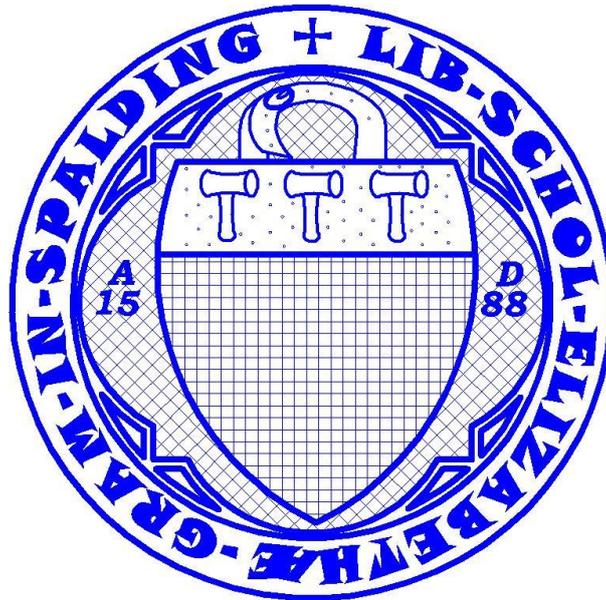


# Spalding Grammar School



## Complaints Procedure

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<b>Governor Committee:</b>	<b>Curriculum &amp; Standards</b>
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## 1. Introduction

- 1.1 Our staff is dedicated to providing all children with the best possible education and to care properly for their health, safety and welfare at all times. We are committed to developing a strong partnership with students, parents/carers and other stakeholders. This provides a good basis for mutual understanding and for preventing and resolving concerns and complaints.
- 1.2 We hope that the adoption of a clear complaints procedure will help to ensure that most complaints are resolved quickly and smoothly and as close to the source of the misunderstanding or problem as possible. In this way complainants can feel assured from the outset of a fair hearing, in line with a defined procedure for dealing with issues that have not immediately been resolved. We also hope that a staged framework might prevent an early and unnecessary escalation of the problem. In addition, we will ensure that lessons learned from the investigation of complaints will help to improve the School's policy and practice.
- 1.3 The procedure is designed to deal with all complaints; whether from a student, a parent or other external stakeholder. However, there are separate appeals procedures for a parent dissatisfied with a decision regarding either the admission or the exclusion of their child and for appeals against the grade awarded to their child in an external examination.
- 1.4 If your concern relates to bad behaviour by other students that could possibly lead to the exclusion of a student, then please contact your child's Head of House.
- 1.5 If your concern relates to a Child Protection issue or gross misconduct by a member of staff, then please contact the Headmaster, via his PA.
- 1.6 There are also separate procedures to deal with a complaint raised by or on behalf of a member of staff.
- 1.7 All complaints will be acknowledged within two working days of receipt and dealt with as quickly and efficiently as possible. The length of the period will vary with the gravity and complexity of the complaint and the urgency with which it needs to be settled. However, the intention is that all complaints should be settled within a period which is reasonable in the circumstances.
- 1.8 The complaints procedure has four main stages:
  - Stage 1 – A concern is raised informally with an appropriate member of staff. If the matter is not resolved, then it goes to:-
  - Stage 2 – The School receives a formal written complaint. If the matter is not resolved, then the complaint goes to:-
  - Stage 3 – The Headmaster hears the details of the complaint and arranges a further investigation. If the matter is still not resolved, then the complaint goes to:-
  - Stage 4 – The Chairman of Governors. If the matter is still not resolved, then the complaint goes to:-
  - Stage 5 - The Governor's Complaints' Panel for a formal hearing of the complaint.

## 2. Stage One: Informal Complaints

- 2.1 Informal complaints or concerns should be raised with the relevant member of staff, such as class teacher, form tutor, Head of Subject or Head of House. On some occasions the concern raised may require investigation, or discussion with others, in which case there will be an informal but informed response within a day or two. It is anticipated that the vast majority of concerns will be satisfactorily dealt with in this way.
- 2.2 Every effort will be made to resolve the problem to the satisfaction of the complainant at this informal stage. Possible outcomes include:
  - Complaint resolved to the satisfaction of the complainant
  - Complaint not resolved to the satisfaction of the complainant
  - Complaint dealt with under another procedure.

- 2.3 The complainant and the member of staff's line manager will be informed of the outcome of the complaint. The line manager may judge that there are lessons to be learnt from this complaint that need to be addressed further and will refer issues to be resolved through the most appropriate mechanism.
- 2.4 Where an informal complaint is raised with the Headmaster, it will normally be passed to the most appropriate member of staff to deal with it informally. If the complainant indicates that they would have difficulty discussing the complaint with this member of staff, the Headmaster may direct them to another member of staff. Similarly, if the most appropriate member of staff feels they would have difficulty in dealing with the complaint objectively, the Headmaster may direct the complainant to another member of staff.
- 2.5 If the member of staff feels that he/she is being harassed by the complainant then the member of staff needs to seek support from their line manager or Headmaster.
- 2.6 In certain circumstances, the Headmaster may instead choose to deal with the complaint informally in person.
- 2.7 If the complaint has been made in writing, the Headmaster may choose to treat it as a formal complaint and invoke the formal procedure.
- 2.8 If the complaint has been made to the Chair of Governors in the first instance, he or she will refer the complaint to the Headmaster. However, if the complaint concerns the Headmaster and has already been taken up with the Headmaster without being resolved, the complaint must be made in writing to the Chair of Governors. The Chair will then invoke the formal procedure.
- 2.9 In some cases, matters affecting general school policy may be judged by the Headmaster, in consultation with the Chair of Governors, to be an appropriate area for discussion at Governing Body level, in order to resolve the complaint. In these circumstances care will be taken to ensure that the identity of the complainant and the individual complained of are not disclosed in case a formal complaint is made subsequently.

### **3. Stage Two: Formal Complaints**

- 3.1 As well as any letter, the complainant needs to complete and submit a copy of Appendix A.
- 3.2 The Headmaster will ensure the complaint is investigated fully. The Headmaster may delegate responsibility for conducting the investigation to another member of staff. All formal complaints will be investigated fully, fairly and carefully and complainants will be kept informed of progress.
- 3.3 Where the complaint concerns the Headmaster, the Headmaster will inform the complainant in writing that they should send a completed Complaint Form to the Chair of Governors (Appendix A), who will then take the place of the Headmaster throughout the formal procedure.
- 3.4 Once the investigation has been completed, the member of staff carrying out the investigation will review all the information and discuss the findings with the complainant with the aim of resolving the complaint to the complainant's satisfaction.
- 3.5 The member of staff investigating will decide on the outcome and inform the complainant in writing of the decision, together with details of how to appeal against the decision if they remain dissatisfied. A meeting may also be arranged to convey the reasons for the decision.
- 3.6 Possible outcomes include:
  - Complaint withdrawn.
  - Complaint dismissed.
  - Complaint dealt with under another procedure.
  - Complaint upheld.

3.7 Rarely, the decision may involve taking disciplinary action against an individual, for which there is a separate procedure. In this event, the complainant will be informed that the complaint will be pursued through disciplinary action. The School's disciplinary procedures require that all details of proceedings remain confidential, and consequently the complainant will not be informed of the outcome.

#### **4. Stage 3 – Further Investigation**

If the matter has not been resolved at Stage 2, or it is felt that the matter is too serious to be dealt with at Stage 2, the Headmaster, or another designated member of staff, will undertake a further investigation. Following the investigation, the Academy will normally give a verbal or written response within five working days but in any case within no more than ten working days.

#### **5. Stage 4 – Referral to Governors**

If the matter has not been resolved at Stage 3, the complainant will be advised to write to the Chairman of the Governors, unless the Chairman is already dealing with the complaint because it involves the Headmaster, in which case Stage 4 will be omitted. The Chairman will review the matter with the Headmaster and will then write a response to the complainant, normally within 10 school days of receipt of the complaint.

#### **6. Stage 5 – Complaints Panel**

6.1 If the matter has still not been resolved at Stage 4, then the Chairman will advise the complainant of the right to refer to the Governing Body who will establish a panel of at least three people who have not been directly involved in the matters detailed in the complaint. Complainants should send their written complaint to the Clerk of Governors asking for the matter to be considered by the Governors' Complaints Panel with delegated powers to hear complaints.

6.2 The hearing will normally take place within 15 working days of the receipt of the written request for Stage 5 investigation. The meeting will be arranged at a mutually convenient time for the panel and the complainant.

6.3 The panel will consist of two governors and one person who is independent of the management and running of the School. Parents will be allowed to attend the panel hearing and may be accompanied if they so wish.

6.4 Any paperwork that will be referred to at the hearing needs to be submitted to the Clerk of Governors at least five working days before the panel hearing.

6.5 The panel hearing will be conducted as outlined in Appendix B.

6.6 The aim of the panel hearing is to impartially resolve the complaint and to achieve reconciliation between the School and the complainant. All parties will be notified of the Panel's decision and the reason for it, in writing within five working days after the date of the hearing. The letter will also contain details of any further rights of redress available.

6.7 The panel may:

Dismiss the complaint in whole or in part.

Uphold the complaint in whole or in part.

Decide on any further action to be taken.

If appropriate, recommend changes to the School's systems or procedures to ensure that problems of a similar nature do not recur.

#### **7. Record keeping**

7.1 Written records are kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing.

- 7.2 All correspondence, statements and records of complaints are to be kept confidential (except where the Secretary of State or a body conducting an inspection under section 162 of the 2002 Act requests access to them).
- 7.3 The Governing Body monitors the complaints procedure, in order to ensure that all complaints are handled properly. The Headmaster reviews all formal complaints received by the School and records how they were resolved. Governors examine this review on an annual basis and consider the need for any changes to the procedure.

## 8. **The Role of the DfE**

If a complainant is dissatisfied about the way in which the School has handled the complaint they should contact the DfE either:

- Via the Department for Education's school complaints form which is available on the GOV.UK website.
- By post to Ministerial and Public Communications Division Department for Education, Picadilly Gate, Store Street, Manchester, M1 2WD.

## Appendix A

### Complaint Form

Please complete and return to the Headmaster who will acknowledge receipt and explain what action will be taken.

**Your name:**

**Student's name (if appropriate):**

**Your relationship to the student:**

**Address:**

**Postcode:**

**Daytime telephone number:**

**Evening telephone number:**

**Please give details of your complaint:**

**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:**

## **Appendix B**

### **Governors Complaints Panel**

#### **1. The Role of the Clerk**

The Clerk is the contact point for the complainant and required to:

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible.
- Collate any written material and send it to the parties in advance of the hearing.
- Meet and welcome the parties as they arrive at the hearing.
- Record the proceedings.
- Notify all parties of the panel's decision.

#### **2. The Role of the Chair of the Panel**

The Chair of the Panel has a key role, ensuring that:

- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption.
- The issues are addressed.
- Key findings of fact are made.
- Parents and others who may not be used to speaking at such a hearing are put at ease.
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy.
- The panel is open minded and acting independently.
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- Each side is given the opportunity to state their case and ask questions.
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it. All relevant documentation is kept confidential.
- Recommendations and findings should be recorded and distributed as appropriate.

#### **3. The Hearing should generally proceed as follows:**

- Introductions and introductory comments from the Panel Chair.
- The complainant explains the complaint, followed by questions.
- Any witnesses to support the complaint give evidence and are questioned.
- The respondent explains the outcome of the formal procedure, and briefly describes the preceding informal procedure if applicable, followed by questions.
- Any witnesses to support the respondent give evidence and are questioned.
- The complainant sums up.
- The respondent sums up.
- With the exception of the Panel members and any independent adviser they may have, all persons withdraw while the Panel reviews the evidence and decides the outcome.
- The complainant and the respondent are informed of the decision within five working days of the hearing.