



IMPACT PUPIL REFERRAL UNIT

## COMPLAINTS POLICY

**APPROVED BY GOVERNORS: September 2023**

**POLICY TO BE REVIEWED: September 2024**

## INTRODUCTION

### **Why do we need guidance and monitoring of school complaints?**

Parents and carers and pupils are stakeholders in the educational system. If they are unhappy about something, there should be a clear system and route for them to make the school aware of their concerns - even if all that is entailed is an explanation of why something happens the way it does.

It should be possible to deal with most complaints informally as detailed below. However, for those situations where this is not the case, this procedure provides schools with a useful framework within which to investigate and deal with complaints. It can also provide a school with the means to identify an area of concern at an early stage and to tackle it quickly and effectively.

Schools take their responsibility for children seriously. They value the support and partnership of parents and carers. They may try hard to get things right. However, despite everyone's best efforts, situations may arise which require further attention.

A complaint is defined as:

**“An expression of dissatisfaction or disquiet in relation to a school or teacher, which requires a response.”**

Pupils, parents or carers can make a complaint to the school about most aspects of its function including:

- Attitude / behaviour of staff
- Teaching and learning
- Application of behaviour management systems
- Bullying
- Provision of extra-curricular activities

The Local Authority retains responsibility for

- The National Curriculum
- Collective Worship in schools  
(In the case of denominational school's concerns relating to worship and spiritual matters may be referred to the relevant Diocese or Archdiocese).
- Provision of support services e.g. SEN, education welfare, educational psychology

Complaints about these matters should be referred to Children's Services' corporate complaints procedure.

There are existing statutory procedures and bodies, Human Resources, or other procedures for dealing with each of the following issues:

- Disciplinary and capability issues relating to a member of staff (although sometimes this may come about as a result of a complaint);
- Complaints about a contractor or Council employee;
- Allegations of abuse of children, criminal or financial matters;
- Admissions and exclusions;
- Provision of collective worship and religious education;

- Complaints regarding the delivery of the National Curriculum.

Members of the general public may take complaints to the school if the school is directly responsible for the issue being complained about e.g.

- Behaviour of pupils during break – times
- Disturbance to neighbours during school hours
- Health and Safety issues of premises
- Behaviour of staff

**What could a complaint be about?**

Headteachers and Governing Bodies are responsible for the day-to-day running of schools. The kinds of issues that might lead to a complaint being made may include:

- Bullying;
- Discrimination on the grounds of race or gender;
- The school environment;
- Staff conduct;
- Decisions about exam entries.

Should any parent or carer report a general complaint to the LA then they will be directed to the school for the matter to be considered by the Headteacher.

## **THE STAGES FOR MAKING A COMPLAINT**

The complaints procedure is designed to give anyone who has a grievance the opportunity to have their voice heard, and to provide a route to a succession of higher authority, if the complainant is unhappy at any stage with the formal response he or she has initially received.

### **Dealing with Complaints on an Informal Basis**

The informal stage is when a parent or pupil or other person who is not happy about something that has happened, or is happening in school contacts the school. It may take the form of a letter, a telephone call or a visit to the school. The school should provide parents, carers/pupils with the opportunity to discuss their concerns with the appropriate member of staff.

At this stage the Headteacher, or other member of staff as designated by the Headteacher, will attempt to resolve the concerns. It may be helpful to identify at this point what sort of outcome the complainant is looking for. This will help tackle minor concerns quickly and effectively. Any appropriate actions should only be written down if this is felt to be necessary by the Headteacher.

If a concern relates to a Head teacher, the parent or carer should be advised to contact the Chair of the Governing Body, although wherever possible parents or carers should try to resolve any concerns, they have with the Headteacher before doing so.

It is important that both parents or carers and school try to reach a resolution to any concerns. A more formal investigation of the complaint should only be initiated if this is not possible.

