



# Complaints Policy and Procedure

## INTRODUCTION

Northleigh House School is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair, and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

All school staff/volunteers will be made aware of complaints procedures and expected to review this policy regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

This policy explains that procedure, and the steps that it outlines should be referred to and followed by all pupils and their parents whenever an issue arises that causes them concern.

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the school may immediately refer the case to child protection and welfare services. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the school and outlined in this policy.

For more information on our school's provision for protecting our students, read our **Child Protection and Safeguarding Policy**.

### **1. When an issue/concern first arises**

If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone, or in writing. You will then be invited to an informal meeting with the member of staff most appropriate for dealing with your concern.

You may wish to approach your child's tutor first as they will be best placed to help you either directly or by figuring out which other member of staff you should be speaking to.

We encourage parents to approach staff with any concerns they may have, and aim to resolve all issues with open dialogue and mutual understanding. A written explanation of your concern will need to be given to the staff member that you speak to, so that it is easy to see – when complaints are taken further, or referred back to in the future – what the initial problem was.

**If your complaint is about a member of staff/volunteer**, you should first raise this with the Headteacher either in person or in writing, and a meeting can be arranged with the Headteacher to discuss the issue at hand.

**If your complaint is about the Headteacher**, you should raise your concern in writing with the Chair of the Trustees.

The Chair of the Trustees may refer complaints that are taken straight to them back to the appropriate member of staff if they do not warrant the Trustees review at that point.

### **Initial Informal Meeting**

Once a concern has been raised you may be invited to attend an informal meeting with a member of staff or the Headteacher to discuss your concerns. You are welcome to bring a friend, partner, or – in the case of a pupil who has raised a concern – a parent, to this meeting. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed upon in this meeting and should make a record what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure that your concerns are dealt with appropriately and efficiently but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you can make a formal complaint in writing to the Headteacher.

Our school will not pay financial compensation as the result of a complaint.

## **2. Formal Complaints**

In order to ensure that complaints are processed efficiently and effectively, Northleigh deals with formal complaints in three stages:

### **Stage 1:**

If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting, or feel that the issue is serious enough that it warrants it, you can make a formal complaint in writing to the Headteacher.

The Headteacher should acknowledge your complaint in writing within 10 days. They may already be aware of the situation. They will outline their decision if there is one to be made, and any action to be taken as a result of your complaint.

The Headteacher may call you in for a meeting to discuss the issue outcome, possible solutions, or to explain what has or will happen as a result of your complaint.

The Headteacher will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint.

**If the complaint is against a member of staff/volunteer**, the Headteacher will talk to that employee. If it is an allegation of abuse, a formal investigation may be instigated by the school or external child welfare authorities to whom the school reports. **Complaints about the Headteacher should be reported to the Chair of the Trustees.**

### **Stage 2:**

If, having spoken to the Headteacher, you are dissatisfied with the outcome of your complaint, you may lodge your complaint with the Chair of the Trustees in writing, explaining your concern and the steps that have led up to you taking this course of action.

If the complaint is against a member of staff/volunteer, that employee will be given the opportunity to write a response, which will be sent to the Chair of the Trustees within 10 days of the complaint being lodged with them.

The Chair of the Trustees will respond to you in writing within 20 days outlining their response to your concern, and any action that has or will be taken. **If they have decided not to take any further action** on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right of appeal and how you can start your appeal.

## **3. Appeals**

### **Stage 3:**

If you would like to launch an appeal following the outcome of a formal complaint that you have lodged, this will be taken to the Appeals Panel of the Trustees.

### **The Appeals Panel**

The Appeals Panel will be made up of at least three persons, one of whom shall be independent of the management and running of the school (please see Appendix 1). No member of the Trustees can sit on the Appeals Panel if they have had any former knowledge or involvement in the case that is being dealt with at that time.

The Panel will give careful consideration to how the Complainant can be made to feel most comfortable presenting to the Panel, especially in the case of a young child having to present or explain information.

**The procedure for an appeal is as follows:**

The Complainant and Headteacher will enter the hearing together.

The Chair will introduce the Panel members and outline the process.

The Complainant will explain the complaint.

The Headteacher and Panel will question the Complainant.

The Headteacher will explain the school's actions.

The Complainant and Panel will question the Headteacher.

The Complainant will sum up their complaint.

The Headteacher will sum up the school's actions.

The Chair will explain that both parties will hear from the panel within 10 working days.

Both parties will leave together while the Panel decides.

The clerk will stay with the panel to clarify.

**The Appeals Panel will:**

dismiss all or part of the complaint

uphold all or part of the complaint

decide on the appropriate action to be taken to resolve the complaint

evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

**Northleigh will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively.**

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records 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. Northleigh will keep securely locked, a record of complaints in the Headteacher's Office for three years, which can be viewed by the proprietor and the Headteacher, if required.

The panel's decision is final and a copy will be provided to the Complainant, where relevant, the person complained about. If you are unhappy with the outcome, you may wish to put your complaint to the Secretary of State.

**4. Complaints about the Trustees to the Secretary of State via the Department for Education**

The Secretary of State may hear a complaint and intervene if:

- the complaint relates to a failure by the Trustees to carry out their statutory duties;

- the Complainant believes the Trustees are acting unreasonably. The test for this is that no reasonable body of trustees, acting with due regard to their statutory duties, would have reached that decision;
- intervention is expedient (i.e., there is an instruction the Secretary of State can give to one or other party that would put matters right).

The Complainant should set out fully the concerns and reasons why the complaint is being submitted, enclosing all previous correspondence relevant to the complaint.

Information about making a complaint can be found at <http://www.education.gov.uk/aboutdfe/complaintsprocedure/b00212240/making-complaint-school/how-to-complain>.

### 5. Staff complaints

Staff who have a concern about a colleague or a volunteer member of staff should refer to our **Whistleblowing Policy**.

The procedure for dealing with any other staff complaints or employment grievances is set out in the school's **Staff Conduct, Discipline and Grievance policy**.

#### Contact details:

Jill Cornfield, Headteacher, Northleigh House School, Five Ways Road, Hatton, Warwick, Warwickshire CV35 7HZ  
Telephone Number: 01926 484203

Viv Morgan, The Chair of The Trustees, Northleigh House School, Five Ways Road, Hatton, Warwick, Warwickshire CV35 7HZ  
Telephone Number: 01926 484203

1. Authorised by: \_\_\_\_\_ Headteacher

Date: January 2016

2. Authorised by: \_\_\_\_\_ Chair of Trustees

Date: January 2016

Review Date: January 2018

## Appendix 1

### **Complaints Procedure - Independent Member of the Panel**

The following guidance comes from a letter sent by the DfES (as was) to the ISC General Secretary in 2002. Although dated, the advice is extant:

'Whilst we do not intend to be prescriptive our general view is that suitable people would be those who have held positions of responsibility and who are used to analysing evidence and putting forward balanced arguments/points. It would add credibility if independent panel members had some standing in the local community. In this connection serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background - perhaps retired members of the Police Force - might be considered suitable by schools. Schools will have their own views and may well have other suitable suggestions to make.

You asked if it would be acceptable to appoint former governors or staff of the school as the independent panel member. The regulations do not preclude this since the stipulation is that the person must be independent of the management and running of the school. Clearly former governors or staff would not have any such involvement. However, schools should bear in mind that they may be subject to criticism that such people would remain too close to the school and would not be truly independent.'

TFR March 2015