

# Presdales School



<b>Title</b>	COMPLAINTS PROCEDURE
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<b>Committee Responsible</b>	Achievement & Curriculum Committee
<b>Governor Link</b>	Mark Dunstan
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## Enquiries & comments

Any enquiries and comments about this publication may be made to:

**Telephone:** 01920 462210 / **Email:** [admin@presdales.herts.sch.uk](mailto:admin@presdales.herts.sch.uk)

**Address:** Hoe Lane, Ware, Hertfordshire SG12 9NX

## Complaints Procedure

This procedure applies to all complaints by parents of students currently attending the Academy made against the Academy which have been raised with the Academy as a matter of concern but which have not been capable of informal resolution and which the complainant or the Academy consider should be dealt with on a formal basis. This procedure applies except in relation to admissions, statutory assessments of special educational needs (SEND), safeguarding matters, exclusions, whistle-blowing, staff grievances or staff discipline. There are separate policies for procedures relating to these types of complaints.

The DfE guidance explains the difference between a concern and a complaint.

A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”.

The school will resolve concerns through day-to-day communication as far as possible.

A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

The Academy expects that before seeking to use this formal policy the complainant:

- a) will have raised the matter with an appropriate member of staff and/or the Headteacher, if the matter relates to a student;
- b) will have made reasonable attempts to seek an informal resolution.

The Chair of Governors shall have a discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The school expects that complaints will be made as soon as possible after an incident arises

and no later than 3 months afterwards. 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.

### **First stage of the Formal Procedure**

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

1. The Complainant must put the complaint in writing using the Academy's complaints form (attached at Appendix 1). The complaint should be addressed to the Chair of Governors, Presdales School, Hoe Lane, Ware, SG12 9NX
2. The Chair of Governors will acknowledge receipt of the complaint by letter.
3. An investigation of the complaint will be carried out by a member of the senior management team, as decided by the Headteacher. The findings of the investigation will be reported to the Headteacher.
4. The Headteacher will discuss the matter with the complainant. This may be during a meeting or on the telephone. Whenever reasonably possible such discussion will take place within 15 school days of the complaint being received.
5. The Head Teacher will then put his findings in writing and indicate what steps if any should be taken to resolve the matter. Whenever reasonably possible this will be done within 15 school days of the discussion with the complainant at 4 above.

Where a complaint relates to the Headteacher, the Chair of Governors will appoint a Governor to take over his responsibilities under this procedure. Otherwise, the procedure for the First Stage will remain the same.

### **Second Stage of the Formal Procedure**

1. If the complainant is not satisfied with the outcome of the first stage, she/he may request that the complaint be considered by the Chair of the Governing Body. Such a request should be in writing addressed to the Chair of Governors.
2. The Chair will conduct a review of the matter to date.
3. The Chair will report his/her findings to the Headteacher and the parent within 15 school days of receipt of the written request to use the Second Stage.

### **Third Stage of the Formal Procedure**

1. If the complainant is not satisfied with the outcome of the first and second stage, the complainant may request that the complaint be considered by the Complaints Panel of the Governing Body which will comprise two members of the Board of Governors who have not previously been involved in the complaint, and one person independent of the management and running of the Academy.

2. A request to use the third stage must be in writing, addressed to the Chair of Governors at the Academy, 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.
3. The Chair will invite the Academy to put in writing its response to the complainant's reasons. The Academy will do this within 15 school days and at the end of that period (whether or not the Academy has responded) the Secretary will convene a meeting of the Complaints Panel of the Governing Body. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the Academy and the members of the Panel. Whenever possible, the meeting will be held within 15 school days of the end of the Academy's response time. At any meeting, the complainant will be entitled to be accompanied.
4. The following are entitled to attend the Panel meeting, submit written representations and address the Panel:
  - (a) The parent/s and/or one representative;
  - (b) The Headteacher of the Academy and/or one representative; and
  - (c) Any other interested person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making.
5. 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;
  - (ii) available for inspection on the Academy premises by the Academy Trust and the Headteacher.
6. The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the Chair of Governors will notify all concerned.

### **General**

1. 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 final 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.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

2. A written record will be kept of all complaints, and of whether they are resolved at

the first stage, second stage or proceed to a panel hearing.

3. If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into:
  - Whether there was undue delay, or the school did not comply with its own complaints procedure
  - Whether the school was in breach of its funding agreement with the secretary of state
  - Whether the school has failed to comply with any other legal obligation

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

4. Where a complaint is against the chair of governors, any member of the governing board, or the entire governing board, it should be made in writing to the chair of governors in the first instance.
5. Where a complainant tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the chair of governors (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, *and*
- The complainant has been given a clear statement of the school's position and their options (if any), *and*
- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school staff

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

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

6. Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

**Appendix 1**

**PRESDALES SCHOOL COMPLAINTS FORM**

Please complete and return to the Chair of Governors who will acknowledge receipt and explain what action will be taken.

Your name:

Student's name:

Your relationship to the student:

Address:

Postcode:

Email address:

Day time 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? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date: