



Date	Section of Policy	Amendment
1 st Feb 2022	Introduction	Addition of a limited timescale to complaints

Complaints Policy

Introduction.

1. It is everybody's interest if complaints are resolved at the earliest possible stage. To that end the school should be clear about the difference between a concern and a complaint and ensure they have procedures that are clear and helpful. A complaint which is raised about a matter which occurred more than three months prior may not be processed unless there are extraordinary reasons for the delay.
2. This policy is not intended to cover matters for which there is a specific statutory process to object, complain or appeal. Concerns about allegations of child abuse and staff discipline must be dealt with through the separate agreed procedures that have been adopted for these purposes.
3. Delamere School will make parents aware of the existence of their complaints procedure through inclusion on their website and reference in the school prospectus and annual report to parents

General Principles

1. The resolution of a complaint can be an opportunity for the school to improve its practice and develop stronger partnerships with parents.
2. It is acknowledged that most complaints are 'genuinely felt' by the complainant.
3. Confidentiality is important in securing the confidence of all concerned. However the parties to a complaint need to be aware that some information may have to be shared in order to carry out a thorough investigation. Parents need to feel confident that a complaint will not disadvantage their child.
4. Procedures should be as speedy as possible, consistent with fairness to all.
5. A complaint is distinct from any formal disciplinary procedure. Staff who may be questioned as part of a complaints procedure must be treated fairly and have an opportunity to put their case. They should be offered support in responding to any investigation into a complaint.

6. If it becomes apparent to the Headteacher or Chair of Governors that the complaint has the potential to be a disciplinary issue, professional advice should be immediately sought.
7. If the investigation of a complaint shows that it is justified, then the school should consider how to make amends in an appropriate way.

Procedure

Stage 1 – Initial Approach

Dealing with concerns at the earliest opportunity

1. The vast majority of concerns and complaints can be resolved informally, often straight away by the classroom staff.
2. Delamere School aims to ensure that parents feel able to raise concerns with staff without undue formality, either via email, telephone or in person. There may be occasions when it is helpful for someone to accompany or act on behalf of a parent.
3. A preliminary discussion with school staff will usually clarify the issue and help parents to decide whether they wish to take the matter further.

Procedure

- Parents should have the opportunity for informal discussion of their concerns with an appropriate member of staff. The aim is to clarify the nature of the concern and what outcome the parent is seeking.
- Staff should seek advice from their line manager if they are unsure of how to deal with the matter raised. Any matter that could potentially result in the following should be referred immediately to the Headteacher: legal or insurance, child protection, action under staff disciplinary or complaints relating to employment practice.
- If the concerns relate to the Headteacher and parents feel unable to raise it with the Headteacher they should contact the Chair of Governors
- If no satisfactory solution has been found, the complainant should be informed about how they should proceed if they wish to take their complaint further. They should be informed of any advice and support that may be available to them.

Stage 2 – Formal complaint to Headteacher or Chair of Governors

Guidelines

1. The Headteacher will determine which person is the most appropriate to have responsibility for responding to individual formal complaints, including the Head's involvement at various stages.
2. If the complainant is dissatisfied with the action of the Headteacher, or the Headteacher has been closely involved informally, the Chair of

Governors should carry out all stage two procedures, with support from another governor if and with professional advice is necessary.

3. Individuals on the governing body should not be involved at this stage to avoid prejudicing their possible future involvement.

Procedure

- Parents who wish to pursue a formal complaint at stage two will be asked to put the complaint and their desired outcome to the Headteacher (or Chair of Governors if criteria above met).
- A response acknowledging the complaint should be given orally or in writing within three working days of receipt giving a brief explanation of the complaints procedure and a target date for providing a brief response. Ideally this should be within 10 working days. If this is not possible the complainant should be informed when it will be concluded.
- The Headteacher, Chair of Governors or designated member of staff may offer an opportunity for the complainant to meet with them. The complainant will be offered the opportunity to be accompanied by a friend or relative who can support or speak on their behalf.
- If necessary the Headteacher, Chair of Governors or designated member of staff should interview any witnesses and take statements from those involved. If the complaint concerns a student, the student should also be interviewed if appropriate. If possible a parent should be present or a senior member of staff with whom the student feels comfortable. Advice may need to be sought from professionals.
- The Headteacher, Chair of Governors or designated member of staff should keep written records of meetings, telephone conversations and other documentation.
- Once all the relevant facts have been established, the Headteacher, Chair of Governors or designated member of staff should either write to the complainant or arrange a meeting to discuss or resolve the matter. The meeting should follow up with a letter summarising the outcome of the meeting.
- The complainant should be advised in the letter that if they remain unhappy with the outcome they may appeal to a panel of governors. The complainant should notify the Chair of Governors within two weeks of receiving the letter detailing the outcome of the complaint.

