



Feversham College

Parents Complaints Policy and Procedures

Purpose of this statement	To detail the complaints policy for Feversham College
Last Reviewed	March 2016
Next Review	March 2017
Contact	The Headteacher

➤ **Aims of Policy to:**

- ensure openness in regard to the procedures for dealing with any complaint.
- inspire the trust and confidence of parent(s)/carer(s) in the procedures adopted by the Board of Directors
- protect the rights and professional integrity of staff members and other employees of the school
- 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

➤ **Policy Statement**

Parents who are unhappy about any aspect of the College should contact us without delay. Complaints will be taken very seriously and dealt with as soon as is possible for all areas of the complaint to be investigated.

Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints. Concerns ought to be handled, if at all possible, without the need for formal procedures.

The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the

case of extended Academy provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

Our complaints policy and procedures assumes the following principles:

- That a person making a complaint has a right to state his/her point of view
- That if a complaint is made against a person, he/she has a right to know immediately, or as soon as possible thereafter, that a complaint has been made or that a concern has been expressed.

Practice

Investigating complaints

At each stage, the person investigating the complaint (the Complaints Co-coordinator), will ensure that they:

- establish what has happened so far, and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure or further information is necessary)
- clarify what the complainant feels would put things right
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview

Resolving Complaints

At each stage in the procedure Feversham College will consider ways to resolve a complaint. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that the event complained of will not recur
- an explanation of the steps that have been taken to ensure that it will not happen again
- an undertaking to review college policies in light of the complaint

Complainants should be encouraged to state what actions they feel might resolve the problem at any stage. An admission that Feversham College could have handled the situation better is not the same as an admission of negligence. It is important to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

Vexatious Complaints

There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Board of Directors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed

Time-limits

Complaints will be considered, and resolved, as quickly and efficiently as possible. Realistic time limits for each action within each stage must be set. However, where further investigations are necessary,

new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

➤ **Stage 1 – Informal Resolution**

Most concerns will be dealt with informally and parent(s)/carer(s) are encouraged to make contact with the person concerned. The formal procedures set out below will need to be invoked when initial attempts to resolve the issues are unsuccessful and the person raising the concerns remains dissatisfied and wishes to take the matter further.

- The underlying principle is that most complaints and concerns will be resolved quickly and informally
- If parent(s)/carer(s) have a complaint they should normally contact the member of staff concerned, the house leader, class teacher or achievement manager immediately after the alleged incident has occurred. In many cases, the matter will be resolved straightaway by these means to the parent(s)/carer(s) satisfaction. If the matter cannot be resolved it may be necessary to consult with the Headteacher
- Complaints made directly to the Headteacher will usually be referred to the relevant members of staff in the first instance, unless the Headteacher deems it appropriate to deal with the matter personally
- Most complaints are resolved satisfactorily at this stage and are brought to a close. In the case of a serious complaint or where a complaint has not been brought to a satisfactory conclusion or if a complaint concerns a member of staff, the complaint moves onto stage 2.

➤ **Stage 2 – Formal Resolution**

- If the complaint cannot be resolved on an informal basis as set out above, then parent(s)/carer(s) should put their complaint in writing to the Headteacher within 14 days of the incident occurring. Parent(s)/carer(s) should also identify how they wish their complaint to be resolved.
- The Headteacher will delegate responsibility for undertaking investigation of the complaint to a relevant member of staff, unless the Headteacher deems it appropriate to deal with the matter personally.
- The Headteacher will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headteacher or delegated person will meet or speak with the parent(s)/carer(s) concerned to discuss the matter. If possible, a resolution will be reached at this stage.
- The headteacher will use reasonable endeavours to speak to or meet parent(s)/carer(s) with ten working days of the formal complaint being received, except if the complaint is received in the school holidays or within 2 working days of their commencement in which case the Headteacher will make reasonable endeavours to speak or meet with parent(s)/carer(s) as soon as possible after the commencement of the new term (usually within 10 working days).
- It may be necessary for further investigations to be carried out.
- The Headteacher will keep a written record of all meetings and interviews held in relation to the complaint.
- Once the Headteacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parent(s)/carer(s) will be informed of this decision in writing, giving the reasons for the decision. The written decision should be provided no later than 10 working days after speaking or meeting with parent(s)/carer(s) to discuss the matter. The Headteacher may also arrange to meet with parent(s)/carer(s) to explain the decision.

