ST MICHAEL'S
C of E PRIMARY
HIGHGATE

# Complaints Policy and Procedure

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*To nurture and inspire our children to develop a love of learning in a supportive Christian community and become the best they can be*

**Contents**

1. Aims .....3
2. Legislation and guidance .....3
3. Definitions and scope.....4
4. Roles and responsibilities .....5
5. Principles for investigation .....6
6. Stages in the complaints procedure.....8
7. Complaints against the Head of School, Head of School, a governor or the governing board ..... 13~~13~~
8. Referring complaints on completion of the school's procedure ..... 13~~11~~
9. Unreasonable Complainant Behaviour..... 14
10. Record keeping ..... 18~~18~~
11. Learning lessons ..... 19~~19~~
12. Monitoring arrangements..... 19~~19~~
13. Links with other policies ..... 19~~19~~

Appendix A: Complaint Form 20
Appendix B: Stage 2 Request Form 22
Appendix C: Timescales for complaints procedure 24
Appendix D: Governors' Complaints Panel- procedure for oral meetings 27
Appendix E: Model agenda for oral meetings 29

## 1. Aims

As a Church of England School, Christian values are at the heart of all we do. We value our relationship with parents and all members of the school and local community. If you have a concern, we want to know about it so that it can be dealt with immediately. Most issues can be dealt with easily and quickly, but to ensure all concerns are handled effectively, the Governing Body has adopted a complaints policy and procedure.

The school's Complaints Procedure is devised with the intention that it will:

- usually be possible to resolve problems by informal means
- be simple to use and understand
- allow problems to be handled swiftly
- treat complaints confidentially
- inform future practice so that a problem is unlikely to recur
- ensure that the school's attitude to a pupil will never be affected by a parental complaint
- ensure that any person complained against has equal rights with the person making the complaint
- reaffirm the partnership between parents, staff and governors as we work together for the good of the pupils in the school
- discourage anonymous complaints
- be regularly reviewed.

## 2. Legislation and guidance

This document meets the requirements of section 29 of the Education Act 2002, which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on guidance for schools on complaints procedures from the Department for Education (DfE), including the model procedure, and model procedure for dealing with serial and unreasonable complaints.

This document meets the requirements of section 35 of the schedule to the Education (Non-Maintained Special Schools) (England) Regulations 2011, which states that non-maintained special schools must have and make available a written procedure to deal with complaints relating to their school.

It also refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).

## 3. Definitions and scope

### 3.1 Definitions

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

The school aims to resolve concerns and complaints informally where possible, at the earliest possible stage.

**If you do have a concern, we would like you to tell us about it so that we may be aware of the issue, and to allow us to take swift action. Be assured that no matter what you wish to share with us, our support and respect for you and any pupil will not be affected.**

The majority of concerns can be resolved informally by speaking to a member of staff confidentially. If you have a concern, please raise it without delay as it is difficult for us to investigate properly an incident or problem that is more than a day or two old.

Please contact your child's class teacher or other appropriate member of staff, for example Head of Key Stage, and arrange a time when you can discuss your concern. It may be possible for you to see the member of staff straight away, but it is usually better to make an appointment so that you have time to talk things through.

We will make every effort to resolve your concerns informally. It may be possible to give a response immediately, but where any investigation or information is required, a response will be given within five school days (or 5 school days from their next day in school where additional information is required from a part-time member of staff). If, in the event that it is not possible to meet these timescales, this will be communicated to the person raising the concern.

If you find that we have been unable to resolve your concern, and you would like to make a complaint, you are asked to follow the school's formal complaints policy and procedure- set out in section 6, below.

### 3.2 Scope

This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs and disabilities (SEND)
- Safeguarding matters
- Suspension and permanent exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline
- School re-organisation proposals
- Curriculum
- Collective worship.

Please see our separate policies for procedures relating to these types of complaints.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

## 4. Roles and responsibilities

### 4.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Do not publish details about the complaint on social media.

### 4.2 The investigator

An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the Head of School or complaints committee, which includes the facts and potential solutions.

### 4.3 Clerk to the governing board

The clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing/circulation of written representations.
- Take notes during the meeting that will be used for the purpose of writing the decision letter.
- Circulate the decision letter to all parties in attendance.

### 4.4 Complaints committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case.

## 5. Principles for investigation

When investigating a complaint, we will try to clarify:

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

### 5.1 Resolving complaints

At each stage in the procedure, St Michael's Church of England Primary School wants to resolve the complaint. If appropriate, we will acknowledge

that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained about will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology
- access to mediation with an independent, trained mediator
- (In the case of a staff conduct complaints) informing the complainant that the matter is being addressed. NB complainants will not be informed of the details of any disciplinary action taken against staff as a result of the complaint.

### 5.2 Timescales for raising a concern or complaint

The complainant must raise the concern or complaint within 20 school days of an incident. If the concern or complaint is about a series of related incidents, they must raise the complaint within 20 school days of the last incident.

We will consider exceptions to this timeframe 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.

When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay.

## 6. Stages in the complaints procedure

- **Informal – reporting a concern to us**

If you have a concern, we would like you to tell us about it so that we can talk with you and see how best to resolve the issue. The majority of concerns can be resolved informally by speaking to a member of staff. Whatever your concern, please know that we shall treat it as strictly confidential and that our support and respect for you and your child will not be affected.

Please contact your child's class teacher or other appropriate member of staff, for example Head of Key Stage, and arrange a time when you can discuss the issue. It may be possible for you to see the member of staff straight away, but usually it is better to make an appointment so that you can talk things through. It may be possible to give a response immediately, but where any investigation or further information is required, a response will be given within 5 school days (or 5 school days from their next day in school where additional information is required from a part-time member of staff). If, in the event that it is not possible to meet these timescales, this will be communicated to the person raising the concern.

- **Formal Stage 1**

If you have tried the above, but do not feel your concern has been resolved by informal means, or if you wish to refer it directly to a formal process, you should contact the Head of School and send them your completed Complaint Form -see Appendix 1. Receipt of your form will be acknowledged within 2 school days.

Note: The Head of School may delegate the investigation to another member of the school's senior leadership team, but not the decision to be taken.

During the investigation, the Head of School (or investigator) will:

- look into all aspects of the matter in detail
- **if necessary**, interview those involved in the matter and/or those complained about
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of the investigation, the Head of School will provide a formal written response within 5 school days of the date of acknowledgement of the completed complaint form.

If the Head of School is unable to meet this deadline, they will provide the complainant with an update and revised response date. Where appropriate, it will include details of actions St Michael's School will take to resolve the complaint.

- **Formal Stage 2**

If, following Stage 1, and, where appropriate, having allowed sufficient time for any actions agreed to resolve the matter at Stage 1 to take effect, you still have concerns, you may ask for your complaint to be considered by a complaints committee of the governing body.

The committee will carefully consider your views and those of the Head of School, and, if appropriate, any others involved, and come to a decision.

A request to escalate to Stage 2 must be made in writing to the Clerk to the Governing Board via the school office, with a completed Stage 2 Complaint Request Form – Appendix 2 – and supporting evidence, within 20 school days of receipt of the Stage 1 response. Requests received outside this time frame will only be considered in exceptional circumstances.

- **Formal Stage 2 – general principles**

On receipt of a Stage 2 Complaint Request Form the Clerk will ensure the complaints process is started as soon as practicable. They will acknowledge receipt of your form within 3 school days. They will aim to convene a Complaints Committee within 10 school days of within 10 school days of the Clerk's acknowledgement of receipt of the Stage 2 request and supporting information. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

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A minimum of three governors will be selected to form the Complaints Committee to consider the complaint. The Chair of Governors will not usually sit on this committee. Those governors chosen should have no knowledge of the details surrounding the complaint or of the complainant themselves. The Complaints Committee will elect its Chair.

It is appreciated that it may not always be possible to find governors with no knowledge at all. However, the Governing Body will use their best endeavours to find governors who are as impartial as can be. If this proves particularly difficult in any given case, the Clerk to Governors will contact the Chair of Governors of our partner school, St James's C of E Primary School, to request that a member of their governing board with no knowledge of the details

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surrounding the complaint or of the complainant themselves joins the committee.

Once the Complaints Committee has been formed, members of the Complaints Committee will ensure they are familiar with the school's complaints procedure. They will then decide how they wish to consider the complaint.

Governors have two options available: they can choose to deal with the complaint by means of written representations from the parties concerned, which all members of the Complaints Committee will carefully consider and reach a decision on; or through an oral hearing, which may take place online or in-person. In making their decision about these options they will be sensitive to any needs the complainant has. The complainant and the school will be informed which option the Complaints Committee choose for dealing with the complaint.

Regardless of which method is adopted, the Complaints Committee will take a robust approach and not simply endorse the decision of either party without any consideration of the evidence.

In all cases, whether the complaint is heard via written representations or via an in-person or online oral hearing, the committee will carefully consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the complaints committee will provide the complainant and St Michael's Church of England Primary school with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days of the committee hearing.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by St Michael's Church of England Primary School.

- **Governors Complaints Committee - Procedure**

**Oral hearings, online or in-person**

- If the governors choose to have an in-person or online oral hearing, the Clerk to Governors will invite the complainant to attend a meeting where they will be able to put their complaint personally to the Governors' Complaints Committee.
- The Clerk will aim to provide all parties with 1 week's (7 calendar days') notice of the date and time of the meeting.
- If the complainant rejects the offer of three proposed dates for the meeting, without good reason, the Clerk will decide when to hold the meeting. If the complainant is not available on this date, the meeting will proceed in the complainant's absence on the basis of written submissions from both parties.
- The complainant will be advised that they have the right to submit any further information or documentation relevant to the complaint and that this information should be received in sufficient time so it can be provided to the Committee at least five school working days before the hearing. They should also be informed that any written materials will be provided to the Head of School in advance of the hearing.
- The Clerk to Governors will inform the Head of School of the time and date of the meeting, invite them to attend and provide all the details of the complaint available at that time.
- Complainants are entitled to bring one person along for support. This can be a relative or friend. We do not encourage either party to bring legal representatives to the meeting. However, there may be occasions when legal representation is appropriate - for instance, if a school employee is called as a witness, they may be supported by union and/or legal representation. Representatives from the media are not permitted to attend.
- Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

- The committee will also not review any new complaints or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.

- Oral hearings of the Complaints Committee in-person and online will be held in private. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or special needs require it. In this case the school will make appropriate arrangements and prior knowledge and consent of all parties must be sought. Consent will be recorded in any minutes taken.

- The Head of School should attend the hearing to respond to the complaint. Teachers should not attend. If their evidence is needed, it should either be obtained via the Head of School, or where this is not appropriate, by a governor either before or after the meeting with the complainant.

**Hearings via written representations**

- If the governors do not wish to hold an oral hearing - that decision being at the discretion of the Complaints Committee - the consideration will proceed by way of written representations.

- Should the governors choose to adopt this procedure, the Clerk to the Governors will write to the complainant, outlining the procedure as follows:

- The Stage 2 Request Form and supporting evidence will be forwarded to the Head of School who will then have 5 school working days in which to respond.

- That response will then, in turn, be sent to the complainant for comment, any responses to be provided within 5 school working days.

- Finally, that response will go to the Head of School who has 5 school working days in which to respond to the Clerk.

- All the responses are then put before the Complaints Committee for consideration. The Complaints Committee has 5 school working days to consider the written evidence and responses.

- The Complaints Committee will provide a written decision letter within a further 5 school working days.

- Total timescale for a Stage 2 complaint dealt with by written representation: 25 school working days from acknowledgment by Clerk of receipt of Stage 2 Request Form.

- For the avoidance of doubt, all communication should be through the Clerk to the Governors, neither party should send their response to the other directly.

## 7. Complaints against the Head of School, a governor or the governing board

### 7.1 Stage 1: informal

Complaints made against the Head of School or any member of the governing board should be directed to the Clerk to the Governing Board in the first instance.

If the complaint is about the Head of School or 1 member of the governing board (including the chair or vice-chair), a suitably skilled and impartial governor will carry out the steps at stage 1 (set out in section 6 above).

### 7.2 Stage 2: formal

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire governing board or
- The majority of the governing board

An independent investigator will carry out the steps in stage 2 (set out in section 6 above). They will be appointed by the diocese, and will write a formal response at the end of their investigation.

### 7.3 Stage 3: review panel

If the complaint is:

- Jointly about the chair and vice-chair or
- The entire governing board or
- The majority of the governing board

A committee of independent governors will hear the complaint. They will be sourced from local schools, the local authority or diocese and will carry out the steps at stage 3 (set out in section 6 above).

## 8. Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the DfE.

The DfE will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The DfE also looks at whether the school's statutory policies adhere to education legislation.

The DfE will intervene where a school has:

- Failed to act in line with its duties under education law
- Acted (or is proposing to act) unreasonably when exercising its functions.

If the 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

We will include this information in the decision letter to complainants.

## 9. Unreasonable Complainant Behaviour

This policy has regard to the DfE model policy for circumstances of serial and unreasonable complaints.

Staff and Governors are keen to ensure that all genuine concerns and complaints are dealt with fairly and promptly and in accordance with our agreed procedures. We would again emphasise that most matters can be resolved by discussing issues with our staff at the informal stages of our procedure.

Regrettably, there are times when complainants raise issues with or about staff and governors in ways which are unacceptable. This can cloud the concern at the heart of the complaint, which may result in the delay or hindrance of a resolution. It can also have an adverse effect on pupils, staff and the effective running of the school. Examples of behaviours that we consider to be unacceptable are as follows:

- Making a complaint or raising repeated concerns in a manner that makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff, in person, in writing, by email and by telephone;
- Demanding unrealistic outcomes, or a solution that lacks any serious purpose or value;

- Making unjustified complaints about staff who are trying to deal with the issues and/or harassing individual staff members in a way which appears intended to cause personal stress and/or distress, rather than to find a resolution;
- Introducing 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;
- Refusing to articulate their concern or complaint or specify the grounds of a complaint or the positive outcomes sought by raising the complaint, despite offers of support and mediation;
- Refusing to cooperate with the complaints procedure as set out in this policy; while still wishing their complaint to be resolved;
- Refusing to accept that certain issues are not within the scope of a complaints procedure;
- Changing the basis of the complaint as the consideration proceeds and/or making unjustified complaints about those trying to deal with the complaint;
- Pursuing unreasonable outcomes which are disproportionate to the nature of the matters in hand;
- Persisting in repetitious complaints when these have been previously determined under the school complaints procedure;
- Electronically recording meetings, telephone calls and conversations without the prior knowledge and consent of the other persons involved;

The conduct of a person raising concerns and/or making complaints may also be considered unreasonable if the person raising concerns and/or making the complaint does so, either face-to-face, by telephone or in writing or electronically:

- repeatedly;
- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;

- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with the school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached. In addition, the school expects that any person wishing to raise a concern or complaint will:

- Follow the school complaints procedure.
- Treat all members of the school community with courtesy and respect.
- Recognise the time constraints that staff operate under and allow them a reasonable amount of time in which to respond / address any issues.

Where a complainant raises a complaint in a manner which the school feels is unreasonable, actions may be taken to remedy this. The actions will be proportionate to the nature of the behaviour and may include:

- An informal approach to inform the person that the behaviour is unacceptable and needs to be modified.
- A formal written communication advising the person that the behaviour is unacceptable and appropriate action may be taken if the behaviour is not modified.
- A tailored communications strategy such as limiting the method and/or frequency of contact with staff / school personnel.
- A refusal to register and process further concerns and /or complaints about the same or similar subject matter where the matter has already been determined and we believe we have taken all reasonable steps to help address their concerns, or where complaints are vexatious, or where complaints are personally harassing, or deliberately targeted at one or more members of staff or member of the governing board without good cause. Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make, provided they do not meet the criteria set out above for unreasonable complainant behaviour. Where there is unreasonable complainant behaviour, the school, to protect its staff from harassment and to enable them to focus on their core duties of teaching and safeguarding pupils, will pause before agreeing to consider new complaints. In such instances, and before any new complaint is considered, a mediation meeting will be offered with a trained mediator from the London Diocesan Board for Schools (LDBS), with the aim of

facilitating a respectful, collaborative relationship between the complainant and the school going forwards.

- Setting restrictions on the person's access to the school site.

In respect of the last point, it should be noted that parents/carers and members of the wider community do not have an automatic right to enter school grounds and may be barred from entering the school site with immediate effect following any incident where conduct has been verbally and/or physically aggressive.

In the event of such conduct, the school will write to the person concerned to advise that his/her licence to enter the school premises has been temporarily revoked, subject to a review of the decision. The letter will invite the individual to put forward his/her views as to the ban and also advise how he/she can appeal the decision. The decision will then be reviewed and the ban either confirmed or lifted. If the decision is confirmed, the person will be notified in writing and advised how long the ban will be in place.

Any restrictions placed on a person as a result of this policy will be time limited, with a specified date as to when the restrictions will be reviewed and potentially lifted. The period of review will usually be three months; however, for more serious breaches, this may extend to a period of six months.

**Again, we would emphasise that the Head of School, Executive Head and Governing Body are committed to ensuring a full and fair consideration of all legitimate complaints and we recognise that the majority of parents/carers and members of the wider community will conduct themselves in accordance with this policy. However, we reserve the right to take any necessary actions under this policy in those rare cases where a person does not.**

### 9.1 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint.

If there are new aspects, we will follow the complaints procedure set out in this document again.

### 9.2 Complaint campaigns

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.

### 9.3 Social Media

In order for complaints to be resolved as quickly and fairly as possible, the school requests the complainants do not discuss complaints publicly via social media such as Facebook and Twitter. Complaints will be dealt with confidentially for those involved, and we expect complainants to observe confidentiality also.

## 10. Record keeping

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 2018, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and data management policy.

The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.

Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.

Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

## 11. Learning lessons

The governing board will review any underlying issues raised by complaints with the Executive Head / Head of School / senior leadership team, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

## 12. Monitoring arrangements

The governing board will monitor the effectiveness of the complaints procedure in making sure that complaints are handled properly. The governing board will track the number and nature of complaints, and review underlying issues as stated in section 11.

The complaints records are logged and managed by the School Business Manager.

This policy will be reviewed and approved by the Executive head Teacher, Head of School and the full governing board every 3 years, in line with DfE recommendations.

## 13. Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Suspension and permanent exclusion policy
- Staff grievance procedures
- Staff disciplinary procedures
- SEN policy and information report
- Privacy notices

*To nurture and inspire our children to develop a love of learning in a supportive Christian community and become the best they can be*

**Appendix A: Complaint Form**

| **COMPLAINT FORM** | |
|---|---|
| FAO Head of School<br>Send to: admin@stmichaelsn6.com | |
| When we receive a written complaint, we aim to acknowledge its receipt within 2 school days and send a written response within 5 school days. | |
| **Name of complainant:** | **Name of pupil (if relevant):**<br><br>**Relationship to pupil (if relevant):** |
| **Address:** | |
| **Email address:** | |
| **Telephone (day):** | **Telephone (evening):** |
| **What is your concern and how has it affected you?** | |
| **Are you attaching any additional information? If so, please list:** | |

| | |
|---|---|
| **Have you discussed this matter with a member of staff before filling in this form? If so, who did you speak to and what was the response?** | |
| **What actions do you feel might resolve the problem at this stage?** | |
| **Signature:** | **Date:** |
| **Official use only**<br>**Date acknowledgement sent:** **By whom:**<br>**Complaint referred to:** | |

**Appendix B: Stage 2 Complaint Request Form**

| **Stage 2 Complaint Request Form** | |
|---|---|
| FAO Clerk to Governors<br>Send to: admin@stmichaelsn6.com | |
| When governors receive a Stage 2 Request Form, we aim to acknowledge its receipt within 3 school days. We aim to convene a meeting of the Governors' Complaints Committee – via written submissions, or via an online or in-person oral hearing - within 10 school days of the acknowledgement of receipt of your Stage 2 request form. | |
| **Name of complainant:**<br><br>**Relationship to pupil (where relevant):** | **Name of pupil (where relevant):** |
| **Address:** | |
| **Email address:** | |
| **Telephone (day):** | **Telephone (eve):** |
| **Please explain briefly the nature of your original complaint and how has it affected you:** | |
| Please attach your original Complaint Form, your Stage 1 Response Letter, and copies of any correspondence relating to your complaint at Stage 1 and the initial, informal stages.<br>Your Stage 2 request cannot be considered without this information. | |

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|---|
| **Please list here all information you are attaching:** |
| **Please explain briefly why you do not feel your complaint was adequately addressed at Stage 1:** |
| **Please explain briefly the additional and different resolution you are seeking by escalating your complaint to Stage 2:** |
| Your completed Stage 2 Request Form and supporting information will be shared with a committee of 3 governors who have had no prior involvement in your complaint. The committee can choose to deal with the complaint by means of written representations from the parties concerned or through an oral hearing that may take place online or in-person. The clerk will inform all parties which option the committee choose for dealing with the complaint. With all options, the aim is to resolve the complaint and achieve reconciliation between the school and the complainant. |

| | |
|---|---|
| **Your signature:** | **Date:** |

| |
|---|
| **Official use only**<br>Date form received and sent on to Clerk:<br>By whom: |

## Appendix C: Summary of timescales of complaints procedure

| Action | Timescale |
|---|---|
| Raising a concern or complaint (complainant) | Within 20 school days of the incident |
| Response to a concern or informal complaint (school) | Should be resolved immediately in a discussion between the person raising the concern/complaint and appropriate member of school staff – class teacher or member of the Senior Leadership Team. Where a longer discussion is needed than time permits when the matter is first raised, a mutually suitable time& date to discuss the matter will be arranged, within 2 school days where possible.<br><br>Where any investigation or further information is required, a response will be given by the school within 5 school days (or 5 school days from their next day in school where additional information is required from a part-time member of staff) |
| Raising a Stage 1 Formal Complaint by completing the Complaint Form (complainant) | Within 20 school days of the incident |
| Acknowledgment of receipt of Complaint Form (school) | Within 2 school days |
| Written response to Stage 1 Compliant (Head of School) | Within 5 school days of acknowledgment of receipt of Complaint Form |
| Raising a Stage 2 Formal Complaint by completing the Stage 2 Request Form<br>(complainant) | Not before any dated actions in the Stage 1 written response have been put in place<br>*And*<br>Within 20 school days of receipt of the Stage 1 response |

| | |
|---|---|
| Acknowledgment of receipt of Stage 2 Request Form (Clerk to Governors) | 3 school days |
| Meeting of the Governors' Complaints Committee (3 governors with no prior involvement) | Within 10 school days of acknowledgment by Clerk of receipt of Stage 2 Request Form<br>(*where possible: due to the number of people involved, timescales may change. All parties to be kept informed of any change to these timescales) |
| Notice given to all parties of date of Meeting of the Governors' Complaints Committee (Clerk) | 1 week (7 calendar days)<br>(*where possible: due to the number of people involved, timescales may change. All parties to be kept informed of any change to these timescales). |
| Provision of further documentation or evidence to the Complaints Committee (complainant) | Within 5 school days of the date of the meeting |
| Decision of the Complaints Committee - letter circulated to all parties<br>(Chair of complaints committee/Clerk) | Within 5 school days of the meeting of the complaints Committee |

**NB where the Complaints Committee chooses to deal with a Stage 2 complaint by means of written representations from the parties concerned, timescales are as follows:**

The Stage 2 Request Form and supporting evidence are forwarded to the Head of School who will respond within 5 school working days.

