

COMPLAINTS POLICY & PROCEDURE

Policy:

The aim of this policy is to ensure that a concern or complaint by a parent (including a prospective parent) is managed sympathetically, efficiently and at the appropriate level and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' and students' confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in the light of circumstances.

Procedure:

We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which could be damaging to relationships and also to our school culture. We intend that parents and students should never feel – or be made to feel – that a complaint will be taken amiss or will adversely affect a student or his/her opportunities at school.

Time Scales:

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

1. What do I do if I have a concern or complaint about a school issue?

Stage 1 (Informal)

We expect that most concerns, where a parent seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include dissatisfaction about some aspect of teaching or pastoral care, or about allocation of privileges or responsibilities, or about a timetable clash or some other aspect of the School's systems or equipment, or a disciplinary matter.

You should make contact with the appropriate member of staff and talk to them about your concerns and explain them carefully. He/she can investigate your concern and give you a response, making clear any action or monitoring of a situation that may be necessary. At this stage, misunderstandings can usually be cleared up simply and quickly on an informal basis.

- Education issues – if the matter relates to the classroom or curriculum, please contact the Class Teacher or Head of Department. If this does not bring resolution please contact the PA to the Head Teacher who will refer to appropriate member of senior staff.
- Pastoral Care – if the matter relates to pastoral care, please contact the Form Tutor/Head of Year. If this does not bring resolution please contact the PA to the Head Teacher who will refer to appropriate member of senior staff.
- Special Educational Needs - if your complaint relates to special educational needs please contact the Special Educational Needs Co-ordinator. If this does not bring resolution please contact the PA to the Head Teacher who will refer to appropriate member of senior staff.
- Disciplinary matters – a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the member of staff who imposed it. If this does not bring resolution please contact the Director of Care, Guidance and Support.
- Financial, Administrative, H&S and other support matters – a query relating to any of these areas should be raised with the Finance Director.
- Head Teacher – any complaints regarding the Head Teacher should be referred directly to the Chair of Governors via the Clerk to Governors, c/o Myton School, Myton Road, Warwick, CV34 6PJ.
- Complaints about the Chair of Governors, any individual Governor or the whole Governing body should be addressed to the Clerk to the Governing Body, c/o Myton School, Myton Road, Warwick, CV34 6PJ.

Should an informal concern or complaint be raised with a member of staff other than those designated above, the school will redirect the complaint to the appropriate individual under this policy.

A concern which has not been resolved by informal means within ten school days from the receipt of the complaint can be notified as a formal complaint in accordance with Stage 2 below.

2. Talking to the member of staff did not work – what do I do?

Stage 2 (formal)

Notification: An unresolved concern under Stage 1, or a complaint which needs investigation, or a more serious dissatisfaction with some aspect of the School's policies, procedures, management or administration should be set out in writing with full details and sent with copies of all relevant documents and your full contact details for the attention of the Headteacher, using the Complaint Form (Appendix A). Should a formal written complaint be received by another member of the School's staff, he or she will immediately pass it to the Headteacher.

Acknowledgement: Your complaint will be acknowledged by telephone, by email or in writing normally within five school days of receipt during term time and as soon as practicable during the holidays. The acknowledgement will indicate the action that is being taken and the likely timescale for resolution.

Investigation and resolution: The Headteacher may deal with the matter personally or may ask a senior member of staff to act as "investigator" and/or may involve one or more members of the Leadership Team. The investigator may request additional information from you and will probably wish to speak to you personally and to others who have knowledge of the circumstances. Following appropriate investigation, the Headteacher, will then notify you in writing of the decision and the reasons for it.

Outcome: The aim of the Headteacher would be to inform any complainant of the outcome of an investigation and the resolution to the complaint within 20 school days from the receipt of the complaint. Please note that any complaint received during a school holiday or within one week of the end of term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel.

Record of complaints: The Headteacher is responsible for keeping a log of all complaints received by or referred to them under this stage of the procedure. The log should provide a brief written summary of the name of the complainant, the date the complaint was received, the matter complained of, and the manner and date of its resolution. Written records will also be kept of any meetings and interviews held in relation to the complaint.

3. I'm still unhappy with the response, what next?

Stage 3 (formal)

Notification: If you are dissatisfied with the decision of the Headteacher under Stage 2, your complaint may be renewed in writing to the Chair of the Governing Body. The contact address is:

Chair of Governors, c/o Myton School, Myton Road, Warwick, CV34 6PJ

You should write to the Chair within five school days of receiving the decision. Your letter to the Chair should give full details of your complaint and enclose copies of all relevant documents and your full contact details. Your letter will normally be acknowledged within five school days during term time, indicating the action that is being taken and the likely timescale.