Nearly all complaints become formal at the point at which the complainant believes that no one is listening to them or taking their concerns seriously. Strategies that can be adopted to ensure the majority of complaints are resolved informally include:

- being able to apologise for someone's negative experience
- introducing positive feedback systems such as a suggestion scheme
- being open and available to hear criticisms
- listening to low level grumbles and action upon them
- receiving negative feedback without defending
- recognising hostility as an expression of caring

The introduction of such strategies will contribute towards increasing parental satisfaction and potentially reduce the number of complaints Impact school will receive. It is equally recognised that parents or carers must also take a balanced approach when raising issues/complaints regarding their experiences and Governors may consider further emphasis of this within home/school agreements.

### **Stage 1 - Formal Complaint to the Headteacher or Chair of Governors**

If the complainant is not satisfied with the response received informally, then he/she will be given the opportunity to take the complaint to the next stage of the process, and ask the Headteacher to investigate. If the Headteacher has already had extensive involvement at the informal stage, or if a complaint is about a Headteacher, the Chair of

Governors or other Governor as designated by the Chair, will carry out the investigation at this stage of the complaint. The complainant **must** submit the complaint in writing.

**i. Formal Complaint to the Headteacher (in relation to complaints not concerning the Head and/or a Governor)**

An oral or written acknowledgement will be provided within 5 school days of receiving the formal complaint. A target date for response should be given, usually within 10 school days. If this is not possible, an explanation will be given, with a revised target date. A copy of the complaints procedure will also be provided to the complainant.

If the complaint is about a member of staff, the Headteacher will provide the member of staff with a copy of both the complaint and the complaints procedure.

The Headteacher will provide the complainant with the opportunity to meet to discuss the complaint further. It is reasonable to allow a friend or advocate accompanying the complainant to the meeting if the complainant wishes. All parties have the right to be accompanied at each stage of the procedure by either a friend or his/her trade union representative, however, this does not include the right to be accompanied or represented by a solicitor or other legally qualified representative.

The Headteacher will interview any relevant pupils/witnesses. The Headteacher will advise the parents of those pupils to be interviewed, in writing, at least the previous school day to give their parents or carers the opportunity to attend. Written records will be kept of all meetings, telephone conversations etc. by the Headteacher.

Whilst the investigation itself is confidential, the information collected will not be. Undertakings of confidentiality will not be given to either a person making a complaint or to those interviewed. Evidence compiled in the investigation may be made available to the parties in any subsequent hearing and those giving evidence in the investigation will be informed.

The complainant will receive a written response, including a full explanation of the decision and the reasons for it, within 15 school days of having submitted the complaint. Any actions will be written down and approved by all parties. The complainant will be advised of the next stage of the complaints procedure in case he/she is not satisfied with the response at Stage 1. The complainant **must** submit the complaint to Stage 2, in writing, within 5 school days of receipt of the decision from Stage 1.

In the case of a complaint about a member of staff, the Headteacher will make the member of staff aware, in writing, of any subsequent action he/she intends to take. If action is to be taken under Disciplinary or Capability Procedures, then the complainant will be advised of this decision and advised of their right to appeal.

The Chair of Governors will be informed of the complaint and the action taken/to be taken, but **care will be taken not to discuss the matter in detail** to avoid prejudicing the position of the Chair in any possible subsequent referral to the Governing Body.

**ii. Formal Complaint to the Chair of Governors (in relation to complaints concerning the Headteacher and/or a Governor)**

An oral or written acknowledgement will be provided within 5 school days of receiving the formal complaint. A target date for response will be given, usually within 15 school days. If this is not possible, an explanation will be given, with a revised target date. A copy of the complaints procedure will be supplied.

The Chair of Governors will provide the complainant with the opportunity to meet to discuss the complaint further. It is reasonable to allow a friend or advocate to accompany the complainant to the meeting if the complainant wishes. All parties have the right to be accompanied at each stage of the procedure by either a friend or his/her trade union representative. However, this does not include the right to be accompanied or represented by a solicitor or other legally qualified representative.

The Chair of Governors will interview any relevant pupils/witnesses. The Chair of Governors will advise the parents or carers of those pupils to be interviewed, in writing, at least the previous school day to give their parents the opportunity to attend. Written records will be kept of all meetings, telephone conversations etc. by the Chair of Governors.

