**SWITCHED-ON CHRISTIAN SCHOOL**

**COMPLAINTS POLICY**

This Policy was written September 2015

Updated January 2017 by Head Teacher and School Administrator

Review Date: 3 Years next review 2020

Head Teacher: Mrs C Hill

School Administrator: Mr G Hill

|  |  |
| --- | --- |
| **Section Title** |  |
|  |  |
| **Part 1: General Principles of Complaints** |  |
| Dealing with Complaints – Initial Concerns |  |
| Dealing with Complaints – Formal Procedures |  |
| Framework of Principles |  |
| Investigating Complaints |  |
| Resolving Complaints |  |
| Vexatious Complaints |  |
| Time Limits |  |
| **Part 2: The Complaints Procedure** |  |
| Stages of Complaints |  |
| **Part 3: Managing and Recording Complaints** |  |
| Recording Complaints |  |
| School Advisory Team Review Abbreviated: (SAT) |  |
| Publicising the Procedure |  |
|  |  |
| Complaints Procedure | Annex A |
| Flowchart | Annex B |
| Complaint Form | Annex C |

**Part 1: General Principles of complaints**

**Dealing with Complaints – Initial concerns**

Switched-On Christian School is aware that there is a difference between a concern and a complaint. 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 does not in any way undermine our efforts to resolve any concern informally. In most cases the class teacher will receive the first approach. We advise our staff to be helpful in order to resolve issues on the spot, including apologising where necessary.

**Dealing with Complaints – Formal procedures**

Formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

The Headteacher has responsibility for the operation and management of the school complaints procedure.

**Framework of Principles**

An effective Complaints Procedure will:

* encourage resolution of problems by **informal** means wherever possible;
* A written copy of the Complaints procedure must be made available to parents at the school and prospective parents.
* 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;
* provide **information** to the school’s senior management team so that services can be improved.

**Investigating Complaints**

At each stage of the process the Headteacher will make sure that he/she:

* establishes **what** has happened so far, and **who** has been involved;
* clarifies the nature of the complaint and what remains unresolved;
* meets with the complainant or contact them (if unsure or further information is necessary);
* clarifies what the complainant feels would put things right;
* interviews those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
* conducts the interview with an open mind and be prepared to persist in the questioning;
* keeps notes of the interview.

**Resolving Complaints**

At each stage in the procedure the Headteacher will keep in mind ways in which a complaint can be resolved. 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 school policies in light of the complaint.

We encourage complainants to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

*We trust that our effective procedures will identify areas of agreement between the parties and clarify any misunderstandings that might have occurred. In this more positive atmosphere the Headteacher will discuss any outstanding issues.*

**Vexatious Complaints**

We trust that our complaints procedure will limit the number of complaints that become protracted. However, should there be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied then the Chair School Advisory Team will inform them in writing that they have the right to address their complaint in writing.

**Time-Limits**

All complaints will be handled seriously and sensitively. Complaints will be acknowledged within 5 working days if received during term time and as soon as practicable during the holiday periods. It is in everyone’s interest to resolve a complaint as speedily as possible; the School’s target is to complete the first two stages of the procedure within 28 days if the complaint is made within term time, and as soon as practicable during the holiday periods. If a complaint proceeds to Stage 3, the Formal and Independent Review, the School will aim to complete this within a further 28 days, if the Stage 3 complaint is lodged during term-time and as soon as practicable during holiday periods.

**Part 2: The Formal Complaints Procedure**

**The Stages of Complaints**

The complaints procedure has well-defined stages. A flow chart of stages can be found in Appendix A. Each stage is explained in the context of who will be involved, what will happen, and how long it will take. There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the head teacher after a meeting with the complainant.

There are three school-based stages:

* Stage one: complaint heard by staff member (though not the subject of the complaint); Complaint Acknowledged within 5 days.
* Stage two: complaint heard by Head teacher; Target to compete process in 28 days.
  + Stage three: complaint heard by School Advisory Team complaints appeal panel; Target to complete within a further 28 days.

If appropriate it may be necessary to go straight to stage 2.

If the complaint concerns the conduct of the headteacher or where the headteacher has been involved in the issue previously then the Stage two will require the complaint being heard by another member of staff (usually the Deputy Head)

For Complaints Procedure see Appendix A & B

**Part 3 – Managing and Recording Complaints**

**Recording Complaints**

Switched-On Christian School will record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in

writing. A sample of the complaint form is found in Appendix C. At the end of a meeting or telephone call, the member of staff to whom the complaint has been made should ensure that the complainant and the school have the same understanding of what was discussed and agreed. A written record must be kept of all complaints and their outcomes, whether they were resolved at the preliminary stage, when the complaint was submitted in writing or whether they proceeded to a panel hearing. The panel must make findings, recommendations and ensure that the complainant, proprietor, Headteacher and where relevant, the person complained about, are given a copy of any findings.

The Head teacher is responsible for the records and will hold them in the Head’s office. Records of complaints must be kept confidential but must be shown to Ofsted/ISI when they inspect. Copies must also be made available to the Registration Authority on request.

