



THE WICKFORD FEDERATION
GOVERNING BODY

RESPONDING TO CONCERNS AND COMPLAINTS

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POLICY STATEMENT ON HANDLING CONCERNS AND COMPLAINTS FROM PARENTS/CARERS, MEMBERS OF THE WIDER COMMUNITY AND EX-STUDENTS

INTRODUCTION –SCHOOLS AND THEIR COMMUNITIES WORKING TOGETHER

The Governing Body of The Wickford Federation endeavours to work in partnership with parents/carers and the local community and acknowledges that on occasions a formal procedure ,providing an accessible system for dealing with concerns/complaints, is necessary to stop minor problems growing into major disputes.

This procedure sets out the process by which the Governing Body will seek to respond to complaints. However, it is not a substitute for normal day to day contact with the school.

With a commitment from all concerned to resolve any such concerns calmly and rationally, we can work with you to try to achieve the most appropriate solution.

You are welcome to see a copy of any of our school policies. We can also provide you with a copy to take away, if you wish, though we have to make a small charge to cover photocopying costs. Please enquire at the school office.

We value good home/school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.

We welcome feedback on what parents/carers and others feel we do well, or not so well, as a school. We will consider carefully all feedback, whether positive or negative, and will review our policies and practices accordingly.

We will treat all concerns and complaints seriously and courteously and will advise parents/carers and others of the school's procedures for dealing with their concerns. In return, we expect parents/carers and other complainants to act respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of students.

Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, use our option to close a complaint before all the stages of the school's procedures have been exhausted, if this appears to be appropriate.

Any matter raised more than 3 months after the incident being complained of (or, where a series of associated incidents have occurred, within 3 months of the last of these incidents) will not be considered unless the Headteacher or Chair of Governors decides that there are exceptional circumstances relevant to the delay.

The school will do its utmost to adhere to the timescales laid out within this procedure; however, if it becomes necessary to alter the time limits and deadlines detailed, you will be advised and given an explanation. Revised timescales will be agreed with you.

Anonymous complaints will not usually be investigated. However, the Headteacher or Chair of Governors will determine whether any anonymous complaint warrants an investigation.

PARENTAL/CARERS COMPLAINTS:

As partners in your child's education, we all need to approach any difficulties calmly, and without confrontation, so that we can work on the concern constructively together. If we feel that this is not the case, we will endeavour to explore the complaint independently and support the student as deemed appropriate by the school.

Children of any age are more likely than not to be happy at school, and to achieve their best, if their parents/carers take an active interest in their education and welfare during the time the child is in school. We value the involvement of parents/carers in the life of our school and offer many opportunities for you to take part in your child's education here, for example:

- Staff & Parent/Carers Forum
- Parent/Carers Evenings
- Parent Governors

It is natural that parents/carers may, from time to time, be concerned about some aspect of their child's education or welfare at school. This may, for example, be due to a misunderstanding about the school's approach to aspects of the curriculum, or about the way we deal with certain issues.

We therefore welcome enquiries from parents/carers about these, and other matters, and are confident that in the vast majority of cases we can reassure you by explaining our policies and practices, and how they affect your child.

EXPRESSING YOUR CONCERNS

Our policy is that concerns and complaints should be dealt with locally, that is, at school level in accordance with government protocols. This is because we want to build and maintain good relations with you and to work with you to provide the best possible education for our students. Wherever possible, we prefer to resolve any concerns informally, so as to make the best use of valuable time in supporting all the children in our care.

Therefore, if you have any concerns at all about your child's education or welfare at school, please contact us via the school office to arrange an appointment to discuss your concerns with the appropriate member of staff, usually the Year Lead in the first instance.

From time to time, situations can arise where parents/carers feel that they must state their concern more formally. The procedures set out in this document explain how we handle such cases. At the end of the guidance we explain where else, if necessary, you can get information and advice.

We recognise that parental/carer concerns can give rise to stressful situations for families and the school's staff. We therefore ask you to bring your concerns to us in a spirit of positive willingness to seek a solution, and we will respond accordingly.

COMPLAINTS FROM OTHER COMMUNITY MEMBERS

We recognise the role the school has in the local community and appreciate that from time-to-time members of the wider community may have concerns or complaints. As with other concerns and complaints, our policy is that such concerns or complaints should be dealt with locally – at school level. The procedures set out in this document explain how we handle such cases. At the end of the guidance we explain where else, if necessary, you can get information and advice.

OUR PROCEDURES FOR DEALING WITH GENERAL CONCERNS

The majority of concerns from parents/carers and others are handled under the following procedures, which are divided into three stages:

Stage 1 aims to resolve the concern through informal contact at the appropriate level in school.

Stage 2 is the first formal stage at which written complaints are considered by the Headteacher or the designated Governor who has special responsibility for dealing with complaints.