Whilst the investigation itself is confidential, the information collected will not be. Undertakings of confidentiality will not be given to either a person making a complaint or to those interviewed. Evidence compiled in the investigation may be made available to the parties in any subsequent hearing and those giving evidence in the investigation will be informed.

The complainant will receive a written response, including a full explanation of the decision and the reasons for it, within 15 school days of having submitted the complaint. Any action plans will be written down and approved by all parties. The complainant will be advised of the next stage of the complaints procedure in case he/she is not satisfied with the response at Stage 1. The complainant **must** submit the complaint to Stage 2, in writing, within 5 school days of receipt of the decision from Stage 1.

In the case of a complaint about the Headteacher, the Chair of Governors will make the Headteacher aware, in writing, of any subsequent action he/she intends to take. If action is to be taken under Disciplinary or Capability Procedures, then the complainant will be advised of this decision and advised of their right of appeal.

**b. Stage 2 – Formal Complaint to the Board of Governors**

Complaints only rarely reach this level, but Governing Bodies will be prepared to deal with them when necessary.

Parents or carers inevitably see many complaints as being “against” a particular member of staff and their actions. All complaints that reach this stage will have done so because the complainant has not been satisfied by the Headteacher’s response at the earlier stage of the procedure. Governors may, therefore, wish to consider whether there are systems or procedures in place at school that may require attention.

A School Complaints Committee, consisting of at least three members of the Governing Body, will be convened. Impact School may wish to seek advice at this stage from any relevant authority, e.g. the LA

It is important that the School Complaints Committee will not only be independent, but be seen to be so. The Full Governing Body will not consider individual complaints in case the investigation leads to a disciplinary hearing that would need to be heard by a separate group of Governors. Similarly, some Governors may have prior knowledge of a problem, which might make them unable to give fair and unbiased consideration to the issue.

A School Complaints Committee meeting will be arranged, with enough notice given (usually at least 5 school days), so that everyone, including the complainant and their representative, can attend. At this meeting the issues around the complaint can be discussed, with everyone involved invited to put their case.

A written response to the complainant will be made within 15 school days of the more formal complaint being made.

**c. Stage 3 – Appeal to the Secretary of State for Education and Skills/Ombudsman**

If the complainant is still not happy by this stage, an appeal can be made to the Secretary of State for Education and Skills, or to the Local Authority Ombudsman on the following grounds:

- The Governing Body or LA is acting or proposing to act unreasonably.
- The Governing Body or the LA has failed to discharge its duties under the 1996 Education Act.

**Deliberately Repetitious or Vexatious Complaints**

The Headteacher or Chair of Governors may, at any stage of the complaints procedure, review a complaint and give a decision, without a formal investigation, where it is considered to be deliberately repetitious or vexatious.

**Record of Complaints**

A record of complaints will be maintained in a school complaint register and should be made available for inspection by the LA and OFSTED. Such a register will include:

- The name and address of the complainant
- A brief description of the complaint
- The time taken to resolve the matter
- How complaints were dealt with
- Improvement made as a result of complaints received
- Number of complaints received year by year

**STAGE TWO COMPLAINT**

**A MODEL PROCEDURE FOR REVIEW BY THE GOVERNING BODY**

If a complainant makes a written request for the complaint to proceed to Stage 2, the procedures outlined below will be followed:

1. Written acknowledgement of receipt of the request will be made, usually within 5 school days. The acknowledgement will inform the complainant that the complaint is to be heard by a minimum of at least three members of the school's Governing Body within 15 school days of receiving the complaint. The letter will also explain that the complainant has the right to submit any further documents relevant to the complaint. These must be received no later than 5 full school days before the meeting to allow the documents to be sent to the members.
2. The Chair (or their representative) of the Governing Body will arrange to convene a School Complaints Committee elected from members of the Governing Body. It may be necessary for the Governing Body to appoint reserves to this Committee to ensure that at least three Governors are available to carry out their task within the set time.
3. The School Complaints Committee members must be Governors who have had no prior involvement with the complaint. Often the School Complaints Committee will be chaired by the Chair of the Governing Body, but this is not essential. It is not appropriate for the Headteacher to have a place on the School Complaints Committee. Governors will want to bear in mind the advantages of having a Parent Governor on the Committee. Governors will also want to be sensitive to issues of race, gender and religious affiliation.
4. The Chair/Vice-Chair will ensure that the School Complaints Committee will hear the complaint within 15 school days of receiving the request to move to Stage 2. All relevant correspondence regarding the complaint will be given to each School Complaints Committee member as soon as the composition of the School Complaints Committee is confirmed.
5. The Chair/Vice-Chair will write and inform the complainant, Headteacher, (or Chair of Governing Body as appropriate) any relevant witnesses and members of the Committee of the date, time and place of the meeting. This will be done at least 5 school days in advance. The notification to the complainant will also inform him/her of the right to be accompanied to the meeting by a friend, as well as, if appropriate, an interpreter. The letter will also explain how the meeting will be conducted and the complainant's right to submit further written evidence to the School Complaints Committee prior to the meeting, in accordance with 1. above.
6. The Chair/Vice-Chair of the School Complaints Committee will invite the Headteacher (or Chair of Governing Body as appropriate) to attend the School Complaints Committee meeting and prepare a written report for the



School Complaints Committee, which addresses the complaint. The member of staff directly involved in matters raised by the complainant will be invited to respond in writing or in person to the complaint. Any relevant documents, including the Headteachers' (or Chair of Governing Body as appropriate) report, will be received by all concerned - including the complainant - at least 5 school days prior to the meeting.

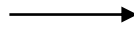
7. The Headteacher and any member of staff complained of, shall have the right to attend the meeting. It is the responsibility of the Chair of the School Complaints Committee to ensure that the meeting is properly minuted.
8. The aim of the meeting will be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that sometimes it may only be possible to establish facts and make recommendations which will satisfy the complainant that his or her complaint has at least been taken seriously.
9. The School Complaints Committee will remember that many parents or carers are unused to dealing with groups of people in formal situations and may feel inhibited when speaking to the School Complaints Committee. It is therefore recommended that the Chair of the School Complaints Committee ensures that the proceedings are as informal as possible.
10. If either party seeks to introduce previously undisclosed evidence or witnesses, it is in the interests of natural justice to adjourn the meeting so that the other side has time to consider and respond to the new evidence.
11. The meeting should allow for:
  - a. the complainant to explain their complaint; the Headteacher (or Chair of Governing Body as appropriate) to explain the school's response; the member of staff complained about to explain their response;
  - b. the Headteacher (or Chair of Governing Body as appropriate) to question the complainant about the complaint and the complainant to question the Headteacher (or Chair of Governing Body as appropriate) and/or other members of staff about the school's response;
  - c. committee members to have an opportunity to question both the complainant and the Headteacher (or Chair of Governing Body as appropriate);
  - d. any party to have the right to call witnesses (subject to the approval of the Chair) and the other party and the School Complaints Committee to have the right to question all the witnesses;
  - e. final statements to be presented by both the complainant and the Headteacher.
12. The Chair of the School Complaints Committee will explain to the complainant and the Headteacher that the Committee will now consider its decision, and a written decision will be sent to both parties within 15 school days. The complainant, Headteacher (or Chair of Governing Body as appropriate), other members of staff and witnesses will then leave.

13. The School Complaints Committee will then consider the complaint and all the evidence presented and:
  - a. reach a unanimous, or at least a majority, decision on the complaint;
  - b. decide upon the appropriate action to be taken to resolve the complaint;
  - c. where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.
14. A written statement outlining the decision of the School Complaints Committee will be sent to the complainant, Headteacher (or Chair of Governing Body as appropriate) and member of staff involved. The letter to the complainant will explain whether a further appeal can be made and, if so, to whom.
15. The school will ensure that a copy of all correspondence and notes are kept on file in the school's records. These records will be kept separately from any staff or pupil's personal records.

