must make clear to the parent(s) what action or monitoring of the situation will take place, putting this in writing only if this seems the best way of making things clear.
- 1.6 Where no satisfactory solution has been found by this informal means, the parent(s) will be advised as to what they should do to register a formal complaint.

##### Stage Two – Headteacher's investigation

- 2.1 When a formal complaint is made, it will be acknowledged in writing within **3 working days** of receiving the written complaint.
- 2.2 The Headteacher (or designate)'s acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response. This would normally be within **10 working days**: if this proves impossible, a letter is sent explaining the reason for the delay and giving a revised target date.
- 2.3 The Headteacher (or designate) provides an opportunity for the complainant to meet with them to supplement any information provided previously. It is made clear that the complainant may be accompanied to any meeting by a friend, relative representative, or advocate who can speak on their behalf, and asked if they have any special requirements the school needs to be aware of e.g. wheelchair access, signing etc.
- 2.4 If necessary the Headteacher (or designate) should interview witnesses and take statements from those involved. If the complaint centres on a pupil, the pupil should also be interviewed. Pupils would normally be interviewed with parents/guardian present. In some situations circumstance may prevent this e.g. where this would seriously delay the investigation of a serious/urgent complaint



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or where particular circumstances mean that a pupil has specifically said that they would prefer that parents or guardians were not involved. In such circumstances another member of staff with whom the pupil feels comfortable should be asked to attend. If a member of staff is complained against, the needs of that person should be borne in mind.

- 2.5 The Headteacher (or designate) must keep written records of meetings, telephone conversations and any other relevant documentation.
- 2.6 Once all relevant facts have been established, the Headteacher (or designate) should then produce a written response to the complainant, or may wish to meet the complainant to discuss/resolve the matter directly.
- 2.7 If the complaint is against the Headteacher, or if the Headteacher has been very closely involved at Stage 1, the Governors' Complaints Panel should consider carrying out all the Stage 2 procedures.

### Stage Three – Governors' Review

- 3.1 Upon receipt of a written request by the complainant for the complaint to proceed to Stage 3, the procedures outlined below will be followed.
- 3.2 The Clerk to the Governing Body should write to the complainant to acknowledge receipt of the written request, informing the complainant that the complaint is to be heard by three members of the school's Governing Body within **20 working days** of receiving the complaint. The letter should also explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be received by all the members of the Panel.
- 3.3 The meeting will allow for:
  - The complainant to explain their complaint and the Headteacher to explain the school's response.
  - The Headteacher to question the complainant about the complaint and the complainant the Headteacher and/or other members of staff about the school's response.
  - Panel members to have the opportunity to question both the complainant and the Headteacher.
  - Any party to have the right to call witnesses (subject to the approval of the Chair) and all parties having the right to question all witnesses.
  - Final statements by both the complainant and the Headteacher.
- 3.4 The Chair of the Panel will explain to the complainant and the Headteacher that the Panel will now consider its decision, and a written decision will be sent to both parties within **15 working days**. The complainant, Headteacher, other members of staff and witnesses will then leave.
- 3.5 The panel will then consider the complaint and all the evidence presented and
  - a) reach a unanimous, or at least a majority, decision on the complaint and
  - b) decide upon the appropriate action to be taken to resolve the complaint and
  - c) where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.

### Vexatious Complaints

Complaints become vexatious when they are:

- Repeatedly and obsessively pursued.
- Unreasonable or seeking unreasonable outcomes.
- Reasonable but pursued in an unreasonable manner.

In such cases the school may decide to restrict communication to formal letter only and for all communication to be through a named individual member of staff. If a



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conclusion has been reached about a complaint but the complainant continues to pursue it, the school will reiterate that the matter is now concluded and state that future correspondence will be read and filed but there will be no acknowledgement.

### **Abusive Complaints**

Verbal and physical aggression will not be tolerated by the school. All parties are entitled to courtesy and respect. In such instances the school will restrict further contact to senior staff only, insist that such behaviour stops and consider reporting the matter to the police. Repeated aggressive contacts will be reported to the police.

### **Anonymous Complaints**

In general anonymous complaints will be ignored by the school unless there is evidence that the issue and the fear of identification are genuine or that the issue is one of Child Protection.

Notes:

### **Role of Governors**

Where, in the first instance, a complaint is made to a governor the next step would be to refer the complainant to the appropriate person and advise them about the procedure to be followed. Governors will not act unilaterally on an individual complaint outside the formal complaints procedure or be involved at an early stage.

Complaints will not be heard by the whole Governing Body at any stage as this could compromise the impartiality of any panel set up for Stage 3 or for a disciplinary hearing against a member of staff following a serious complaint.

This policy applies to staff, parents and Governors. It will be reviewed and updated as necessary.