Action by the Chair: The Chair will consider your complaint, in confidence and without reference to any other member of the Governing Body and may wish to meet with you. When the Chair is satisfied that they have established all the material facts and relevant policies, so far as is practicable, he/she will notify you in writing of their decision and the reasons for it. He/she will aim to provide a response within fifteen school days of receiving your letter but will inform you if this timescale will need to be increased.

4. Is there any further course of appeal?

Stage 4 (Panel Hearing)

Review Panel

Notification: Only if you have been through the earlier stages of this procedure, and are dissatisfied with the decision that has been notified to you by the Chair of Governors, may you request a final hearing by a Review Panel. To request a hearing before the Review Panel, please write to the Clerk to the Governors within five school days of the decision you wish to appeal. Your request will only be considered if you have completed the relevant procedures at Stages 1-3. Please ensure that copies of all relevant documents accompany your letter

to the Clerk and state all the grounds for your complaint and the outcome that you desire. The Clerk will acknowledge your request in writing within five school days.

To contact the clerk, please write to:

Clerk to the Governing Body, c/o Myton School, Myton Road, Warwick, CV34 6PJ or email clerk@myton.co.uk

Review Panel: The review will be undertaken by a panel of at least three members of the Governing Body and selected by the Clerk to the Governors. The Panel members will have no detailed previous knowledge of the case, will not include the Chair of Governors, and one member will be independent of the management and running of the School. Fair consideration will be given to any bona fide objection to a particular member of the Panel.

Convening the Panel: The Clerk to the Governors will convene the Review Panel as soon as is reasonably practicable but the Panel will not normally sit during school holidays.

Notice of hearing: Every effort will be made to enable the Panel Hearing to take place within ten school days of the receipt of your request. As soon as reasonably practical and in any event at least five school days before the hearing, the Clerk to the Governors will send you written notification of the date, time and place of the hearing, together with brief details of the Panel members who will be present.

Attendance: You will be asked to attend the hearing and may be accompanied by one other person such as a relative, teacher, or friend, who should not be legally qualified. The Clerk to the Governors or nominated deputy will also attend the hearing in order to keep a record of the proceedings. Copies of additional documents you wish the Panel to consider should be sent to the Clerk to the Governors at least three clear days prior to the hearing.

The Chair of the Review Panel will conduct the hearing in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.

Adjournment: The Chair may at his/her discretion adjourn the hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

Decision after due consideration of the matters discussed at the hearing, the Panel shall reach a decision. The Panel's decision, findings and any recommendations shall be confirmed in writing to the complainant and, where relevant, the person complained about within ten school days. Where appropriate, it will include details of actions the school will take to resolve the complaint. The decisions, findings and any recommendations will be made available for inspection on the school premises by the Governing Body.

5. Still dissatisfied?

Stage 5 (Education Funding Agency)

If you are still dissatisfied you should contact the Education Funding Agency.

The Education School Funding Agency (ESFA) carries out certain functions in relation to Academies on behalf of the Secretary of State. One of the main functions is to ensure that Academies comply with the Funding Agreement entered into with the Secretary of State. If any complaints or concerns arise in relation to breaches of the terms of Academies' Funding Agreements then the ESFA will seek to resolve these with an Academy without the need for parents and students to make a formal complaint. However, there will be issues where parents of students at Academies and students themselves have complained to the Academy and such complaints have been considered by the Academy in accordance with its complaints procedure and this has failed to resolve the matter.

Complaints about Academies should be made in writing to the Academy Complaints and Customer Insight Unit, Education and Skills Funding Agency, Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT or by using their online [enquiry form](#) and ticking the box that says complaint.

All correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.



COMPLAINT FORM

Please complete and return to the Head Teacher's PA who will acknowledge receipt and explain what action will be taken.

Your name:
Student's name:
Your relationship to the student:
Address:
Postcode:
Day time telephone number:
Evening telephone number:
Please give details of your complaint.

<p>What action, if any, have you already taken to try and resolve your complaint.</p> <p>(Who did you speak to and what was the response)?</p>
<p>What actions do you feel might resolve the problem at this stage?</p>

<p>Are you attaching any paperwork? If so, please give details.</p>
<p>Signature:</p> <p>Date:</p>
<p>Official use</p> <p>Date acknowledgement sent:</p> <p>By who:</p> <p>Complaint referred to:</p> <p>Date:</p>