**HOW THE SCHOOL COMPLAINTS PROCESS WORKS**

INFORMAL

- Tell the Class Teacher, Form Tutor, Senior Leader or Headteacher of your school (or Chair of Governors if the complaint concerns the Headteacher)
- Complaint dealt with to your satisfaction



**If complaint not dealt with to your satisfaction**

**It is expected that most complaints will be dealt with at this stage**

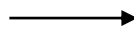


FORMAL

- Write to the Headteacher (or Chair of Governors if the complaint concerns the Headteacher)

STAGE 1

- Headteacher acknowledges your complaint (or Chair of Governors if the complaint concerns the Headteacher)
- You will be informed of the outcome within 10 school days of receipt of your written complaint



**If you are not happy with this response, you can ask the Headteacher to refer the matter to the School Complaints Committee**



FORMAL

- The school will acknowledge your request within 2 school days
- You will be informed of the meeting within 10 school days of receipt of the request
- You will be informed of the outcome within 20 school days of the meeting

STAGE 2



**If you are not happy with this response, you can refer the matter to the Secretary of State or Ombudsman**

FORMAL

- The Secretary of State or Ombudsman will reply to you

STAGE 3

**COMPLAINTS PROCEDURE NOTES FOR PARENTS**

**GENERAL COMPLAINTS PROCEDURES**

**FIRST STAGE**

Write to or speak with your class teacher about a complaint or ask for an appointment with the Headteacher. If the complaint concerns a member of staff the matter will be referred to the Headteacher and if it concerns the Headteacher it will be referred to the Chairman of the Governing Body.

After investigating, a response will be given, where possible, within 7 school days. If you are not satisfied with the response, you may send a written complaint to the school within 10 school days of receiving the response.

**FORMAL Stage 1**

Your written complaint should be made on a form (see attached). The school will write to you within 2 school days, where possible, to say they have received your written complaint. Staff will then investigate. The Headteacher will then write to you with her decision where possible, within 10 school days of receiving your complaint.

**FORMAL Stage 2**

If you complain in writing to the Chairman of Governors s/he will discuss it with the Headteacher before taking any action. The Chairman will write to you within 2 school days, where possible, and investigate your complaint. After this the Chairman will write to you within 10 school days, where possible, with his decision.

**FORMAL Stage 3**

If you are not happy with this decision, you should write to the Clerk to the Governors. The Governing Body Complaints Committee will meet within 20 school days. You, the Headteacher, the Chairman of Governors and the Local Authority Complaints Officer will be invited to attend this meeting at least 10 school days before it happens. This meeting will discuss whether to agree or not with the Headteacher or Chairman's decisions. Everyone at this meeting will receive in writing the decision and recommendations of the Complaints Committee within 5 school days. The Committees decision is final.

## IMPACT SCHOOL

### Complaint / Concern Form

If you are not satisfied or feel that you have been unfairly treated, we would like you to indicate the problem.

**It is important that you attempt to resolve any difficulties informally in the first instance by discussing your concerns / complaint with a member of staff at the school**

If you have tried this and are still not satisfied with the response then please fill in all the sections of this form and return to the Head Teacher or Chair of Governors (this would need to be sent c/o Clerk to Governors, Impact School, Dale Acre Drive, Bootle, L30 2QQ)

a) Your name:		
b) Your address:		
c) Your tel no:	Day:	Evening:
d) Child's name and DOB	Your relationship to the child:	
e) Name of school: Impact School		
f) Please give a brief description of your concern / complaint:		
g) Have you complained about this before?		Yes / No
h) If you answered 'Yes' to (g), when did you report the problem to the school and what was their response?		

i) Who at school did you report the problem to?

j) What was the response?

k) If you answered 'Yes' to (g), what steps do you feel should have been taken by the school to resolve the matter?

l) What steps do you feel should now be taken by the school to resolve the matter (Please also complete this section if it is your first contact)

This information may be shared with other persons as appropriate to investigate your complaint. Please sign below to give approval for this data to be shared as mentioned

I do / do not\* wish my details to be shared as detailed (Please delete as appropriate)

Signature: .....

Date: .....

