



# Lady Margaret School

## Complaints Policy

**Updated: February 2015**  
**Next Review: Spring 2018**

### 1. Introduction

The governors and staff are glad to discuss any anxieties or concerns that you may have. Often concerns arise simply from misinformation and we would prefer you to talk to us directly so that we can iron out any problems before they expand unnecessarily. The majority of school-related concerns and complaints are dealt with successfully in this way. Few people want a long drawn out process so our aim is to ensure that complaints are addressed promptly and resolved informally wherever possible.

However if a matter cannot be resolved informally we have a complaints procedure to deal with them fairly and effectively in a more formal manner.

Please note that this complaints procedure does not apply where a School Policy or the law provides a different procedure.

The following are the principal cases where there are different procedures for complaints:

- (1) **Pupil admissions** - parents have a right of appeal to an independent Committee established by the Governing Body.
- (2) **Pupil exclusions** - parents have the right to make representation to a Committee of the Governors and ultimately to an independent Committee set up by the local authority.
- (3) **Special Education provision** - parents already have a statutory right of appeal to an independent Committee against the Local Authority's Statement of a child's Special Educational Needs or Education, Health and Care (EHC) plan. The procedures set out in this Policy apply to other complaints concerning special educational needs.
- (4) **Curriculum matters** - parents already have a statutory right to make a complaint about school curriculum and related matters according to arrangements established by the Governing Body.
- (5) **Religious education and collective worship** - parents of children attending a Church of England school have a right to make a complaint to the Diocesan Board who acts on behalf of the Bishop of London.
- (6) **Complaints by staff or prospective staff** - there are already grievance procedures attached to Employees' Contracts.

- (7) **Compulsory competitive tendering arrangements** - there are already provisions in paragraph 6 of Heads of Agreement document concerning school building cleaning in voluntary aided schools.

### **The Complaints Procedure**

Below are the stages of our complaints procedure. All complaints will be dealt with as quickly as possible.

#### **Stage 1: General anxieties and concerns**

Arrange an appointment with your daughter's Head of Year who will usually be able to sort out the problem. You will receive an appointment as soon as possible (and within 5 working days).

**If you are not satisfied that your anxiety or concern has been resolved then you may wish to speak to the Head Teacher.**

#### **Stage 2: Informal Complaint**

Arrange to speak with the Head Teacher. It may be that your complaint falls into categories for which there are specific and set procedures that differ from those set out in this policy. The Head Teacher will know if your complaint falls within any of these categories and help you to pass it on to the appropriate authority.

**If you feel that your complaint has not been resolved informally through discussions with the Head Teacher proceed to**

#### **Stage 3: Formal Complaint to the Head Teacher**

Write a formal letter to the Head Teacher describing your complaint and the steps that you have already taken to resolve it. The Head Teacher will acknowledge your letter within three school days explaining how the matter will be investigated and resolved. After investigating she will write to you as soon as reasonably possible to explain her conclusions.

**If you are still not satisfied with the way your complaint has been dealt with proceed to:**

#### **Stage 4: Formal Complaint to the Chair of Governors**

**Before involving the Chair of Governors it is very important that you have already gone through Stages 1 to 3.**

Write a letter to the Chair of Governors describing your complaint and the steps that you have already taken to resolve it. The Chair of Governors will acknowledge your letter promptly

After consultation with the Head Teacher and any relevant members of staff, the Chair of Governors will write to you explaining that the investigation has been completed. In most cases the Chair will either decide:

- (1) that all appropriate steps had been taken and that no further action is necessary; or
- (2) that as a result of the investigation certain arrangements (which will be set out) have been

or should be made which it is hoped the complainant will find satisfactory.

**If after this you still wish to take your complaint further you may write to the Clerk of the Governing Body requesting that the complaint be taken to the Complaints Committee of the Governing Body.**

#### **Stage 5: Formal Complaint to the Governors' Complaints Committee**

The Clerk to the Governing Body will call a meeting of the Complaints Committee giving members of that Committee at least ten school days' notice of the meeting. This invitation will also be sent to the complainant, the Head Teacher and the Chair of the Governing Body and will include the following:

- (1) an invitation to attend the meeting;
- (2) details of date, time and place of meeting;
- (3) a request that copies of documents which anyone wishes to be considered be sent to him or her by a named date so that they can be distributed to members of the Complaints Committee and other parties;
- (4) a request for the names of any witnesses who may have to be called;
- (5) a statement saying that the complainant may wish to be accompanied by a friend and asking for the name of any such friend;
- (6) a summary of the procedures that will be followed at the meeting (see below)

The hearing by the Complaints Committee will be kept as informal as possible. The Clerk to the Governing Body will be present throughout the hearing.

The Chair of the Committee will welcome those present and introduce each person by name.

The Chair will stress that the meeting is strictly confidential among those present.

The Chair will ask all persons attending the Committee, including the witnesses, to stay behind for approximately half an hour after the end of the hearing in case the Committee need to clarify a point.

The Clerk will outline the procedures:

- (1) both parties will be invited to explain their case;
- (2) the complainant's desired outcomes and any possibilities of redress will be discussed;
- (3) an attempt will be made to resolve the complaint to the satisfaction of the complainant so far as possible;
- (4) after the complainant, the Chair of the Governing Body and the Head Teacher have withdrawn the Committee will make its decision on the complaint including what redress (if any) is appropriate;
- (5) the Committee will give its decision in writing as soon as reasonably possible.

The Clerk will send a copy of the Committee's decision to all parties.

## **General Provisions Applying At All Stages**

### **The Role of the Governing Body**

If any governor receives a complaint from a parent that governor will not get involved but will refer the complaint to the Head Teacher for investigation. If the complaint is about the Head Teacher, the Chair of the Governing Body will undertake the initial investigation.

The Chair of the Governing Body will appoint from a pool of seven Governors appointed by the Governing Body at the beginning of each school year a Complaints Committee of three Governors to consider a formal written complaint.

It is important that Governors other than the Chair do not become prejudiced by taking part in discussions about a complaint either during a meeting of the Governing Body or with an individual. Such discussions will usually make it inappropriate for the Governor or Governors involved to serve on the Complaints Committee.

After a complaint has been dealt with, it may be appropriate for the Chair of the Governing Body or Head Teacher to make a brief report to the Governing Body without mentioning names. Details will not be divulged to the full Governing Body in order to preserve confidentiality.

### **Persons complained against**

If any of the staff are complained about they will be kept fully informed of the content of the complaint. It is most important that they read this Policy.

Members of staff will be given an opportunity to explain their actions and where necessary have a friend or representative from their professional association present during any part of the process. The Head Teacher may feel it appropriate to ask the member of staff to provide a written statement in response to the complaint.

It is important that the Head Teacher or other person investigating a complaint maintain a careful balance between, on the one hand, supporting members of the staff in a way that protects their rights and reputations and, on the other, investigating the complaint thoroughly and impartially.

If a parent complains to a member of staff about another member of staff the member of staff receiving the complaint must refuse to discuss the matter and must immediately refer the parent to the Head Teacher.

### **Time-scales**

The time for dealing with individual complaints will differ according to complexity of the issues raised. All investigations will be carried out as close to the day of an incident as possible as it is difficult to carry out reliable investigations of an incident if more than a few days have elapsed.

### **Confidentiality**

In all cases the Governors will keep the details of a complaint, including the identity of the complainant and the child and other persons concerned, strictly confidential.

All persons attending meetings at the school concerning the complaint must not disclose

confidential matters relating to the complaint outside the meeting.

In the exceptional case where it is necessary for a pupil to attend a meeting relating to a parental complaint to clarify facts, all parties must undertake not to discuss confidential matters relating to named members of staff outside the interview room.

### **Forms of Redress**

Most complainants will feel their complaint has been addressed if after an investigation the school feels that it owes the parent an apology. Other redress which may be given to the complaining parent are:

- (1) an explanation of why things went wrong;
- (2) an assurance that efforts will be made to make sure that similar actions do not happen again;
- (3) a reprimand for the member of staff concerned;
- (4) an official investigation if that proves necessary.