- The College will keep a written record of all formal complaints, including records of meeting and interview held in relation to the complaint, and the College's decision, with record will be kept for 1 year after the pupil leaves the College. This record will state if complaints were resolved at the preliminary hearing or if they were taken to appeal.
- Where parent(s)/carer(s) are dissatisfied with the outcome of the College's response to their formal complaint, the parent(s)/carer(s) have the opportunity to have their complaint considered by an independent complaint panel.
- If the concern or complaint is against the Headteacher, in the first instance the complainant will need to write in confidence to the Chair of Directors at the school. The Chair of Directors will seek to resolve the issue informally before, if necessary, moving to Stage 3.

➤ **Stage 3 – Panel Hearing**

- If parent(s)/carer(s) seek to invoke stage 3 following failure to reach an earlier resolution and where dissatisfied with the Headteachers decision in respect of their formal complaint, the parent(s)/carer(s) may, in writing addressed to the college, request that their complaint be further considered by an independent complaints panel set up for the purpose.
- This request for further assessment of the complaint will, for the purpose of this procedure, be known as an 'appeal'.
- Complaints at this stage should be made in writing and addressed to the Chair of Directors.
- Parent(s)/carer(s) must lodge their appeal in writing within 10 working days of the date of the college's decision made in accordance with the stage 2 procedure. The parent(s)/carer(s) should provide a list of their complaint(s) made against the college and which they believe to have been resolved unsatisfactorily by the stage 2 procedure, along with the remedies sought in respect of each.
- The complaints panel is only obliged to consider the complaint(s) lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.
- Where an appeal is received by the college, the College will, within 5 working days, refer the matter to the Clerk of the Board of Directors who will act as Clerk to the complaints panel. Where the appeal is received by the College during the school holidays or within 2 working days of their commencement, the college has 5 working days upon commencement of the school term to refer the matter to the Clerk.
- The Clerk provides an independent source of advice on procedure for all parties.
- On receipt of an appeal the Clerk will acknowledge the appeal in writing within 5 working days, and inform the parent(s)/carer(s) of the steps involved in the complaints procedure.
- The Clerk will then endeavour to convene an independent complaints panel hearing as soon as possible to consider the matter, normally no later than 20 school days after receipt by the college of parent(s)/carer(s) written notice that they wish to invoke the stage 3 procedure, dependent upon the availability of the panel members.
- The clerk should write to the complainant to explain how the review will be conducted. The letter should be copied to the Headteacher.
- The independent complaints panel will consist of 2 Directors on the Board who have not previously been involved in the complaint, and one person independent of the management and running of the school. The process used for selecting an independent person will confirm to relevant guidance issued by the Department for Education (DfE).
- The following are entitled to attend a hearing, submit written representations and address the panel:

- The parent(s)/carer(s) or if aged over 18 the young person and/or one representative
 - The Headteacher of the College and/or one representative; and
 - Any other interested person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making.
- Legal representation will not normally be appropriate.
 - Where the complaints panel deems it necessary, it may request that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the Panel in support of their position, including:
 - Documents in support of the complaint(s)
 - Chronology and key dates relating to the complaint(s), and
 - Written submission setting out the complaint(s) in more detail
 - This evidence will be considered by the panel, along with the initial submission that was lodged by the parent(s)/carer(s).
 - Evidence will be initially sent to the Clerk, who will then circulate the documentation to all parties, including the panel members, along with an order of proceedings. All written evidence must be received by the Clerk no later than 10 working days in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than 5 working days in advance of the panel hearing.
 - It is for the panel to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the panel will resolve the parent(s)/carer(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 the facts considered relevant, the panel will reach a decision, and make recommendations, which it shall complete within 10 working days of the hearing. The decision reached by the complaints panel is final. Any decision reached that may have financial implications for the college will need the appropriate approval from the relevant authorities eg the Board of Directors and the Academy Trust, although any such approval must be compatible with the decision of the complaints panel.
 - The panel’s finding will be sent by the Clerk in writing to the parent(s)/carer(s), the Headteacher, the Directors, the Trust and where relevant, the person complained of. The letter will state any reasons for the decision reached and recommendations made by the Complaints panel.
 - The college will keep a record of all appeals, decisions and recommendation of the Complaints Panel, which record will be kept for 1 year after the pupil leaves the college.

➤ **Monitoring, Evaluation and Review**

The Board of Directors will review this policy at least every 2 years and assess its implementation and effectiveness. The policy will be promoted and implemented through the College.

Named Director:	A J Haider
Monitoring of the Policy:	The Headteacher
Reporting to:	The Board of Directors