



Carshalton Boys Sports College

Policy	Complaints Procedure Policy
Policy Number:	PS07
Review Date:	March 2019
Approved by the Governing Body Committee:	March 2019
Next Review Date:	March 2020

Updates

Date	Reason	Mandatory
01.02.198	Policy updated to reflect DfE's guidance on Complaints procedures for schools	No (not for academies)

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1. Aims

Our school aims to meet its statutory obligations when responding to complaints from parents/carers of pupils at the school, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed. The school will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

2. Legislation and Guidance

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

3. Definitions and Scope

The DfE guidance explains the difference between a concern and a complaint.

A **concern** (*see point 5*) is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”.

The school will resolve concerns through day-to-day communication as far as possible.

A **complaint** (*see point 6*) is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. 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 (SEN), Safeguarding matters, Exclusion, Whistle-blowing, Staff grievances and Staff discipline. Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with SEN about the school's support are not within the scope of this policy. Such complaints should first be made to the form tutor, the SENCO, the Assistant Head for Inclusion and finally the Principal; they will then be referred to this complaints policy. Our SEN Policy includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

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

4. 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

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The school expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. We will consider exceptions to this time frame 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.

5. Stages of Complaint

Stage 1: Informal

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

In most cases the parent/carer should approach the member of staff concerned or Pastoral Support Worker to discuss the matter informally;

Year 7 & 8	Sarah Tyson
Year 9 & 10	Sarah Sheppard
Year 11, 12 & 13	Suzanne Barker

If the parent/carer feels the matter is not resolved or feels unable to discuss it with the staff member, the parent or carer should then discuss it with their child's Learning Coordinator.

If the concern is still unresolved, the parent/carer may contact the Assistant/Deputy Principal assigned to your child's year group;

Year 7	Emma Morris
Year 8	Matthew Sadler
Year 9	Paul Farr
Year 10	Paul Avery
Year 11, 12 & 13	Matthew Robinson

The parent/carer should raise the complaint as soon as possible with the relevant member of staff, either in person or by letter, telephone or email. If the parent/carer is unclear who to contact or how to contact them, they should contact the school office.

The school will acknowledge informal complaints within 2 working days, and investigate and provide a response within 4 working days.

The informal stage will involve a meeting between the parent/carer and either the PSO, Learning Co-ordinator or Assistant/Deputy Principal.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2: Formal

The formal stage involves the parent/carer putting the complaint to the Principal or Vice Principal and/or the subject of the complaint:

- In a letter or email
- Over the phone
- In person
- Through a third party acting on their behalf

The parent/carer should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The parent/carer should also state what they feel would resolve the complaint.

If the parent/carer need assistance raising a formal complaint, they can contact the school office.

The Principal, Vice-Principal or other person appointed by the Principal will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 5 working days.

Stage 3: Chair of Governors

If the parent/carer is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should contact the Clerk to the Governing Body, Ms Jo Long jlong@carshaltonboys.org within 5 working days. The Clerk to the Governors will offer advice and, if necessary, liaise with the school on the parent/carer's behalf in an attempt to resolve any issues or concerns. If resolution is not achieved, the parent or carer will be informed that they can refer their concern to the Chair of Governors within 10 working days.

Upon receipt of a parent/carer's letter of complaint, the Chair of Governors will write to the parent within three days acknowledging receipt of the letter and stating that the matter will be investigated. The Chair of Governors will inform the parent or carer that a full response will be made in writing within 14 days. If it proves impossible to meet this deadline the Chair of Governors will write to the parent and explain the reasons for the delay and give a further time limit for the full response.

The Chair of Governors will send a copy of the school's complaints procedures and policy to the parent/carer with the initial acknowledgement.

Stage 4: Referral to Panel of Governors

If the parent/carer remains dissatisfied, they should write to Clerk to the Governing Body, Ms Jo Long jlong@carshaltonboys.org body requesting that a panel of governors is convened to hear the complaint. The panel will consist of members of the governing board without direct knowledge of the complaint. These individuals will have access to the existing record of the complaint's progress (see point 9).

The parent/carer will have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the parent/carer. At the review panel meeting, the parent/carer and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The parent/carer will be allowed to attend the panel hearing and may be accompanied by a suitable companion if they wish.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called as appropriate to present their evidence.

The panel, the parent/carer and the school representative will be given the chance to ask and reply to questions. Once the parent/carer and school representatives have completed presenting their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case and the Chair of the panel will write to the parent/carer, Chair of Governors and Principal setting out findings, within two school days. The panel will also provide copies of the minutes of the hearing to the parent/carer, Principal, Chair of Governors and panel members within seven school days.

6. Complaints against the Principal, a Governor or the Governing Body

Complaints made against the Principal should be directed to the Chair of Governors by contacting Clerk to the Governing Body, Ms Jo Long jlong@carshaltonboys.org.

Where a complaint is against the Chair of Governors, any member of the governing board, or the entire governing board, it should also be made in writing to Clerk to the Governing Body, Ms Jo Long jlong@carshaltonboys.org within 14 working days requesting that a panel of governors be convened to hear the complaint. The panel will consist of members of the governing board without direct knowledge of the complaint. These individuals will have access to the existing record of the complaint's progress (see point 9).

The parent/carer will have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the parent/carer. At the review panel meeting, the parent/carer and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

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The panel will then put together its findings and recommendations from the case and the Chair of the panel will write to the parent/carer, Chair of Governors and Principal setting out findings, within two school days. The panel will also provide copies of the minutes of the hearing to the parent/carer, Principal, Chair of Governors and panel members within seven school days.

7. Referring complaints on completion of the school's procedure

If the parent/carer is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the school did not comply with its own complaints procedure
- Whether the school was in breach of its funding agreement with the secretary of state
- Whether the school has failed to comply with any other legal obligation

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's 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>

8. Persistent Complaints

Where a parent/carer tries to re-open the issue with the school after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the Principal (or other appropriate person in the case of a complaint about the Principal) will inform the parent/carer that the matter is closed.

If the parent/carer subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

- The school has taken every reasonable step to address the complainant's needs, and
- The complainant has been given a clear statement of the school's position and their options (if any), and
- The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, school staff

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The school will ensure when making this decision that parents/carers making any new complaint are heard, and that the school acts reasonably.

Unreasonable Persistent Complaints

A complaint may be regarded as unreasonable when the person making the complaint refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved or insists on the complaint being dealt with in ways that are incompatible with the adopted complaints procedure or with good practice. Additionally, behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

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. 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, 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 our CBSC Records management policy/retention schedule.

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.

Parents/Carers 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.

10. Monitoring Arrangements

The CBSC Governing body will review any underlying issues raised by complaints with the Principal and Vice-Principal, 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.

The CBSC Governing Body will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. They will track the number and nature of complaints, and review underlying issues.

11. Links with other Policies

Policies dealing with other forms of complaints include:

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