Stage 3 – Appeal to panel of Governors

Guidelines

1. Complaints only rarely reach the appeal stage. At this stage the Chair of Governors may wish to seek advice from professional personnel.
2. The aim of the appeal to a panel of governors is to resolve the complaint and achieve reconciliation between the school and the complainant. However it

may only be possible to establish the facts of the situation and make recommendations and satisfy the complainant their complaint has been taken seriously. It is important that the governing body is impartial and independent. Individual complaints should not be seen by the full governing body.

3. Panel members should have no prior involvement with the complaint. The Chair of Governors should not be on the panel if she has had involvement at an earlier stage.
4. If individual governors have been approached directly by the complainant they should refer the complainant to the schools complaints procedure.
5. Complaints that reach the appeal stage will do so because the complainant is not satisfied with the response. In this situation it is helpful to view any complaint as being against the school rather than an individual staff member whose action may have led to the original complaint.

Procedure

Upon receipt of a written request from the complainant to proceed to stage three, the following procedure should be followed. A suitable clerk to the panel should be appointed.

- The clerk should write acknowledging receipt of the written request, informing the complainant that a committee of the governing body will hear it within 15 working days of receipt.
- The clerk should convene a meeting of the complaints committee at a time convenient for all.
- The clerk should ensure that 5 working days' notice of the date, time and place of the hearing or otherwise if all are in full agreement of a shorter time scale. The letter of notification should also inform the complainant of their right to be accompanied by a friend/relative who can act as an advocate. The letter should set out the procedure for the conduct of the hearing (see annex A) and the complaints right to submit further written evidence to the committee.
- The clerk should invite the Headteacher to attend the hearing and to submit a written report for the committee in response to the complaint. The Headteacher may also invite the |Chair of Governors or any other staff members directly involved in matters raised by the complainant to respond in writing and/or in person to the complaint. Any involvement of other staff should be at the discretion of the chair of the committee.
- All relevant documents should be received by all parties, (including the complainant) at least 5 days before the meeting of the panel.
- An officer from Trafford may be invited to attend the meeting to advice the committee.
- The panel should elect a chairperson who should ensure proper minutes are taken and the proceedings are sufficiently informal as possible in order for the complainant and other participants feel at ease.
- At the conclusion of the representations and questions, the chair should explain that the panel will consider the issues and write to both. All except

for the governor's panel and any advisors should then withdraw and the panel should consider the evidence.

- This should include: a judgement about the validity of the complaint; appropriate action to be taken by the school and/or the parent; and where appropriate, recommendations on the changes to the school's systems or procedures to ensure similar problems do not arise in the future.
- The school should ensure that a copy of all correspondence and notes is kept confidentially on file. This should be separate from student's personal records.
- The broad outcomes recommended by the panel can be reported to the next full governing body or appropriate committee with the identification of all those taking part kept confidential. The governing body should monitor implementation of the recommendations

Vexatious Complainants

There may be occasions when despite all stages of procedures having been followed, the complainant remains dissatisfied. If the complaint becomes vexatious (e.g. the complainant tries to re-open the same issue), the Chair of Governors can inform the complainant in writing that the procedure has been exhausted and that the matter is now closed. Please contact your legal advisors for advice if you intend to do this.

Policy Approved – February 2016

Policy Reviewed – January 2019

Policy Reviewed – February 2022

Annex A

Model Procedure for the conduct of a Stage 3 Governors panel hearing.

