

# RED ROSE SCHOOL SCHOOL COMPLAINTS PROCEDURE

Updated: October 2017

Section 5

6

This Policy is based on the Best Practice Advice for School Complaints Procedures 2016

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/489056/Best\\_Practice\\_Advice\\_for\\_School\\_Complaints\\_2016.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/489056/Best_Practice_Advice_for_School_Complaints_2016.pdf)

*Red Rose has long prided itself on the quality of the teaching and pastoral care provided for its pupils. However, if Parents/Carers/Local Education Authorities, “the complainant” do have a complaint, they can expect it to be treated seriously by the School in accordance with this procedure.*

A copy of the procedure may be obtained on request to the school.

## **The difference between a concern and a complaint**

A ‘concern’ may be defined as ‘*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*’. A complaint may be generally defined as ‘*an expression of dissatisfaction however made, about actions taken or a lack of action*’.

It is in everyone’s interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. Schools should take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

There are occasions when complainants would like to raise their concerns formally. In those cases, the school’s formal procedure should be invoked through the stages outlined within their procedure.

## **Who can make a complaint?**

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions). Schools must not limit complaints to parents or carers of children that are registered at the school.

## **Timeliness**

Complaints need to be considered and resolved as quickly, and efficiently as possible:

- Set realistic and reasonable time limits for each action within each stage (where further investigations are necessary, set new time limits, send the complainant details of the new deadline and give an explanation for the delay);
- Understand that the department does not consider excessive time limits to be reasonable or acceptable, except in extenuating circumstances;
- Expect complaints to be made as soon as possible after an incident arises (although three months is generally considered to be an acceptable time frame in which to lodge a complaint);
- Ensure that, if the policy includes a cut-off timeframe, the school will consider exceptions and that their complaint procedure reflects this. Schools must not have blanket policies of refusing to consider any complaints not lodged within the stated period.

## **STAGE 1 - INFORMAL RESOLUTION**

It is hoped that most complaints and concerns will be resolved quickly and informally.

If the complainant has a complaint they should normally contact the school through the appropriate Class Teacher. In most cases, the matter will be resolved straightaway by this means to the complainant's satisfaction. If the Teacher cannot resolve the matter, it may be necessary for the complainant to consult the Head Teacher.

Concerns relating to child protection must be referred directly to the Head Teacher.

The Teacher/Head Teacher will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within 7 working days or in the event that both parties fail to reach a satisfactory resolution then the complainant will be advised to proceed with their complaint to the next stage of this procedure.

## **STAGE 2 - FORMAL RESOLUTION**

If the complaint cannot be resolved on an informal basis, then the complainant should put their complaint, in writing, to the Head Teacher, who will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Head Teacher will meet with or speak to the complainant concerned, normally within 7 working days of receiving the complaint, to discuss the matter. If possible, an agreement will be reached at this stage.

It may be necessary for the Head Teacher to carry out further investigations. The Head Teacher will keep written records of all meetings and interviews held in relation to the complaint.

Once the Head Teacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the complainant will be informed of this decision in writing. The Head Teacher will also give reasons for his decision.

If the complainant is still not satisfied with the decision, they should proceed to the final stage of this Procedure.

## **STAGE 3 - PANEL HEARING**

If the complainant seeks to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Principal, who has been appointed to call hearings of the Complaints Panel.

The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the school. The Panel members will be appointed by the Head Teacher and the Panel will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within working 14 days.

If the Panel deems it necessary, it may require that further particulars of the complaint or any related matters be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than 3 working days prior to the hearing.

Parents/Carers may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.

If possible, the Panel will resolve the complainant's complaint immediately without the need for further investigation.

Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within 7 working days of the Hearing. The decision of the Panel will be final. A copy of the Panel's findings and, if any, recommendations will be given electronically and in writing to the complainant and, where relevant, the person complained about. A copy of the Panel's findings and, if any, recommendations will be available for inspection on the school premises by the proprietor and the head teacher.

The complainant can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as is required of the school by paragraph 6(2)(1) of the Education (Independent Schools Standards) Regulations 2003; where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.

N.B. For the purposes of this document, a 'working day' falls between Monday and Friday.

Checklist for Panel Hearing at Annex A.

Complaints Form at Annex B.

**Checklist for a panel hearing**

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The headteacher may question both the complainant and the witnesses after each has spoken.
- The headteacher is then invited to explain the school's actions and followed by the school's witnesses.
- The complainant may question both the headteacher and the witnesses after each has spoken.
- 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.
- Both parties leave together while the panel decides on the issues.
- The Chair explains that both parties will hear from the panel within a set time scale.

**Complaints Form**

Please complete and return to Principal, Colin Lannen (complaints co-ordinator) who will acknowledge receipt and explain what action will be taken.

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b>  <b>Postcode:</b> <b>Mobile:</b> <b>Day time telephone number:</b> <b>Evening telephone number:</b>
<b>Please give details of your complaint.</b>

**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:**

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**