



Hyde Community College

Complaints Policy

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Complaints Procedure

Procedures for dealing with complaints

At Hyde Community College (HCC), we undertake to provide a friendly and safe environment in which students will be helped to achieve their potential, both academically and socially. We do however recognise that sometimes things can go wrong and parents/carers may need to make a complaint or raise concerns they have with the school. This policy tells you what to do if this happens.

The school does not respond to anonymous complaints unless issues of child protection are raised. Should a complaint be raised that doesn't fall within our procedure, parents/carers will be informed who they should go to, to direct their complaint.

1) INITIAL INFORMAL STAGE

The school needs to be clear about the difference between a concern and a complaint. We take informal concerns seriously at an early stage. Where the initial concern becomes a formal complaint, however, the school should follow the complaints' procedure as detailed here.

A concern should be dealt with, if possible, without the need for a formal procedure. In most cases a class teacher or support staff member will receive the first approach. At HCC the issue should be resolved 'on the spot': if it is clear that the concern is justified an apology may be necessary. An acknowledgement that the school could have handled the situation better may be necessary at times (this acknowledgement, of course, is not the same as an admission of unlawful or negligent action and cannot be seen as such.). If it is unclear whether the concern is justified, or indeed, it would seem to be unjustified, the member of staff dealing with the concern should make this clear.

Most complaints/issues can be resolved informally and quickly by discussion with the member of staff concerned. Alternatively parents/carers can write to a member of staff outlining the issue clearly.

Any complaint/issue raised by a parent or carer must be put in writing clearly outlining all the issues. The school will provide a response to the complaint within 10 school days. This may involve the school inviting parents/carers to come into school to discuss the issue or incident.

Informal complaints should firstly be directed towards the relevant form tutor, subject teacher or appropriate member of staff.

If the complaint is still unresolved it should then be taken to the relevant Subject Leader, Head of Year, or appropriate member of staff.

If this does not lead to a successful resolution the complaint should be taken to the relevant senior member of staff with responsibility for that area of work in school.

2) FORMAL STAGES

At HCC the formal procedure will need to be invoked where initial attempts to resolve the issue are unsuccessful and the person raising the complaint remains dissatisfied and wishes to take the matter further.

The Headteacher will nominate a member of staff, known as the 'complaints co-ordinator', to have responsibility for the operation and management of the procedure. This may or may not be the Headteacher. Where the complaint is made against the school as a whole or of the Headteacher, then it may be addressed to the Chair of Governors. The Chair of Governors will appoint a person to be the 'complaints co-ordinator' in this instance.

Time Limits

Complaints should be considered and resolved as quickly and efficiently as possible. HCC will have realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set. The complainant should be sent details of the new deadline with an explanation of any delay.

Cut-off Limits

It is reasonable to expect parents to make a complaint as soon as possible after an incident. Should a parent send the complaint via the Local Authority it is likely to take longer to reach the Chair of Governors and this can be taken into account for 'time-limits'. There may be good reasons why a complaint was not made earlier, however (the parent may have been gathering further information or only later became aware of the implications of the incident). In the light of this Hyde Community College's general cut-off policy of six months can be open to consider exceptions.

There are three formal stages;

Stage 1

If a parent/carer is still dissatisfied after the informal stages, they can refer the matter to the Headteacher. This should be done in writing and received within 15 school days after the informal stage. This written response should detail why the parent/carer is still dissatisfied after the earlier discussion with the appropriate member of school staff.

The Headteacher will deal with the complaint and, if appropriate, will offer a meeting to the parent/carer at a mutually convenient time.

The Headteacher may need to speak to other staff and students to investigate the concerns before writing a response. This should happen within 10 school days. If this timescale cannot be met the Headteacher should inform the parent/carer that this will take longer. Reasons for this may be that the complaint is complex and needs more time or someone involved is absent through sickness or holidays.

The Headteacher should, however, give written notice of a realistic timescale for the complaint to be responded to.

