

Complaints Policy

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1. Roles and Responsibilities

The responsibility for the implementation of this policy and provision rests with the Head. On an operational basis, the management, responsibility and evaluation of this policy is undertaken by the Deputy.

2. Suggested Audience

All governors, staff and parents. Governors and staff will participate in a differentiated programme of induction and professional development, to enable them to have familiarity with this policy.

3. Related National Guidelines and School Policies

This policy is part of a suite of policies which should also be referred to:

- Home-School procedures
- Pupil Behaviour Policy
- Equal Opportunities Policy

4. Aim

The aim of this policy and accompanying procedure is to achieve a fair, effective and speedy resolution of parental/carer concerns about the education and/or welfare of individual pupils in the care of Michaela Community School.

5. Availability of the Complaints Policy and Procedure

This policy and procedure is available on request to pupils, parents / carers and prospective pupils of the Michaela Community School. While pupils may themselves raise concerns and complaints under this policy and procedure, the school will involve parents/carers should this occur. Copies of the complaints policy are available from:

Ms K Birbalsingh
Headmistress
Michaela Community School
North End Road
Wembley
HA9 0UU

Tel: 020 8795 3183

**A copy of the school's complaints policy is also available
from the reception and on the website:
www.mcsbrent.co.uk**

6. Outline

- 6.1 This policy and procedure is for the benefit of pupils and parents/carers of pupils at Michaela. This policy and procedure will be relied upon in respect of **all complaints** by parents/carers and pupils made against the school except in respect of:
- (a) **Child Protection allegations** where a separate policy and procedure applies
 - (b) **Exclusions** where a separate policy and procedure applies; and
 - (c) **Appeals relating to internal assessment decisions for external qualifications**, where a separate appeals procedure applies
- 6.2 The school expects that most concerns should be resolved informally and will use its best endeavours to resolve any complaints that are made informally, or any concerns that are raised, on that basis.
- 6.3 If informal procedures fail to resolve the issue, a formal complaint about any matter not involving child protection allegations, internal assessment decisions or a decision to exclude a pupil, must be given verbally or in writing to the Head and will be dealt with under this Complaints Policy and Procedure.
- 6.4 Every complaint shall receive fair and proper consideration and a timely response.
- 6.5 We will do all we can to resolve all concerns, to ensure parents, carers are satisfied with the education that their child receives at Michaela.
- 6.6 Parents / carers can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and confidentially.
- 6.7 Correspondence, statements and records will remain confidential except where required by paragraph 6(2)(j) of the Education (Independent Schools Standards) Regulations 2003; where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.

7. Complaints Procedure

- 7.1 The complaints procedure will:

- Encourage resolution of problems by informal means wherever possible
- Be easy to obtain and clearly publicised
- Be simple to understand and use
- Be impartial
- Be non-adversarial
- Allow swift handling with clear time-limits for action and keeping people informed of progress
- Ensure a full and fair investigation by an independent person where necessary
- Respect people's desire for confidentiality
- Address all the points at issue and provide an effective response and appropriate redress, where necessary and
- Provide information to the school's Governing Body and Head so that services can be improved

7.2 The school will be clear about the difference between a concern and a complaint. We will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

8. Stage One: Informal Resolution

- 8.1 It is hoped that most concerns and complaints will be resolved quickly and informally.
- 8.2 The main contact person between parents/carers and the school will always be your tutor. All school systems will work through tutors to provide a clear and constant link with families. In most cases, the matter should be resolved quickly. If the tutor cannot resolve the matter satisfactorily, it may be necessary for him/her to consult other school staff, for example the Head of Department, Head of Year, Deputy or Director of Learning Support.
- 8.3 Complaints made directly to the Deputy or the Head will usually be referred immediately to child's tutor, unless the Deputy or the Head deem it appropriate to deal with the matter personally.
- 8.4 Tutors will make a written record of all concerns and complaints and the date on which they were received. (See Annex A) These records will be kept for one (1) year after the pupil leaves school.
- 8.5 The school will use its reasonable endeavours to resolve any

informal complaints within ten (10) working days of them being raised, except where they are raised in school holidays. The ten working days will start from the first day back after the holiday.

- 8.6 Should the matter not be resolved as referred to in paragraph 9.5 above, or in the event that the tutor and the parents /carers fail to reach a satisfactory resolution, then parents/carers will be advised to proceed with their complaint in accordance with Stage Two of this procedure.

9. Stage Two: Formal Resolution

- 9.1 If the complaint cannot be resolved on an informal basis (as set out in paragraphs 9.5 and 9.6 above), then parents/carers should put their complaint in writing to the school Head. Parents/carers should also identify how they wish their complaint to be resolved.
- 9.2 The Head will normally delegate responsibility for undertaking an investigation of the complaint to the Deputy unless she deems it appropriate to deal with the matter personally.
- 9.3 The Head will decide, after considering the complaint, the appropriate course of action to take.
- 9.4 In most cases, the Deputy / Head will meet or speak with the parents/carers concerned to discuss the matter. If possible, a resolution will be reached at this stage.
- 9.5 The Deputy / Head will use reasonable endeavours to speak to or meet parents / carers within ten (10) working days of the formal complaint being received, except where the complaint is received in school holidays.
- 9.6 It may be necessary for the Deputy / Head to carry out further investigations.
- 9.7 The Deputy / Head will keep a written record of all meetings and interviews held in relation to the complaint.
- 9.8 Once the Deputy / Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents / carers will be informed of this decision in writing, giving reasons for the decision. The written decision should be provided no later than ten (10) working days after speaking or meeting with parents to discuss the matter (See paragraph 10.4 above). The Head may also arrange to meet with parents to explain the decision.
- 9.9 The school will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint and the school's decision, for which records will be kept for one (1) year after the pupil leaves the school. This record will state if the complaint(s) was/ were resolved at the preliminary hearing or if they were taken to appeal.
- 9.10 Where parents/carers are dissatisfied with the outcome of the

school's response to their formal complaint, they have the opportunity to have their complaint considered by an independent complaints panel.

