



## **READING SCHOOL**

### **COMPLAINTS POLICY AND PROCEDURE**

Reading School is committed to ensuring that the highest standards are maintained, both in the provision of education to pupils and in every other aspect of the running of the school. From time to time parents and others may have concerns or complaints about academic performance, care and welfare or any other aspect of the School's function; procedures for raising these concerns or complaints are set out below. These procedures are comprehensive and cover all relevant complaints from the point when informal discussion becomes inadequate to a point where the final step is complaint to the Education Funding Agency.

This policy recognises the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage reduces the numbers that develop into formal complaints. We aim to ensure that concerns are handled, if at all possible, without the need for formal procedures. Parents in particular are asked to raise their concern or complaint with the School staff as soon as possible rather than let the cause of the concern or complaint go unmentioned - very often this will be at Tutor level and the parent should usually contact their son's Tutor, although they may, if they wish, contact more senior members of staff, in particular their son's Head of House, an Assistant Headteacher, the Deputy Headteacher or the Headmaster.

Formal procedures should be invoked only when initial attempts to resolve the issue have been unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

Certain complaints, for example, those relating to SEN provision, should follow the separate SEN procedures. Any complaints by staff will be addressed under the school's grievance procedure.

Parents and others will be kept fully informed of the handling of any complaint. Any complaint will be kept confidential unless it is necessary to involve other parties and will be dealt with as quickly as possible.

A complainant may make representations at each stage of the procedures in person, accompanied by a friend, representative or adviser (if so desired). Where appropriate, steps will be taken to ensure that information is available to complainants in languages other than English and arrangements made for an interpreter to be present during any oral representations.

#### **Key principles**

The School will:

- Give all complaints serious attention.
- Encourage resolution of problems by informal means wherever possible.
- Be impartial.
- Treat complaints in a non-adversarial manner.

- Handle complaints as quickly as possible and within the time-limits for action set out below
- Ensure a full and fair investigation by an independent person where necessary.
- Address all the points at issue and provide an effective response and appropriate redress, where necessary.

### **Handling concerns and complaints**

The Headmaster has overall responsibility for the operation and management of the School complaints procedure.

In general, any written complaints should be addressed to the Headmaster, although it is expected that attempts will be made to resolve difficulties informally at tutor or Head of House level before being referred to the Headmaster.

The informal stages of the procedure should be exhausted before any complaint proceeds to the formal stage(Stage 3). However, any substantial complaint made to a member of staff by a parent should be referred to the line manager or Headmaster, as appropriate, if it cannot be resolved quickly by the member of staff to the satisfaction of the parent.

There are three stages in the school's complaints procedure. At each stage in the procedure, the School will remain mindful of 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.

The School will encourage complainants to state what actions they feel might resolve the problem at any stage, bearing in mind that an admission that the School could have handled the situation better is not the same as an admission of negligence.

At all times the School will seek to identify areas of agreement between the parties and clarify any misunderstandings that might have occurred because this can create a positive atmosphere in which to discuss any outstanding issues.

Whenever a formal (Stage 3) complaint is received it will be investigated. The person investigating the complaint (the complaint 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.

## **Stages in the procedure**

### **Stage 1 – informal**

At this stage, the Tutor will deal with the concern or complaint. Most parents' concerns can be adequately resolved by discussion with the tutor or with other members of staff. There should be no need for the complaint to be put in writing.

A response to the complaint should be made within 5 school days. If no response is made within this timescale, or if the complainant wishes to take the matter further, the Headmaster should then be informed by the initial recipient of the complaint and stage 2 should be implemented.

### **Stage 2 – informal**

Where the concern or complaint has not been addressed to the parents' satisfaction at Stage 1, it will be referred to the Headmaster. It will usually be appropriate at this stage for the complaint to be put in writing.

The Headmaster, or a member of the Senior Leadership Team designated by him, will investigate the circumstances of the complaint and may find it appropriate to ask for written statements from staff or pupils and to call for any relevant documentation.

If the complaint is against a member of staff, that member of staff has a right to be given details of the complaint and the opportunity to make representation about it. The person investigating the incident will take these details into account.

(If a complaint concerns the conduct of the Headmaster or a Governor, or where the Headmaster or a Governor has been involved in the issue previously, then the matter will be referred to a senior member of staff or member of the governing body not previously involved. In some circumstances, it may be appropriate to refer the matter to an external body for investigation.)

The Headmaster or other person designated to investigate the complaint will respond to the complainant with the outcome of the investigation, normally within 10 school working days of receipt of the substance of the complaint. The response may be in writing or at a meeting with written confirmation of the outcome. (If the investigation is such that more time will be required to investigate it properly, the complainant will be informed of this).

The complainant must also be informed of his or her right to have the matter referred to the Governors under the formal Stage 3 procedure if the outcome of the informal stage is not satisfactory.

### **Stage 3 – formal**

Any formal complaint must be forwarded in writing to the Clerk to the Governors. The Clerk will acknowledge receipt and will inform the complainant of the timescale for the resolution of complaints that reach this stage.

