

OVERTON GRANGE SCHOOL

POLICY AND PROCEDURE FOR DEALING WITH COMPLAINTS FROM PARENTS OF PUPILS

Principles

Overton Grange School welcomes comments on the service it provides to students and parents*. Comments enable us to clarify any misunderstandings that arise, and give us the opportunity to review our procedures if necessary. We are also pleased to learn of things that have gone well.

The School will always deal with complaints in a courteous and reasonable manner, and follow its agreed procedures. We ask that those with comments and complaints present them in a similarly reasonable manner. Please bear in mind that senior staff may not always be immediately available.

If you have a complaint, you are requested to telephone the school for an appointment. You may find it helpful to write down the main substance of your complaint before discussing it with the School. At some stage you may wish to make a formal complaint in writing. If the matter remains unresolved, your complaint can be taken to a Panel appointed by the Governing Body.

**Note: The term 'parent' used in this Policy includes carers or guardians.*

Publication

A summary of the School's approach to complaints, and advice on the availability of this Procedure will be set out in the school prospectus and in the Parents' handbook.

This Policy and Procedure will be available on the school website and sent to any person requesting it, and is available in other formats if required.

Introduction and application

This Policy and Procedure complies with guidance from the Department of Education (January 2016) and the standards set out in the Education (Independent School Standards (England) Regulations 2014).

This Procedure only applies to complaints from parents of students at the School.

There are separate procedures for making complaints about the administration of admissions to the School; statutory assessments of Special Educational Needs; and Exclusions.

Complaints from people who are not parents of attending students should in the first instance be addressed to the Headteacher who will then decide on what further action needs to be taken.

School students who have comments or complaints should take them up through their tutors or Heads of Year, rather than through this Procedure.

If any member of the Governing Body is contacted directly by a complainant then the matter should be referred to the Headteacher and Chair to be dealt with under this Procedure.

If a parent keeps coming back with a complaint and taking up time unproductively, the matter will be referred to the Chair of Governors and then, if necessary, taken to the formal stage of this Procedure so that it can be dealt with effectively.

If the Headteacher or Chair of Governors feels the behaviour of the complainant is unacceptable at any stage of the procedure, they may decide to stop responding. The complainant will be informed. The following would be taken into account when making this decision:

- The School has taken every reasonable step to address the complainant's needs;
- The complainant has been given a clear statement of the school's position and their options (if any); and
- They are contacting the school repeatedly but making substantially the same points each time.
- The School has reason to believe the individual is contacting the School with the intention of causing disruption or inconvenience;
- Their letters/emails/telephone calls are often or always abusive or aggressive; and
- They make insulting personal comments about or threats towards staff.

Ultimately, if a complainant persists to the point that the School considers it to constitute harassment, legal advice will be sought as to the next steps.

Stages

The Complaints Procedure has three stages that must be followed consecutively.

1. Informal: the complaint is considered on an informal basis in discussion with School staff.
2. Formal: if unresolved in the informal stage, a formal complaint can be made in writing to the School.
3. Hearing before the Complaints Panel: if the complainant is not satisfied with the response from the formal stage, then the complaint will be considered by the Complaints Panel appointed by the Governing Body.

If this Procedure has been exhausted and the complaint remains unresolved, the complainant may submit a complaint to the Education and Skills Funding Agency that acts on behalf of the Secretary of State.

Records

A written record will be kept of all formal complaints and whether they were resolved following a formal procedure or proceeded to a panel hearing. The record will include action taken by the School as a result of formal complaints (regardless of whether they were upheld). For complaints that proceed to a panel hearing, a copy of the Complaints Panel's findings and recommendations will be available for inspection on the school premises by the proprietor and the headteacher.

All correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

Informal resolution

It is in everyone's interest that complaints are dealt with as soon as possible and that a resolution is reached that is satisfactory to all involved.

In the first instance, if a parent has a complaint, they should telephone the School for an appointment. A complainant may find it helpful to write down the main substance of their complaint before discussing it with the School.

Complaints will initially be dealt with informally, through discussion and meetings with School staff. At any meeting the complainant has with School staff, the complainant may be accompanied by a friend and/or interpreter.

Most concerns should be resolved at this informal stage.

Formal complaint

If it is not possible to resolve the matter informally, the complainant may wish to put their complaint in writing addressed to the Headteacher.