10.Stage Three: Appeals Panel

- 10.1 If parents /carers seek to invoke Stage Three following failure to reach an earlier resolution or where dissatisfied with the Head's decision in respect of their formal complaint, parents /carers may write to the clerk of the Governing Body at the school address, and request that their complaint be further considered by an independent complaints panel set up for this purpose.
- 10.2 This request for further assessment of the complaint will, for the purposes of this procedure, be known as an 'appeal'.
- 10.3 Parents/carers must lodge their appeal in writing and within ten (10) working days of the date of the school's decision made in accordance with the Stage Two Procedure. Parents /carers should provide details of their complaint(s) made against the school and the reasons why they believe the complaint(s) have been unresolved by the Stage Two Procedure, along with the solutions suggested to resolve the complaint.
- 10.4 The Complaints Panel is only obliged to consider the complaint(s) lodged in this 'initial submission' although other relevant and related matters that may subsequently arise may be considered at panel members' discretion.
- 10.5 Where an appeal is received by the school, the school will, within five (5) working days, refer the matter to the Clerk to the Governing Body who will act as Clerk to the Complaints Panel. Where the appeal is received by the school during school holidays, the school has five (5) working days upon commencement of the school term to refer the matter to the Clerk.
- 10.6 The Clerk provides an independent source of advice on procedure for all parties.
- 10.7 Once an appeal has been received by the Clerk, he/she will acknowledge the appeal in writing within five (5) working days, and inform the parents of the steps involved in this Complaints Procedure.
- 10.8 The Clerk will then endeavour to convene an independent

Complaints Panel hearing as soon as possible to consider the matter, normally no later than twenty (20) school days after receipt by the school of the parents'/carers' letter that they wish to invoke the Stage Three Procedure, dependent upon the availability of the Panel members.

10.9 The independent Complaints Panel will consist of two Governors who have not previously been involved in the complaint, and one person independent of the management and running of the school. The process used for selecting an independent person will conform to relevant guidance issued by the Department for Education. (DfE)

10.10 The following are entitled to attend a hearing, submit written representations and address the Panel:

- A. The parent(s)/carer(s) and/or one representative
- B. The Head of MCS and/or one representative; and
- C. Any other interested person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making

Legal representation will not normally be appropriate.

10.11 Where the Complaints Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the Panel in support of their position, including:

- A. Documents in support of complaint(s),
- B. Times and key dates relating to complaint(s), and
- C. Written submission setting out the complaint(s) in more detail

This evidence will be considered by the Panel, along with the initial submission that was lodged by parents.

10.12 Evidence will be initially sent to the Clerk, who will then circulate the documentation to all parties, including the Panel members, along with an order of proceedings. All written evidence must be received by the Clerk no later than ten (10) working days in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than five (5) working days in advance of the Panel hearing.

10.13 It is for the Panel to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the Panel will resolve the parents'/carers' complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.

10.14 After due consideration of all the facts they consider relevant, the Panel will reach a decision, and may make recommendations, which it shall complete within ten (10) working days of the hearing. The decision reached by the Complaints Panel is final. Any decision reached that may have financial implications for the school will need the appropriate approval from the relevant authorities e.g. the Governing Body and Trust Board, although any such approval must be compatible with the decision of the Complaints Panel.

10.15 The Panel's findings will be sent by the Clerk in writing to the parents/carers, the Governing Body, the Trust Board and, where relevant, the person complained of. The letter will state any reasons for the decision reached and recommendations made by the Complaints Panel.

10.16 The school will keep a record of all appeals, decisions and recommendations of the Complaints Panel, which records will be kept for one (1) year after the Pupil leaves the school.

11. Referral to the Secretary of State

11.1 Where parents/ carers disagree with the findings of the Governors Independent Complaints Panel, they may wish to refer the issue to the Secretary of State for Education.

11.2 Reasons for taking this action would be where they feel the governing body is acting or proposing to act unreasonably, or on the grounds that the school or governing body has failed to discharge its duties under the Education Act.

11.3 Occasions for such a course of action will be rare.

12. Monitoring and Review

The Deputy will review this policy at least every two years and assess its implementation and effectiveness. A report will be provided to the Governing Body. The policy will be promoted and implemented throughout the school.


13. Approval by Governing Body and Review Date

This policy has been formally approved and adopted by the Governing Body at a formally convened meeting

Approval by Governing Body and Review Date

This policy and plan has been formally approved and adopted by the Local Governing Body at a formally convened meeting.

Signed:



Chair of Governing Body

Date: 7 July 2016

Review date: July 2017

End of Statement

Michaela Community School Complaint Form (Annex A)

**Please complete and return to:
Ms Liza Silvanian at the school office who will acknowledge
receipt and explain what action will be taken.**

Your name:

Pupil's name:

Your relationship to the Pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

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

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