Stage 3 is the next stage once Stage 2 has been worked through. It involves a complaints review panel of Governors.

Any person expressing a general concern/complaint direct to an individual Governor, or any Governor with a concern/complaint, will be referred to this procedure and asked to follow it.

How each of these stages operates is explained in the following pages.

STAGE 1 - YOUR INITIAL CONTACT WITH THE SCHOOL

A. Parents/Carers:

Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's Year Lead.

If you have a concern which relates to **your child or a general school matter** you should raise this in the first instance with your child's Year Lead (BHS) or class teacher (WPS) by letter or telephone. The Year Lead will acknowledge your concern within two working days. We will discuss with you (normally within ten working days) the progress of our enquiries, and will ensure that you are informed what action or monitoring of the situation, if any, has been agreed. The Year Lead/ class teacher may refer the matter on to a relevant member of the Senior Leadership Team.

If you are not satisfied with the response, then you may ask the Headteacher's PA to make an appointment for you to see one of the Deputy Headteachers (BHS) or Assistant Headteacher leading your child's phase (WPS). Tell the PA who you have already seen and state that you wish to discuss the problem further. The PA may ask you for some general details so that the Deputy Headteacher/ Assistant Headteacher can have some information ready for your meeting and is more likely to be able to help you quickly. The appointment will be within three working days during term time.

If you are still concerned following your discussion with the Deputy/ Assistant Headteacher and the completion of any agreed action, then complete the Complaint form (Appendix A) and forward to the Headteacher.

B: Other Community Members:

In the first instance, please contact the Headteacher's PA, who will forward your concern or complaint to the most appropriate member of staff and copied to Senior Leadership Team.

If you are not satisfied with the response, then you may follow points 2 and 3 given above (A. Parents/Carers).

STAGE 2 - FORMAL CONSIDERATION OF YOUR COMPLAINT

This stage in our procedure deals with formal written complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined in Stage 1 above.

Normally, your written complaint should be addressed to the Headteacher. If, however, your complaint concerns the Headteacher personally, it should be sent to the school marked "Private and Confidential - for the attention of the Chair of Governors".

We will acknowledge your complaint in writing as soon as possible after receiving it. This will be within three working days.

We will enclose a copy of these procedures with the acknowledgement.

Normally we would expect to respond in full within ten working days, but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.

As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.

The Headteacher, or Chair of Governors/designated Governor may also be accompanied by a suitable person if they wish.

Following the meeting, the Headteacher or Chair of Governors/designated Governor will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a student, we will talk to the student concerned and, where appropriate, others present at the time of the incident in question.

We will normally talk to students with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a student has specifically said that they would prefer the parent or carer not to be involved. In such circumstances we will ensure that another member of staff, with whom the student feels comfortable, is present.

If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.

The Headteacher or Chair of Governors/designated Governor will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.

Once we have established all the relevant facts, we will send you a written response to your complaint. On the response will be a full explanation of the Headteacher, Chair of Governors or designated Governor's decision, as well as the reason behind it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.

The person investigating your complaint may decide that we have done all we can to resolve the complaint, in which case we may use our discretion to close the complaint at this point (see below).

Please note – *It may also be necessary to engage external Governors to support with either Stage 2 or 3 of this process, as independent professionals. Where such independence is required, these individuals will most likely be selected from a governing board of another school. Where this is the case, the school will ask the independent individuals to sign non-disclosure agreements to ensure confidentiality.*

COMPLAINTS ABOUT DISCRIMINATORY INCIDENTS SUCH AS RACISM, CASES COVERED BY CHILD PROTECTION ARRANGEMENTS AND CONCERNS ABOUT MEMBERS OF STAFF

- Allegations of this kind are extremely serious and are treated as such by both the school and the local authority. Parents/carers and others are asked to acknowledge the seriousness of such cases and the implications when unfounded claims are put forward.
- Child protection arrangements may apply in cases where children only are involved and such incidents must also be reported in accordance with established procedures of which all schools are aware.
- Special arrangements, underpinned by employment law, apply in the case of concerns about members of staff, including the Headteacher, other teachers and support staff (both teaching and non-teaching) where potential child protection issues may be involved.
- Depending on the exact nature of your concern, the case may be handled under these special personnel procedures, which are confidential in nature.
- Cases involving staff other than the Headteacher would be investigated by the Headteacher. Concerns about the Headteacher's conduct (not necessarily in connection with a child protection issue) would be investigated by the Chair of Governors or a Governor designated to deal with complaints (the 'designated Governor').

You are entitled to know that such an investigation has taken place, but under the law the details (what action, if any, has been taken), may not be disclosed. Where appropriate, however, we do take professional advice from our personnel adviser, and so you can be assured that such cases are dealt with thoroughly and, where appropriate, disciplinary action is taken.

