

Demeter House Complaints Procedure

Part 1: General Principles of Complaints

Dealing with Complaints – Initial Concerns

1. The school needs to be clear about the difference between a concern and a complaint. By taking informal concerns seriously at the earliest stage we will reduce the numbers that develop into formal complaints.
2. The underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach/ all staff should make every effort to resolve issues on the spot, including apologising where necessary. It should also be noted that some students may not have the understanding or skills necessary to make a formal complaint. All staff should be aware of this and to look for signs of unhappiness or stress in their students, they should recognise their responsibility to give assistance or guidance to any student and refer them to the Head Teacher.

Dealing with Complaints – Formal Procedures

3. The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.
4. The Head Teacher will have responsibility for the operation and management of the school complaints procedure. There will be no reprisals for anyone making a complaint under this procedure.

Principles

5. The Complaints Procedure will:
 - Encourage resolution of problems by **informal** means wherever possible;
 - Be easily **accessible** and **publicised**;
 - Be **simple** to understand and use;
 - Be **impartial**;
 - Be **non-adversarial**;
 - Allow **swift** handling with established **time-limits** for action and keeping people informed of the progress;
 - Ensure a full and **fair** investigation by an independent person where necessary;
 - Respect people's desire for **confidentiality**;
 - Address all the points at issue and provide an **effective** response and **appropriate** redress, where necessary;
 - Provide **information** to the school's management team so that services can be improved.

Investigating Complaints

6. It is suggested that at each stage, the person investigating the complaint (the complaints co-ordinator), makes sure that they:
 - Establish what has happened so far, and who has been involved;
 - Clarify the nature of the complaint and what remains unresolved;
 - Meet with the complainant or contact them (if unsure or further information is necessary);
 - Clarify what the complainant feels would put things right;
 - Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
 - Conduct the interview with an open mind and be prepared to persist in the questioning;
 - Keep notes of the interview.

Resolving Complaints

7. At each stage in the procedure, the school will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:
 - An apology;
 - An explanation;
 - An admission that the situation could have been handled differently or better;
 - An assurance that the event complained of will not recur;
 - An explanation of the steps that have been taken to ensure that it will not happen again;
 - An undertaking to review school policies in light of the complaint.
8. It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.
9. An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Vexatious Complaints

10. If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of complaints panel is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Time Scale

Complaints will be considered, and resolved, as quickly and efficiently as possible. When dealing with a complaint, the complainant will be given clear deadlines for each stage of the complaint. An initial complaint will be dealt with at stage one within 14 days of being received.

Part 2: The Formal Complaints Procedure

11. The complaints procedure has well-defined stages, however, there may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the Head Teacher after a meeting with the complainant.
12. There are two basic stages.
13. If a complaint concerns the conduct of the Head Teacher then Stage One will be heard by a member of the management team.
 - Stage one – complaint heard by Head Teacher
 - Stage two – complaint heard by complaints appeal panel
14. If the complainant is still unsatisfied then the complaint will move to Stage Two. The school will call together a complaints panel consisting of 3 people not directly involved with the complaint and at least one of whom is independent of the management of the school. The panel will acknowledge the complaint and call a hearing usually within 14 working days. The complainant may attend the hearing accompanied by one other person for support, although legal representation would not normally be appropriate. The panel will endeavour to resolve the complaint at the hearing unless further investigation is required. Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within 7 working days of the Hearing. The Panel will write to the parents and the person involved in the complaint, informing them of its decision and the reasons for it. The decision of the Panel will be final. The Panel's findings and, if any, recommendations will be sent in writing to the parents, the Head Teacher and any other person involved in the complaint.

The Panel can:

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or part;
- Decide on the appropriate action to be taken to resolve the complaint;
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

Part 3 – Managing and Recording Complaints

15. The school will record the progress of the complaint and the final outcome and whether the complaint was resolved at the preliminary stage or if it proceeded a panel hearing. A complaint may be made in person, by telephone, or in writing. The complaint will be logged on to a complaint form so that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of any meetings and telephone calls will be kept and a copy of any written response added to record. All correspondence, statements and records of complaints will be kept confidential.

16. The complaints co-ordinator should be responsible for the records and hold them centrally.

Publishing the Procedure

17. There is a legal requirement for the Complaints Procedures to be publicised. This can be done in the following ways;
 - The home/school agreements;
 - A specific complaints leaflet which includes a form on which a complaint can be made;
 - School website.

Agreed: September 2016
Review by: September 2017

Checklist for Panel Hearing

The panel needs to take the following points into account:

- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Head Teacher may question both the complainant and the witnesses after each has spoken.
- The Head Teacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Head Teacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Head Teacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

Complaint Form

Please complete and return to Dr. R. S. Wardlaw (Complaints Co-ordinator), who will acknowledge receipt and explain what action will be taken.

Your Name:
Pupil's Name:
Relationship to Pupil:
Address:
Postcode:
Day time Telephone No:
Evening Telephone No:
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:

For Official Use Only:

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