When the Clerk receives a formal complaint, it will be referred in the first instance to the Chair of Governors. He or she will investigate the matter (or make arrangements for an independent investigation). The person undertaking this investigation may speak to the parties involved and will prepare a written statement of findings to be submitted to the complainant (and the Chair of Governors where appropriate).

This written statement should normally be submitted with 15 school days of the formal complaint being made. However, the length of the investigation will depend on the nature of the complaint and other variable factors. If the

investigation is likely to exceed 15 school days, the school will set realistic time limits for each action within the stage. Where such further investigations are necessary, new time limits may need to be set and the complainant will be sent details of the new deadline and an explanation for the delay.

In addition to being provided with the written statement, the complainant must also be informed of the right to refer the matter to a Governor Complaints Panel if he or she is not satisfied with the outcome. This right must be exercised within 15 school days of the complainant receiving the written statement from the person investigating the matter.

The Governor Complaints Panel will consist of at least three Governors (of whom at least one should be a Parent Governor). The Panel will normally be convened within 15 school days of the complainant's request that it consider the matter.

As soon as possible following receipt of the request, the Clerk will write to the complainant, the Headmaster and the Chair of Governors giving details of the meeting, requesting copies of any documents to be put before the meeting and the names of any witnesses that either party may wish to attend. The complainant will be informed of the right to be accompanied by a friend.

The procedure at the hearing (see appendix A – checklist for a panel hearing) needs to be appropriate for the circumstances and is at the discretion of the Governor Complaints Panel but is likely to involve:

- Presentation of the complaint.
- A reply by the headteacher or governor.
- Questioning by all parties.
- Representation about ways to resolve the complaint satisfactorily.

If necessary, the Panel will withdraw to consider their findings of fact on the evidence put before them and their conclusions, which may include measures to redress problems identified. The Panel's decision the final outcome, so far as the School is concerned.

If, despite following all the above procedures, the complainant remains dissatisfied, or tries to reopen the same issue, the Chair of Governors will inform them in writing that the procedure has been exhausted and that the matter is now closed. The only redress the complainant may take at this stage is to refer the matter to the Education Secretary (see **Where the complainant remains unhappy about the decision**, below).

#### **Time-limits: summary**

- Stage 1 complaints must be resolved within 5 school days.
- Stage 2 complaints must be resolved within 10 school days of receipt of the substance of the complaint.
- Stage 3 complaints will be investigated and a written report provided normally within 15 working days. However, the length of the investigation will depend on the nature of the complaint and other variable factors.
- Complainant may then request Governor Complaints Panel meeting within 15 school days of the complainant receiving the written statement from the person investigating the matter.
- The Governor Complaints Panel will normally be convened within 15 school days of the complainant's request that it consider the matter.

#### **Recording formal complaints**

The progress of any formal complaint and the final outcome will be recorded by the person investigating the complaint (the complaint co-ordinator). These findings will be made available to the complainant and, where relevant, the person complained about, and will be available for inspection by the Headmaster.

### **Publicising the policy and procedure**

Details of this complaints policy and procedures are included or referred to, as appropriate, in the governors' annual report to parents, the information given to new parents when their children join the school and on the school website.

### **Where the complainant remains unhappy about the decision**

If the complainant is still not satisfied after all the processes of the academy/free school's complaints procedure have been undertaken, the complainant may approach the Education Funding Agency, who handle complaints about academies and free schools on behalf of the DFE. The complaints form is available at: [www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form](http://www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form).

### **Monitoring and evaluation**

The governing body will monitor the level and nature of complaints. Wherever possible, complaints information shared with the whole governing body will not name individuals. The process of listening to and resolving complaints will contribute to school improvement and the evaluation of school performance. When individual complaints are heard by a Governor Complaints Panel, the Panel will seek to identify any underlying issues that need to be addressed.