1. The chair of the committee should invite all parties, except any witnesses into the room, introduce them and explain the role of each person.
2. The chair should explain to all present that the purpose of the hearing is to review the complaint and try to resolve it and achieve reconciliation between the school and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action.
3. The chair should then ascertain whether the proposed procedure is acceptable. If so the meeting will proceed along the following lines-
 - The complainant describes their complaint and may call witnesses.
 - The Headteacher may seek clarification from the complainant and any witnesses.
 - The Governors panel or its advisers may seek clarification from the complainant and any witnesses.
 - The Headteacher will respond to the complaint and may call witnesses.
 - The complainant may seek clarification from the Headteacher and any witness
 - The Governors panel, including advisers may seek clarification from the Headteacher and any witnesses
 - The complainant will be given the opportunity to sum up
 - The Headteacher will be given the opportunity to sum up.
 - Both parties will leave the room to allow the panel to deliberate but any advisers may remain to offer technical and procedural advice.
4. The panel should make a decision or judgement on:-
5. The validity of the complaint: appropriate action to be taken by the school and /or parent; and where appropriate, recommendations on changes to the school's systems to ensure similar problems do not arise in the future.
6. The decision or judgement will be confirmed in writing within 5 days.

NB if there is more than one complainant this procedure should be followed for each one in turn, unless the complainants agree to the complaint being joined.



Sharing your concerns about your child's education

A Parent's Guide

Delamere School recognises that at times things can go wrong. This guidance will help you understand how to resolve concerns you may have about your children's education and time at school.

The school has procedures for dealing with concerns or complaints and we value any feedback about our service, including compliments and suggestions. If you are concerned about any aspect of your child's education you should contact Sally Judge at the school.

The Governing Body has overall responsibility for the school and for ensuring the well-being of pupils and that all pupils receive an appropriate and high standard of education and care.

The Headteacher is responsible for making decisions on a daily basis about the school's internal management and organisation. So you should contact the school if you are concerned about an issue such as:

- Your child's progress
- Special education needs provision
- Your child's welfare
- Bullying
- Something that has happened in school

How do I complain to the school?

First we hope you will speak to the relevant member of staff as soon as you have a concern. This will probably be the class teacher.

This informal approach is nearly always the quickest and most effective way of resolving your concerns.

If you feel that your concern has not been resolved, then it is important to speak or write to the Headteacher who will look into your concern.

If you are unhappy with the Headteacher's response you should write with your complaint to the Chair of Governors at the school address. Mark your envelope "FOR IMMEDIATE ATTENTION" - private and confidential.

This is how your complaint will be handled

Within 5 working days the Chair of Governors will clarify the nature of your complaint by asking you to complete a complaint form and will offer help in completing the form if appropriate.

The Chair of Governors or appointed clerk will arrange an appeal panel from members of the Governing Body where your complaint will be presented within 15 working days. The clerk will provide details of the hearing and will request any further information you may wish to provide.

The complaints panel will consist of three governors who, as far as possible, will have no prior knowledge of the events being complained of. The panel will be supported by the clerk who will take notes and stay with the panel while they make their decision in case governors need to be reminded about responses to a particular question. The panel will hear the complaint impartially and make their decision based on the facts and the evidence they have been provided with.

Five working days before the hearing the clerk will send to you, the complainant, the Headteacher and the three panel members, copies of all the papers submitted by both sides so that there is sufficient time to read the evidence before the hearing. (Which must be submitted to the clerk seven days before the hearing).

At the hearing

1. You and the Headteacher will be invited into the room where the panel is being held at the same time. After introductions, you, the complainant will be invited to explain your complaint.
2. The Headteacher may question you
3. The panel will question you
4. The Headteacher will be invited to explain the school's actions
5. You, the complainant may question the Headteacher
6. The panel may question the Headteacher.
7. The panel may ask questions at any point
8. You, the complainant will then be invited to sum up your complaint.
9. The Headteacher will be invited to sum up the school's actions and respond to the complaint
10. The chair will explain that you and the Headteacher will hear from the panel within 5 working days.
11. Both you and the Headteacher will leave together while the panel decides on the issues
12. The clerk will remain with the panel.

Can I take my complaint further?

You cannot take your complaint to the local authority. The local authority cannot investigate school matters on a parent's behalf nor can it review how the school has dealt with your complaint.

However if you feel that the school has acted unreasonably or not followed the correct procedures, you can write to the Secretary of State for Education.

<http://www.education.gov.uk/hejp/contactus/df>

Delamere School

Complaint Form

Please complete and return

To _____

Who will acknowledge receipt and explain what action will be taken

Your Name _____

Address _____

Postcode _____

Telephone number _____

Your relationship to the school? E.g. parent, carer, neighbour, member of the public.

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 action do you feel might resolve the problem at this stage?

Are you attaching paperwork? If so please give details.

Signature/Date _____

