



## **The Cowplain School**

**Work Hard. Enjoy Learning. Achieve Highly.**

# **Complaints Procedure Statement**

Adopted: Spring 2017

Review date: Spring 2021

### **Introduction**

The Cowplain School is dedicated to providing the best possible education and support for all its students. 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 will be made aware of complaints procedures and expected to review this document 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 document explains the complaints procedure, and the steps that it outlines should be referred to and followed by all students and their parents whenever an issue arises that causes them concern.

This document does not apply to complaints about:

- Student admissions
- Student exclusions

Each of these follows its own process of complaints and appeals which are outlined in their relevant policies.

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 document. Where the complaint relates to a safeguarding referral made by a member of staff at the school, any consideration of that complaint by the school will be limited to a review of the reasonableness of the decision to make the referral in light of the evidence available to the member of staff at that time and in light of the school's safeguarding policies.

For more information on our school's provision for protecting our students, read our child protection and safeguarding policy, and the allegations of abuse against staff policy. Relevant policies can be found on the school website.

Anonymous complaints will not be examined under this document.

When making a complaint the following process should be applied:

## **1. Informal complaint**

### **1.1 When an issue or 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 may 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 form 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.

You may wish to provide a written explanation of your concern 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, you should first raise this with the relevant Head of Department, Head of Lower/Upper School, Deputy Headteacher or Headteacher, either in person or in writing, and a meeting can be arranged to discuss the issue at hand. The person you contact may refer this to a more appropriate member of staff.

If your complaint is about the headteacher, you should raise your concern in writing with the Chair of Governors.

If your complaint is about a governor, you should raise your concern in writing with the clerk to the governing body. Details of the clerk's contact details are found at the end of this document.

Any governor will refer complaints that are taken straight to them back to the appropriate member of staff unless one of the above exceptions applies.

## **1.2 Initial informal meeting**

Once a concern has been raised you may be invited to attend an informal meeting with a member of staff to discuss your concerns.

It may be appropriate for a student 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 of 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.

There is no suggested time-scale for resolution at this stage given the importance of dialogue through informal discussion although it would be expected that most issues would be resolved within 10 school days.

## **2. Formal complaints**

In order to ensure that complaints are processed efficiently and effectively, The Cowplain School 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 c/o the Headteacher's PA (contact details at the end of this document).

The headteacher should acknowledge your complaint in writing within 5 school days. He/she will outline his/her 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. This record will be kept

confidentially by the school but may be inspected where appropriate by the Secretary of State or any inspection body.

If the complaint is against a member of staff, 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. Please refer to our allegations of abuse against staff policy for an outline of this procedure.

The headteacher will respond to you in writing within 10 school 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 to take the matter further and the steps to be taken.

## **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 Governors (contact the clerk to the Governing body, see below). The complaint must be in writing and it should explain 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, that employee will be given the opportunity to write a response, which will be sent to the chair of governors within 5 school days of the complaint being lodged with them.

The chair of governors will respond to you in writing within 10 school 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 lodge an appeal following the outcome of a formal complaint at stage 2, this will be taken to the appeals panel. You should write to the clerk to the governing body to exercise this right within 5 school days of the outcome at Stage 2. If no request for an appeals panel hearing is received within 5 school days, it will be deemed that the decision is accepted and the complaint will be closed.

If an appeals panel is requested, the clerk to governors will acknowledge your appeal and make the necessary arrangements, and will usually convene the appeals panel within 10 school days from the acknowledgement being sent. Where it is not possible to find a mutually convenient date within that timescale, the school will take reasonable steps to agree a time and date mutually convenient to all parties.

The clerk will ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents. Any supporting documentation relevant to the complaint must be submitted to the appeals panel by both parties at least 5 days before the appeals panel hearing.

You will be entitled to be accompanied to the appeals panel hearing and should notify the clerk in advance if you attend to bring anyone.

### **The appeals panel**

The appeals panel will be made up of between three to five members of the governing body, which will include at least one person independent of the management and running of the school.

No person 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 chair of the panel will be nominated from within the group of panel members. All panel members will be familiar with and have access to the complaints policy.

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.

### **Appeals procedure**

The Appeals Panel will determine the procedure to be followed to ensure that it is best placed to deal with the issues arising from the complaint. The procedure for an appeal is usually, but not always\*, as follows:

1. The complainant and headteacher will enter the hearing together.
2. The chair will introduce the panel members and outline the process.
3. The complainant will explain the complaint.
4. The headteacher and panel will question the complainant.
5. The headteacher will explain the school's actions.
6. The complainant and panel will question the headteacher.
7. The complainant will sum up their complaint.
8. The headteacher will sum up the school's actions.
9. The chair will explain that both parties will hear from the panel within XX working days.
10. Both parties will leave together while the panel decides.
11. The clerk will stay to assist the panel with its decision making.

\*Note: There may be some situations where it is best to amend the above procedure so that the panel can hear from the school and complainant separately. The chair of the panel will determine any change to the normal procedure.

The chair of the panel/clerk to governors will notify the complainant of the panel's decision in writing within 5 school days of the appeal hearing. The letter will set out

the decision of the panel together with the reasons underpinning that decision. The letter may set out recommendations which will be made to the governing body.

The appeals panel may:

- 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.

The panel's decision is final. If you are unhappy with the outcome, you may wish to put your complaint to the Secretary of State. Complaints can be submitted online at <https://www.gov.uk/complain-about-school>.

#### **4. Vexatious complaints**

Whilst it is hoped that this document will reduce any dissatisfaction with the school, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the school and the outcomes achieved under the complaints procedure.

Where a complainant attempts to re-open an issue which has already been dealt with under the complaints procedure, the chair of governors will contact them to inform them that the matter has already been dealt with and that either that stage of the policy has been exhausted or that the complaints procedure has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the school will be under no obligation to respond to that correspondence.

#### **5. Governing Body – review and monitoring of complaints**

The Cowplain School 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.

The governing body will review the complaints procedure every 4 years or if new legislation warrants it.

#### **5. Staff complaints**

The procedure for dealing with any staff complaints or employment grievances is set out in the school's staff discipline, conduct and grievance policy.

Staff who have a serious concern about a colleague or a volunteer member of staff should refer to our whistleblowing policy.

#### **Contact details**

www.cowplainschool.co.uk / 023 9261 2020

Headteacher: c/o amandas@cowplainschool.co.uk

Clerk to governors: podolska@ntlworld.com

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<b>Date Reviewed and approved:</b>	December 2016	<b>Reviewed by:</b>	IGS	<b>Next Review:</b>	December 2020
<b>Summary of changes made:</b>	Rewrite				