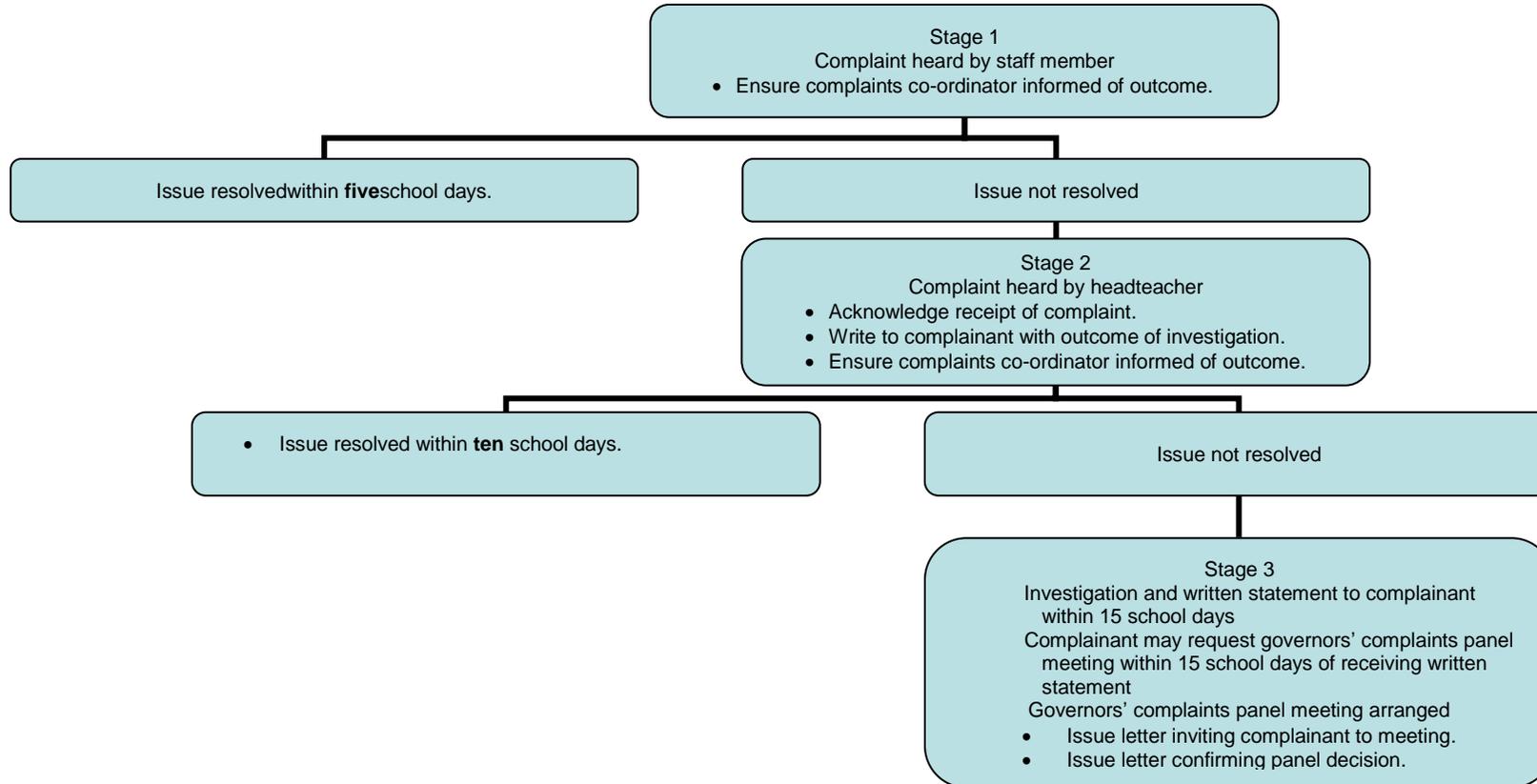
### **Dealing with unreasonably persistent complaints and unreasonable complainant behaviour**

1. The Headteacher and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the **School's Complaints Procedure**.
2. We are committed to dealing with all complaints fairly and impartially and in the best interests of the child. We do not normally limit the contact complainants have with the School. The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant.
3. However there are a small number of complainants who, because of the frequency, nature and quality of their contact with the School, hinder our consideration of theirs, or other people's, complaints. We refer to such complainants as 'unreasonably persistent complainants' and, exceptionally, we will take action to limit their contact with the School.
4. The decision to restrict contact with the School will only be taken in consultation with the Chair of Governors after taking legal advice and will normally follow a prior warning to the complainant. Any restrictions imposed will be appropriate and proportionate. The options we are most likely to consider are:
  - a) inform the complainant in writing that his/her behaviour is now considered by the School to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy
  - b) inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties
  - c) inform the complainant that, except in emergencies, all routine communication with the complainant to the School should be by letter only
  - d) (in the case of physical or verbal aggression) refer to the guidance for schools, on dealing with abuse, threats and violence towards school staff", and consider warning the complainant about being banned from the School site; (Advice is available from the Local Authority Legal Team)
  - e) consider taking advice from the Local Authority on pursuing a case under Anti-Harassment legislation
5. In all cases where we decide to treat someone as an unreasonably persistent complainant, we will write to tell the complainant why we believe their behaviour falls into that category, what action we are taking and the duration of that action.

6. Where a complainant, whose case is closed, persists in communicating with us about it, we may decide to terminate contact with that complainant about the matter. In such cases, we will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complaint we will simply acknowledge it or place it on the file with no acknowledgement.
7. New complaints from people who have come under the unreasonably persistent complainant's policy will be treated on their merits.

**Policy approved by EXPC Committee of the Governing Body: 8<sup>th</sup> May 2017; for review: May 2019**

## APPENDIX A: FLOWCHART FOR THE COMPLAINTS PROCEDURE



## **APPENDIX B: CHECKLIST FOR A PANEL HEARING**

The governors' complaints 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 Headmaster may question both the complainant and the witnesses after each has spoken.
- The Headmaster is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headmaster 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 Headmaster 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.