The School will acknowledge receipt of a complaint within five school days. The Headteacher will give a written response to the complainant, and will endeavour to give that response within a further 10 school days.

However, the thorough investigation of a complaint may involve a number of members of staff, and progress will depend on their availability. Timescales are likely to be extended during school holidays. Complaints will always be given a high priority and complainants will be advised of the reason for any delay beyond 10 days.

If the complainant is not satisfied with the response from the Headteacher, they may refer the matter to the Chair of the Governing Body, in writing addressed to the Chair, care of the Clerk to the Governing Body at the School.

On receipt of a written complaint the Chair of Governors may either:

1. refer the matter back to the Headteacher for further consideration under the informal or formal stages of this Procedure; or
2. arrange for a meeting between the complainant, the Headteacher and the Chair or a nominated Governor, at which they will seek to find a resolution that is satisfactory to the complainant.

At any meeting the complainant may be accompanied by a friend and/or interpreter.

The Chair of Governors or nominated governor will then write to the complainant and the Headteacher setting out the results of the meeting and advising the complainant of their right to take the matter to the Complaints Panel.

Complaints Panel

If the complainant is still not satisfied, they may take their complaint to a Complaints Panel appointed by the Governing Body to hear and decide about complaints made by parents of students that have not been resolved at the informal or formal stages of this Procedure.

The complainant should write to the Clerk to the Governing Body at the School requesting a meeting of the Complaints Panel. Enclosed with this letter should be a copy of the original written complaint, indicating which matters remain unsolved. No new complaints may be included.

The Clerk will arrange a meeting of the Complaints Panel at a mutually convenient time for all parties, as soon as possible and within 15 – 30 school days of receipt of the complainant's request for a meeting. Details of the complaint will be sent to the Headteacher and Chair of Governors (unless the Chair of Governors has previously acted as mediator). The Headteacher will have 7 school days from receipt of this notification to submit their response to the Clerk. Any documents from either the complainant or the School to be considered by the Panel, together with the names of any witnesses who may be called, must be received by the Clerk at least 7 school days before the meeting.

Copies of all papers submitted, as well as the Agenda for the meeting, will be sent to the members of the Complaints Panel, complainant, Headteacher and Chair of Governors (unless they previously acted as mediator). The Headteacher will copy relevant papers to any member(s) of staff named in the complaint.

The complainant will be advised that they can bring a friend, supporter or interpreter to the meeting of the Complaints Panel. The Headteacher may bring a fellow employee or professional representative; any school staff that are asked by the Headteacher to be present at the Panel meeting also have the right to bring a fellow employee or professional representative. It would not be appropriate for a student to attend.

The Complaints Panel will be made up of two Governors who have not been directly involved in the matters detailed in the complaint and one person who is independent of the management and running of the school. They will choose one of their number to chair the meeting.

The Complaints Panel will consider the complaint on the basis of the papers they receive and what is said at the meeting. In the event of either party not attending the meeting, the Chair of Complaints Panel has the discretion to proceed or to adjourn the meeting. The Chair will aim to complete all the business within a reasonable time frame without the need to adjourn to another day. Once the Complaints Panel has heard from both parties, they will adjourn to make their decision.

The Complaints Panel may:

- Uphold the complaint in full;
- Uphold the complaint in part; or
- Dismiss the complaint.

Or they may give a more complex response.

The complainant, any staff complained about, the Headteacher and Chair of Governors will be advised in writing, by electronic mail or otherwise, of the outcome of the meeting within seven school days of the meeting.

Having come to a decision about the complaint, the Complaints Panel may refer issues of principle or general practice to another forum, e.g. the Governing Body, or to an individual such as the Headteacher.

Complaints to the Education and Skills Funding Agency (ESFA)

If a complaint has been considered in accordance with this Procedure, but this has failed to resolve the matter, then the complainant can make a complaint to the Education and Skills Funding Agency (ESFA).

The ESFA will normally only consider a complaint after this Complaints Procedure has been exhausted. The ESFA cannot review or overturn decisions about complaints made by the school; they can only investigate whether the school considered the complaint appropriately. If the ESFA finds that the school did not consider a complaint appropriately it can request the school to re-consider the complaint.

If a complainant wishes to refer their complaint to the ESFA, they should complete the complaints form available at:

www.gov.uk/government/organisations/education-and-skills-funding-agency