Stage 2

If the complaint is still not resolved to the parent/carer's satisfaction, after the involvement of the Headteacher, the complaint can be referred to the Chair of Governors. This must be in writing to the Chair at the school address and received within 15 school days. This complaint must specify the unresolved issue and the complainant's preferred outcome.

If the Headteacher is the subject of the complaint, the complaint should go straight to the Chair of Governors without going through Stage 1. The Chair of Governors will ask for the complaint to be put in writing (if this has not already happened).

If appropriate, the Chair of Governors will offer to meet with the parent/carer at a mutually convenient time.

The Chair of Governors has 15 school days to investigate the complaint. If it cannot be resolved within this time, the Chair will inform the complainant and explain why it will take longer. Reasons for this may be that the complaint is complex and needs more time or someone involved is absent through sickness or holidays. The Chair of Governors should, however, give written notice of a realistic timescale for the complaint to be responded to.

Complaints against the Chair of Governors or any individual governor should be made in writing to the Clerk to the Governing Body.

Stage 3

If the complaint is still not resolved to the parent/carer's satisfaction, or the Chair of Governors feels that it is necessary, s/he can set up a Complaints Panel to consider the complaint. The Chair of Governors will decide if this is appropriate.

The Complaints Panel will only be convened if the Chair of Governors is unable to provide a mutually acceptable resolution.

Whilst a Complaints Panel can be called it will only be convened as a last resort when all other avenues have been explored.

The Chair of Governors can elect to appoint an investigating officer to gather evidence and conduct preliminary interviews on the Chair's behalf. The investigating officer will provide a detailed report of his/her investigation of the complaint. Parents/carers should be given a copy of this report. It is important that the investigating officer is seen as impartial, so if the investigating officer is another governor, s/he cannot be a member of the associated Complaints Panel.

The Complaints Panel must comprise of three people not directly involved in the matters detailed in the complaint, one of whom must be independent of the Governance, management and running of the school.

The Complaints Panel should meet at a time convenient to all parties. The complainant, the Headteacher, the Chair of Governors and any member of staff the complaint is about will be invited to the meeting. Any person invited can bring a friend or supporter if they wish.

The Complaints Panel will consider any written material, and also give the person making the complaint and the Headteacher, Chair of Governors and staff an opportunity to state their case and to question others present. The panel will ensure that all present are treated fairly. Meeting notes will be taken by the Clerk to Governors and these notes will be used by the panel as a basis for their decision making.

The panel will give its decision, in writing, within 15 school days following the meeting, together with the reasons for their decision.

If after this school based process the complaint is still not resolved to the parent/carer's satisfaction, they should write to the Secretary of State, Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

All complaints will be recorded formally by the school in a central log which will indicate at which stage the complaint was resolved. All correspondence, statements and records of complaints are to be kept confidential.

It should be noted that the school will not consider complaints made later than the end of the second term after an incident/issue has occurred.

The school has a right and a duty to protect its employees from complaints that are malicious, personally offensive, including obscenities, racist or homophobic language. Problems arise where a complaint is unreasonable the complainant is not seeking to have a situation remedied but instead is determined to exact retribution for some real or imagined wrong. We reserve the right not

to deal with such complaints. The decision not to consider a complaint of this nature will be taken by the Chair of Governors or Vice Chair of Governors along with a member of the Senior Leadership Team.

The school reserves the right to limit the method of contact of such complaints and restrict who the complainant may communicate with in school.

The school also reserves the right not to consider a complaint that has been re-submitted with only minor differences after we have addressed the complaint.

Appendix 1

Complaint Form

Please complete and return to the Headteacher who will appoint a Complaints Co-ordinator who will in turn acknowledge receipt of your complaint and explain what action will be taken.

Your name:
Pupils' name (if relevant):
Your relationship to the pupil (if relevant):
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? Yes/No If so, please give details:

Signature:

Print Name:

Date:

Official use:

Date acknowledgment sent:

By whom:

Complaint referred to:

Date:

Appendix 2

Framework of the Complaints' Procedure

The complaints' procedure is much more likely to be effective when:

It encourages the resolution of problems by informal means wherever possible;

It is easily accessible (a complainant should have easy access to the 'Information for Parents' section of the procedure);

It is simple to understand and use;

It is impartial and non-adversarial

It leads to swift handling of issues with established time-limits for action (at HCC we would aim to investigate and respond to a complaint within 10 days of it being passed to us formally but this will be guided by the Chair of Governors and/or by the amount of detail to be investigated)

It is a full and fair investigation led by the nominated 'complaints co-ordinator'

It addresses the main point(s) of the complaint, provides an effective response and leads to appropriate redress (if the latter is deemed necessary)

It provides information to the SLT of the school so that services can be further improved.

A complaint may be made in person, by telephone or in writing. Whilst the school will request any formal complaint to be specific and in writing, it takes full notice of its obligations under the Equality Act of 2010 to concede to the complainants preferences for communication when due to disability or learning difficulties (when the complaint is made in person or verbally, brief notes of this should be kept and a copy added to the record: any such notes may be requested by the complainant under the Freedom of Information and Data Protection Acts)

Appendix 3

Managing and Recording Complaints

HCC will record the progress of the complaint and the final outcome. The complainant may use the form in Appendix 1 to make the complaint.

The Complaints Coordinator should be responsible for the records during the process and hold them centrally.

Investigating Complaints

The Complaints' Co-ordinator at HCC should make sure s/he:

Establishes what has happened so far and who has been involved

Clarifies the nature of the complaint and any unresolved matters

Meets the complainant or contacts them (only where further information is necessary or this information has not been given already clearly, often in writing)

Clarifies with the complainant what the complainant feels would put things right, should this not already have been provided

Interviews those involved in the matter, allowing them to be accompanied if they wish

Conducts the interview with an open mind and is prepared to persist with questioning

Keeps notes of the interview or arranges a support staff member – uninvolved in the complaint – to take a record of the meeting

Appendix 4

Resolving Complaints

The school throughout the process should keep in mind ways of resolving the complaint. It may be sufficient to acknowledge that the complaint is valid in whole or in part. It may be appropriate to offer one or more of the following, if the complaint is found to have foundation:

An apology

An explanation

An admission that the situation could have been handled differently or better

As assurance that the event complained of will not recur

An explanation of steps that have been taken by the school to seek to ensure the above

An undertaking to review any school policies necessary in the light of the complaint

It is important to note that an admission by HCC that it could have handled the situation better is not the same as an admission of negligence or of unlawful treatment.

An effective investigation procedure may be able to identify any areas of agreement between the parties. It is of equal importance to clarify any misunderstandings that might have occurred as this can create a more positive atmosphere in which to discuss any outstanding issues.

Appendix 5

Summary for Dealing with Complaints

Initial/Informal Stage – Complaint heard by staff member. Written response to be issued by school within 10 school days of the complaint being received in writing

Ensure complaints co-ordinator informed of outcome

If not resolved, then escalate to Formal Stage 1 – Complaint heard by Headteacher

Acknowledge receipt of complaint

Write to complainant with outcome of investigation which should occur within 10 school days of the complaint being received in writing.

Ensure complaints co-ordinator informed of outcome

Offer escalation to Stage 2 if dissatisfied

If not resolved, then escalate to Stage 2 - Complaint heard by Chair of Governors

Acknowledge receipt of complaint

Write to complainant with outcome of investigation which should occur within 15 school days.

Ensure complaints co-ordinator informed of outcome

Offer escalation to Stage 3 if dissatisfied

If not resolved, then escalate to Stage 3 – Governor's complaints panel meeting arranged

Issue letter inviting complainant to meeting

Issue letter confirming panel decision within 15 school days of the panel meeting.

Ensure complaints co-ordinator informed of outcome

Advise complainant of escalation routes to the Secretary of State for Education