**Governing Body Review**

The “School Advisory Team” shall monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole Governing Body will not name individuals.

As well as addressing an individual’s complaints, the process of listening to, and resolving complaints will contribute to school improvement. When individual complaints are heard, the school will aim to identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the trustees will be a useful tool in evaluating the school’s performance. All correspondence, statements and records of complaints are kept confidential. *(This does not apply to our requirement to provide parents and other interested parties with information about the number of complaints registered under the formal procedure during the preceding year.*

**APPENDIX A**

**Complaints Procedure**

**Stage One: Complaint Heard by Staff Member**

It is in everyone’s interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, staff need to be aware of the procedures in order that they know what to do when they receive a complaint.

It assists the procedure if we respect the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complainant can be referred to another staff member or the Headteacher (Stage 2). Where the complaint concerns the Headteacher, the member of staff should refer the complainant to the Deputy Head.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, he/she may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a School Advisory Team, the next step would be to refer the complainant to the appropriate person, the Supervisor or Senior Member of Staff in order to advise the complainant about the procedure. It is important for the School Advisory Team not to act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

**Stage Two: Complaint Heard by Headteacher**

The headteacher’s influence will already have shaped the way complaints are handled in the school. At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The head may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

**Stage Three: Complaint Heard by SAT Complaints Appeal Panel**

The complainant needs to write to the Chair of SAT giving details of the complaint. The Chair, convenes a SAT complaints panel.

The SAT appeal hearing is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions.

Individual complaints would not be heard by the whole SAT at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

|  |
| --- |
| The SAT may nominated a number of members with delegated powers to hear complaints at this stage. No team member may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel of at least 3 people, one person on the panel must be independent of the management and running of the school. The proprietor is responsible for the appointment of this panel  The complainant (parent) is invited to attend the panel hearing with a supportive other if they so choose. The panel members then:   * draw up procedures; * hear the individual appeals; * make recommendations on policy as a result of complaints.   The procedure adopted by the panel for hearing appeals is part of the school’s complaints procedure. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.  **The Remit of The Complaints Appeal Panel**  The panel then can:   * dismiss the complaint in whole or in part; * uphold the complaint in whole or in part; * decide on the appropriate action to be taken to resolve the complaint; * Recommend changes to the school’s systems or procedures to ensure that problems of a similar nature do not recur.   There are several points which any SAT member sitting on a complaints panel needs to remember:  a. It is important that the appeal hearing is independent and impartial and that it is seen to be so. Team members need to try and ensure that it is a cross-section of the team sensitive to the issues of race, gender and religious affiliation.  b. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations, which will satisfy the complainant that his or her complaint has been taken seriously.  c. The panel will acknowledge that many complainants will feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial. |
| d. Extra care will be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child’s parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.  e. The SAT sitting on the panel need to be aware of the complaints procedure.  **Roles and Responsibilities**  **The Role of the Clerk**  The clerk will be the contact point for the complainant and be 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.   **The Role of the Chair of the SAT**    Is to:   * check that the correct procedure has been followed; * notify the clerk to arrange the panel if a hearing is appropriate   **The Role of the Chair of the Panel**  Is to ensure 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.   **Notification of the Panel’s Decision**  The chair of the panel will ensure that the complainant is notified of the panel’s decision, in writing, with the panel’s response within two weeks. The letter will explain that if they continue to be dissatisfied with the outcome they can contact :  The Office for Standards in Education  44-60 Richardshaw Lane  Pudsey  West Yorkshire  Leeds  LS28 7RU  Tel: 0113 395 5409  Fax: 0800 389 5693  **Publication of the Complaints Procedure**  A copy of the Complaints Policy & procedure is available in the following ways to parents & students   * the Policy File in Reception. * a complaints form on which a complaint can be made available from reception |

**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 Head teacher may question both the complainant and the witnesses after each has spoken. |
| * The Head teacher is then invited to explain the school’s actions and be followed by the school’s witnesses. |
| * The complainant may question both the Head teacher 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 Head teacher 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 two weeks. |

SAT complaints panel meeting arranged

* Issue letter inviting complainant to meeting
* Issue letter confirming panel decision sent within two weeks
* Written records must be kept of all complaints
* Ensure Trustees informed of outcome

Issue not resolved

Issue resolved

Complaint heard by Headteacher

* Acknowledge receipt of complaint
* Write to complainant with outcome of investigation
* Ensure SAT informed of outcome

Issue not resolved

Issue resolved

Complaint heard by staff member

* Ensure Headteacher is informed of outcome

**Flowchart**

**Summary of Dealing with Complaints**

**Appendix B**

**Appendix C**

**Complaints Form**

**Please complete and return to staff member/ Headteacher who will acknowledge receipt and explain what action will be taken.**

|  |
| --- |
| **Your name:** |
| **Pupil’s name:** |
| **Your relationship to the pupil:** |
| **Address:**  **Postcode:**  **Day time 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:** |