



# Denmark Road High School Complaints Procedure

**Reviewed: November 2018**

This policy has been formally approved and adopted by The Governing Body at a formally convened meeting.

This policy will be reviewed at least every three years by the HR & Pastoral Committee.

Policy Approved:..... Date:.....

Name of signatory (please print):.....

Date of Policy Review: November 2021

## **About this policy**

This policy applies to any matter (other than matters relating to admissions and exclusions which have their own processes) which has been raised with the school by parents of students as a matter of concern but which has not been capable of resolution informally and which the complainant or the school consider should be dealt with on a formal basis.

This policy must be made available to parents of students. It will be reviewed at least every three years.

### **Stage 1 – Informal Resolution**

The school will publish guidance on how matters of concern should be raised on an informal basis. Generally, it is expected that where the matter relates to a student it will have been raised with the student's form tutor and Progress & Wellbeing Coordinator before a request is made to deal with it under this policy.

It is a precondition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way consistent with the school's behaviour code adopted from time to time. The chair of governors shall have discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

Where the matter is not resolved at the informal stage, the parent may elevate it to the formal stage (within 15 days of notification of the informal resolution).

### **Stage 2 – Formal Resolution (Investigation by a Nominated Individual)**

1. The complainant must put the complaint in writing, addressed to the headteacher, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the school has not met reasonable expectations.
2. An investigation will be carried out by a nominated individual identified by the headteacher as appropriate, who may offer the complainant a meeting and speak to others involved. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.
3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of the meeting with the complainant and if no meeting is to take place within 25 school days of the complaint being received.

Any complaint relating to the headteacher must be raised in the first instance with the chair of governors (or vice-chair in the absence of the chair) who will, if an informal resolution cannot be

reached, designate a governor to investigate in the same way as in the first stage of the formal process outlined above.

Where a complaint is brought against a governor, the chair of governors will investigate the complaint (or appoint another governor to do so) in the same way as in the first stage of the formal process outlined above.

If the complaint is against the chair of governors, then the vice-chair will investigate the complaint (or appoint another governor to do so) in the same way as in the first stage of the formal process outlined above.

### **Stage 3 – Formal Resolution (Panel Hearing)**

1. If the complainant is not satisfied with the response of the investigator, she/he may request that the complaint be considered by the complaints panel of the governing body which will comprise at least three people who have not previously been directly involved in the matter including one person who is independent of the management and running of the school. That request must be in writing, addressed to the clerk to the governors at the school, within 10 school days of the response being sent to the complainant and must set out briefly the reasons why the complainant is dissatisfied with the response.
2. The clerk will invite the school to put in writing its response to the complainant's reasons. The school will do this within 15 school days of receiving the request and at the end of that period (whether or not the school has responded) the clerk will convene a meeting of the complaints panel of the governing body. That meeting will be held on school premises as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the school and the members of the panel. Whenever possible, the meeting will be held within 15 school days of the end of the school's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.
3. The meeting is not a court case and will be as informal as circumstances allow. The complainant will have the opportunity to put forward her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The school will have the opportunity to put its side of things and each side, as well as the panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the panel.
4. The panel may make findings and recommendations and a copy of those findings and recommendations will be
  - (i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and
  - (ii) available for inspection on the school premises by the school trust and the headteacher.

5. The panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the clerk to the governors will notify all concerned.

### **Timescales**

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant.
- Send the complainant details of the new deadline and explain the delay.

### **Attendance at a Complaints Panel Hearing**

The complaints panel will proceed *irrespective of whether or not* the complainant and/or their representative attend. If the complainant fails to attend on the day without compelling reasons, the complaints panel will *still proceed in their absence and the process will continue to its conclusion*. Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section as below.

### **Serial or persistent complainants**

If a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the chair of governors may write to the complainant to inform him/her that the procedure has been exhausted and the matter closed, and that continued correspondence is vexatious and that the school trust will not respond to any further correspondence on this issue or a closely related issue.

### **Record Keeping**

A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at stage 2, or whether it proceeded to a stage 3 panel hearing. The action taken by the school as a result of a complaint (regardless of whether they are upheld) will also be recorded.

### **Confidentiality**

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

## **Education and Skills Funding Agency (ESFA)**

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a stage 3 request within the time stated in the policy) the matter is closed. If the complainant is still not satisfied then they may contact the ESFA. There is an online procedure at [www.gov.uk](http://www.gov.uk) or you may write to the ESFA at Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH.