

IES BRECKLAND

COMPLAINTS POLICY

Approved by the Governing Body

Chair of Governors:



Updated February 2016

Introduction

The majority of issues raised by parents, the community or students, are concerns rather than complaints. A 'concern' may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*. A complaint may be generally defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

IES Breckland is committed to taking informal concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without the need to invoke formal procedures. However, depending on the nature of the complaint, there may be a need to follow the school's formal complaints procedure. For the school to be able to investigate a complaint, it needs to be made as soon as possible after an incident arises. Although, three months is generally considered to be an acceptable time frame in which to lodge a complaint and in exceptional circumstances, a complaint lodged outside of this time frame will be considered. The prime aim of the school's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner.

A complaint may be made in person, by telephone or in writing. Brief notes of meetings and telephone calls should be kept and a copy of any written response added to the record. Where there are communication difficulties, the school may use recording devices to ensure the complainant is able to access and review the discussions at a later point.

The following details outline the stages that can be used to resolve complaints.

IES Breckland's Complaints Policy has three main stages.

In summary they are as follows: -

- Stage 1 – A concern is raised informally with a staff member.
- Stage 2 – Complaint is heard by the Principal
- Stage 3 – Complaint is heard by Governing Body's Complaints Appeal Panel.

Stage 1– Raising a concern

Concerns can be raised with the school at any time and may generate an immediate response, which will resolve the concern. We request that parents make their first contact with the students Mentor.

If you arrive at school expecting to see a member of staff, this may not always be possible, but you will be seen at the earliest convenient time through an appointment. Planned meetings will also make sure that we allocate sufficient time to listen carefully to your concerns. The complainant will be asked what they think might resolve the issue (any acknowledgement that the school could have handled the situation better is not the same as an admission of unlawful or negligent action).

On some occasions the concern raised may require investigation, or discussion with others, in which case you will receive an informal but informed response within 5 working school days. The majority of concerns will be satisfactorily dealt with in this way. However, if you are not satisfied with the result at stage 1, please write to or email the school within 10 school working days and state why you do not think that the concern has been dealt with to your satisfaction. The school will then look at your complaint at the next stage.

A complaint is not part of any staff disciplinary process and staff who may be interviewed will be treated fairly and have the opportunity to state their case. Staff will be offered support in dealing with any investigation into a complaint.

Stage 2 – Complaint heard by the Principal

Formal complaints shall be put in writing and addressed to the Principal. The complaint will be logged, including the date it was received. The school will normally acknowledge receipt of the complaint within 5 school working days of receiving it. In many cases this response will also report on the action the school has taken to resolve the issue. Alternatively, a meeting may be convened to discuss the matter further. This meeting will normally take place within 10 school working days. The aim will be to resolve the matter as speedily as possible. If an investigation is required, the Principal will normally give a written response within 10 school working days of the investigation being completed. If you are dissatisfied with the result at stage 2, you should let the school know within 10 school working days of getting the response. You will need to explain why you do not think that the concern has been dealt with to your satisfaction.

Stage 3 – Complaint heard by the Governing Body's Complaints Appeal Panel

If the matter has still not been resolved at Stage 2, the complaint should be put in writing to the Chair of Governors, at the school address, giving details of the complaint. The Chair or a nominated Governor will convene a complaints appeal panel including at least three people (Governors or Trust members) who have not been directly involved in the matters detailed in the complaint. Efforts will be made to ensure that at least one member of the panel is independent of the running and management of IES Breckland. The hearing will normally take place within 10 school working days of the receipt of the written request for Stage 3 investigation. The clerk to the Governors will invite the complainant to attend the complaints panel. The complainant will be informed of the time, date and venue for the hearing. The clerk will collate and distribute any relevant information prior to the hearing. The aim of the Appeal Panel hearing is to impartially resolve the complaint and to achieve reconciliation between

the school and the complainant. The complaints appeals panel will aim to reach an outcome in respect of the complaint i.e. upheld, partially upheld, not upheld, unable to substantiate. The panel will also decide and agree on any appropriate action to be taken as a result of the complaint, and make recommendations to change processes/procedures to ensure problems of a similar nature do not recur.

All parties will be notified of the Panel's decision in writing within 10 school working days after the date of the hearing. The letter will also contain what is required, if you wish to take the matter further. A copy of the panel's decision will also be kept by the school for future inspection. Written records will be kept of all complaints, indicating whether they were resolved at the preliminary stage or whether they proceeded to a panel hearing. All correspondence, statements and records of complaints will be kept entirely confidential.

Any disciplinary outcome of any investigation into the conduct of a member of staff at IES Breckland is a confidential matter between the member of staff and the senior management/Governors of the school and will not be disclosed to the complainant.

N.B. In cases where the matter concerns the conduct of the Principal, the Principal and Chair of Governors will be informed of the complaint. The Chair will arrange for the matter to be investigated by an independent person. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint. Where the complaint concerns the Chair of the Governing Body, the complaint would be referred to the Department for Education or the Education Funding Agency.

The response to any anonymous complaints (verbal or written) will be coordinated by the Principal.

The Governors complaints appeal hearing is the last school-based stage of the complaints process. If the complainant tries to re-open the same issue, the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed.

Stage 4. Complaints to other agencies

The Governing Body's decision will usually be final. However, if you are still dissatisfied you may contact one of the following agencies:

Department for Education - If a complainant feels that the school has or is proposing to act unreasonably, or has failed to discharge a duty under certain legislation they can contact the Department for Education via the following link:

https://form.education.gov.uk/submitform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1

Education Funding Agency (EFA) - The EFA can support schools (Academies or Free Schools) to achieve a compliant procedure but it is the responsibility of Trusts to make sure that their complaints procedure is fully compliant. Their responsibility is to ensure schools comply with their funding agreements. If a complaint comes to the EFA they will check whether the complaint has been dealt with properly by the school. They will consider complaints about schools that fall into any of the following three areas:

1. where there is undue delay or the school did not comply with its own complaints procedure when considering a complaint
2. where the school is in breach of its funding agreement with the Secretary of State
3. where a school has failed to comply with any other legal obligation

They will not overturn a school's decision about a complaint. However, if they find a school did not deal with a complaint properly they will request the complaint is looked at again and procedures meet the requirements set out in the Regulations. If the school's complaints procedure does not meet the Regulations, they will ask the school to put this right. They may seek to enforce the decision under the terms of the funding agreement on behalf of the Secretary of State, if appropriate.

Monitoring and evaluation:

This Policy will be reviewed in accordance with the annual cycle of whole school improvement planning. This review will be led by the Principal. Monitoring of the impact of this Policy will be linked to the established processes of self-evaluation. As appropriate, this Policy and the procedures document will be reviewed in consultation with Governors. The Principal will keep records of all complaints that pass beyond Stage 1. Such records will be shared with the Trustees/Governors as appropriate.