That response will be sent to the complainant for comment, who will have 5 school working days to provide any response to this.

Complainant's response will go to the Head of School, who has 5 school working days in which to respond to the Clerk.

All the responses are then put before the Complaints Committee for consideration.

The Complaints Committee has 5 school working days to consider the written evidence and responses.

The Complaints Committee will provide a written decision letter within a further 5 school working days.

**Total timescale for a Stage 2 complaint dealt with by written representation:**

Up to 25 school working days from acknowledgment by Clerk of receipt of Stage 2 Request Form, subject to the availably of all parties to meet the above timescales.

**Appendix D:**

**Governors' Complaints Panel- procedure for oral meetings, in-person and online**

**Introduction**

The aim of the meeting is to resolve the complaint and achieve reconciliation between the school and the complainant.

As set out in the main body of this Complaints Procedure, the meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless there are communication difficulties and/or a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken. The Clerk will take notes of the meeting that will be used to draw up the decision letter.

Although the meeting will follow the structured order below, given potential sensitivities and anxieties, the Chair will endeavour to ensure that the proceedings are as informal as possible and that all parties are put at their ease.

The introduction of new information, previously not notified to all parties, would be a reason to adjourn the meeting so that everyone has time to consider and respond to the new information.

**Order of the meeting**

1. The Chair welcomes all parties and introduces the Governors' Complaints Panel (GCP).
2. The Chair explains the purpose of the meeting, the procedure, and that all written evidence has been made available to all parties.
3. The complainant explains the complaint.
4. The GCP may question the complainant.
5. The Head of School (or, where appropriate, Executive Head/Chair of Governors/Governor/Independent Investigator) presents a response to the complaint, including action taken to address the complaint at stages 1 and 2 of the procedure.
6. The GCP may question the Head of School
7. The Head of School is invited to make a final statement.
8. The complainant is invited to make a final statement.

9. The complainant, Head of School and any witnesses and support persons leave the meeting.
10. The GCP considers the complaint and reaches a unanimous or majority decision. The GCP also decides what action (if any) to take to resolve the complaint and any organisational learning for the school.
11. The outcomes are confirmed in writing to both parties in accordance with the Complaints Procedure. (See p.10 for possible outcomes). The decision letter serves as the written record of the meeting.

The records of the GCP meeting including a copy of the decision letter are retained securely in school along with all other records of the complaint.

## Appendix E: Model agenda for oral meetings, online and in-person

### Meeting of the Governors' Complaints Committee

### Held on: date, time

**Agenda**

| **Item No.** | **Item and timings**<br>(timings are a guide- more or less time can be given to each stage depending upon the information presented) | **Who** |
|---|---|---|
| 1 | The Chair welcomes all parties, introduces the panel and explains the purpose of the meeting and the procedure *5 mins* | Chair |
| 2 | The complainant (Cmp) explains their complaint and what they want to happen as an outcome of the hearing *15 mins* | Cmp. |
| 3 | The panel may ask the complainant questions *5 mins* | Panel |
| 4 | The Head of School presents a response to the complaint on behalf of the school, including action taken to address the complaint at the informal and Formal Stage 1 stages of the procedure *15 mins* | School |
| 5 | The panel may ask questions of the school *5 mins* | Panel |
| 6 | The Head of School is invited to make a final statement *5 mins* | Cmp. |
| 7 | The complainant is invited to make a final statement *10 mins* | School |
| 6 | Chair brings the meeting to close; parties withdraw.<br>End of hearing proceedings for the complainant and the school.<br><br>Parties *may* be asked to wait for a short time after the hearing, in the event that Panel members wish to seek clarification of any points presented. | Chair |
| 7 | The Panel carefully considers the parties' cases and makes a decision *30 mins* | Panel |
| 8 | The Panel prepares a decision letter to be sent to both parties within 3 school days of the hearing *30 mins*<br>End of hearing proceedings for panel and clerk <u>Total 2 hours</u> | Panel |