The guidance in this document does not cover concerns about the following, for which there are special arrangements laid down by law:

- The school curriculum, collective worship and religious education

- Appeals about admissions
- Appeals about exclusions
- Appeals about assessments and statements of special education needs

COMPLAINTS CONCERNING THE CONDUCT OF A GOVERNOR, OR THE GOVERNING BODY AS A WHOLE

Where a complaint is made which concerns the conduct of a Governor (other than the Chair of the Governing body) or the Governing Body as a whole, the Headteacher shall, on receipt of the formal complaint, refer the matter immediately to the Chair of the Governing Body who will investigate for the purpose of that complaint. Following an investigation the Chair of the Governing Body will inform the complainant of the decision.

The complainant may appeal against the decision of the Chair of the Governing Body, provided that notice is given in writing to the Governing Body within 10 school days of receipt of the decision letter.

On receipt of a notice of appeal, the Governing Body shall delegate the investigation and resolution of the complaint on appeal to a review panel of the Governing Body.

Where the Governing Body think it appropriate in the interests of fairness, they may, for the purposes of this regulation only, appoint any three people to the review panel to investigate the complaint and make a decision by way of recommendation to the Governing Body, and any decisions of such a review panel shall be by majority decision.

Complaints against the Chair of the Governing Body

1. Where the complaint concerns wholly or in part the conduct of the Chair of the Governing Body, the Headteacher shall, on receipt of the formal complaint, refer the matter immediately to the Clerk of the Governing Body
2. The complaint may be passed to the vice chair or by agreement of the Full Governing Body, be passed to the Chair of another Governing Body or other independent person to investigate
3. The Chair shall withdraw from any discussion of the complaint.

PUBLICATION OF THE COMPLAINTS PROCEDURE

1. The existence of the complaints procedures will be publicised:
 - a) in the school Prospectus
 - b) on the school website
 - c) in such other ways as the Governing Body see fit
2. A copy of the complaints procedures will be made available for inspection at the school at the request of any person.

If you are unhappy with the outcome of your complaint, or the way it has been handled at school level, you have the right to refer your complaint to the Secretary of State for Education, who has a duty to consider all complaints raised but will only intervene where the Governing Body has acted unlawfully or unreasonably and where it is expedient and practical to do so. Further information can be obtained from the School Complaints Unit by calling the National Helpline on 03700 000 2288 or by going online at <https://www.gov.uk/complain-about-school> by writing to:

Department for Education
School Complaints Unit
2nd Floor, Piccadilly Gate
Store Street
Manchester M1 2WD

You should enclose a copy of any correspondence with the school or Governing Body.

If you are unhappy about the outcome of a complaint relating to a Statutory Request for Information, you may refer your complaint to the Information Commissioner's Office (<https://ico.org.uk/for-the-public/>).

CONCERNS/COMPLAINTS REGARDING PUBLIC EXAMINATIONS

The Joint Council of Qualifications (JCQ) requires the school to have a written complaints procedure to cover the Centre's delivery or administration of a qualification. Complaints or concerns of this nature should be addressed in writing to the Deputy Headteacher (Teaching and Learning) who will investigate.

CONCERNS/COMPLAINTS REGARDING DATA PROTECTION ISSUES

Any concerns or complaints regarding Data Protection issues should be referred to the Senior Information Risk Officer (SIRO) for the school in the first instance.

The SIRO for the school is the School Business Manager.

For concerns or complaints regarding Subject Access Requests or Freedom of Information requests, please refer to the relevant policies.

CLOSURE OF COMPLAINTS

- Very occasionally, a school will feel that it needs regrettably to close a complaint where the complainant is still dissatisfied.
- We will do all we can to help to resolve a complaint against the school, but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of 'agreeing to disagree'.

- If a complainant persists in making representations to the school - to the Headteacher, Chair of Governors or designated Governor, or anyone else, this can be extremely time-consuming and can detract from our responsibility to look after the interests of **all** the children in our care.
- For this reason, **we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint.**
- In exceptional circumstances, closure may occur before a complaint has reached Stage 3 of the procedures described in this document.
- The Chair of Governors or designated Governor may decide, therefore, that every reasonable action has been undertaken to resolve the complaint and that a complaints review panel would not help to move things forward.

If we do not close the complaint after Stage 2, you may wish to proceed to **Stage 3**.

STAGE 3 - CONSIDERATION BY A COMPLAINTS REVIEW PANEL

If your concern has already been through Stages 1 and 2 and you are not happy with the outcome, we may agree to set up a complaints review panel to consider it. This is a formal process, and your ultimate recourse at school level. The Chair of Governors or designated Governor has discretion to agree to this form of meeting where he or she feels it would be helpful in resolving the complaint.

The purpose of this arrangement is to give your complaint a hearing in front of a panel of Governors who **have no prior knowledge of the details of the complaint** and who can, therefore, consider it without prejudice.

The aim of a complaints review panel is to resolve the complaint and to achieve reconciliation between the school and the parent. We recognise, however, that it may sometimes only be possible to establish facts and make recommendations which will reassure you that we have taken your complaint seriously.

The Complaints Review Panel

- a) The review panel considering the complaint shall be made up of at least three persons;
- b) A majority of the members of the review panel must be Governors;
- c) The Headteacher may not be a member of the complaints review panel;
- d) The review panel shall appoint a Chair.

The **complaints review panel** operates according to the following formal procedures:

The clerk to the Governing Body will aim to arrange for the panel meeting to take place within 20 working days of the Chair of Governors or designated Governor agreeing to convene this form of meeting.

If you or your supporting person (if you choose to be accompanied) require any adjustments to be in place for the meeting, please let the clerk know ahead of the meeting.

The clerk will ask you whether you wish to provide any further written documentation in support of your complaint. You can include witness statements, or ask witnesses to give evidence in person if you wish.

The Headteacher will be asked to prepare a written report for the panel. Other members of staff directly involved in matters raised in your complaint will also be asked to prepare reports or statements or give evidence in person.

The clerk will inform you, the Headteacher, any relevant witnesses and members of the panel by letter, at least five working days in advance, of the date, time and place of the meeting. We hope that you will feel comfortable with the meeting taking place at the school, but we will do what we can to make alternative arrangements if you prefer.

With the letter, the clerk will send you all the relevant correspondence, reports and documentation about the complaint and ask whether you wish to submit further written evidence to the panel.

The letter will explain what will happen at the panel meeting and the clerk will also inform you that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.

With the agreement of the chair of the panel, the Headteacher may invite members of staff directly involved in matters raised by you to attend the meeting.

The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do their best to put you at your ease.

As a general rule, no evidence or witnesses previously undisclosed by the deadline before the meeting, should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.

The chair of the panel will ensure that the meeting is properly minuted. Please understand that any decision to share the minutes with the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.

Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the clerk can then be asked to maintain confidentiality in the minutes.

During the meeting, you can expect there to be opportunities for:

- you to explain your complaint
- you to hear the school's response from the Headteacher
- you to question the Headteacher about the complaint
- you to be questioned by the Headteacher about the complaint
- the panel members to be able to question you and the Headteacher
- any party to have the right to call witnesses (subject to the chair's approval) and all parties to have the right to question witnesses
- you and the Headteacher to make a final statement

In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the Headteacher and yourself **within two weeks**. All participants other than the panel and the clerk will then leave.

The panel will then consider the complaint and all the evidence presented in order to:

- reach a unanimous, or at least a majority, decision on the complaint
- decide on the appropriate action to be taken to resolve the complaint
- recommend, where appropriate, to the Governing Body changes to the school's systems or procedures to ensure that similar problems do not happen again.

The clerk will send you and the Headteacher a written statement outlining the decision of the panel within two weeks. The letter will explain what further recourse, beyond the Governing Body, is available to you.

We will keep a copy of all correspondence and notes on file in the school's records but separate from students' personal records. The Complaints Review Panel will treat your complaint confidentially and objectively.

WITHDRAWAL OF COMPLAINTS

Formal complaints may be withdrawn at any stage by notice in writing.

UNREASONABLE COMPLAINTS

We are committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with us. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

We adopt the Department for Education definition of unreasonable complainants as those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints.

Unreasonable complaints are taken seriously by the school as they put a strain on valuable resources and hinder the progress of proper investigations. The school may judge that a complaint is unreasonable by assessing a number of factors, including those that are outlined below.

A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;

- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where our complaint procedure has been fully and properly implemented and completed;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

*acting in an inappropriate way may include but is not limited to:

- using threats to intimidate
- using abusive, offensive or discriminatory language or violence
- knowingly providing falsified information
- publishing unacceptable information on social media or other public forums

If aggressive or abusive behaviour takes place, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the school, causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the school site.

COMPLAINT CAMPAIGNS

For the purposes of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with the school) which are all based on the same subject. Depending on the subject in question, the school may deviate from the procedure set out in this policy and instead:

- send a template response to all complainants and/or
- publish a single response on the school's website (as applicable).

MONITORING AND STORAGE OF INFORMATION IN RELATION TO COMPLAINTS

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls. This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel. Records of complaints will be kept securely and then disposed of in line with the school's data retention policy. Complaint records may be inspected by the Secretary of State or any inspection body.

The Governing body regularly monitors all complaints that are made, to what stage they progressed and how they were resolved. This is to enable them to spot any emerging patterns, 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 does not receive any personal data that is not relevant to this monitoring process.

APPENDIX A – Refer pages 13 and 14 overleaf

Complaint Form

Please complete and return to the Headteacher of your child's school who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date: