



Complaints Procedure

Person Responsible: Head Teacher

Review Date: Oct-2023

Next Review Date: Oct-2024

Purpose: To establish a procedure for dealing with complaints relating to the school,

Scope: All matters relating to the actions of staff and application of school procedures where they affect the individual pupils concerned.

General Principles:

- At Oaklands School we seek to provide a high quality professional service to pupils and families at all times. We welcome comments and wish to work with our families to improve our school.
- Any complaint will be taken seriously and where action is needed this will be taken quickly. If there is no appropriate action that can be or needs to be taken parents will be informed of the reasons.
- To allow for a proper investigation, complaints should be brought to the attention of the school as soon as possible. Any matter raised more than 3 months after the event being complained of will not be considered, save in exceptional circumstances.
- All complaints will be dealt with within 5 days of being received so far as this is possible.
- Anonymous complaints cannot be investigated under this procedure unless there are exceptional circumstances.

Part A Complaining about the actions of a member of staff other than the Head Teacher

1) Informal Stage

It is hoped that most complaints can be dealt with informally. Anyone wishing to make a complaint should speak to a member of the school senior leadership team; a Head of Department, Assistant Head, Deputy or the Head teacher. They will try to resolve the issue as quickly as possible to the satisfaction of the complainant.

2) Formal Stage

If the complaint is not resolved at the informal stage the complaint should be put in writing to the Head Teacher, who will be responsible for holding a formal investigation. The investigation will take an appropriate form depending on the nature of the complaint.

The investigation will begin as soon as possible and when it has been concluded, the complainant, will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- The concern is not substantiated by the evidence
- The concern was substantiated in part or in full. Some details may then be given of action the school may be taking to review procedures. Details of the investigation or of any disciplinary procedures will not be released

The complainant will be told that consideration of their complaint is now finished.

If the complainant is not satisfied with the manner in which the process has been followed, they may request that the Governing Body review the process followed by the Head Teacher in handling the complaint. This must be made in writing within 2 weeks of receiving notice of the outcome from the Head Teacher. The procedure described in Part C will be followed.

If the complainant considers that the decision of the Head Teacher is incorrect or that the Head Teacher has acted unreasonably in considering the complaint, then the complainant may bring a complaint against the Head Teacher under part B of this procedure.

Part B Complaining about the actions of the Head Teacher in dealing with a complaint

1) Informal stage

It is expected that most complaints will be dealt with informally. The complainant should arrange to speak directly with the Head Teacher. In the case of serious concerns, it may be appropriate to raise them directly with the Chair of the Governing Body.

2) Formal Stage

If the complaint is not resolved at the informal stage the complaint should be put in writing to the Chair of Governors, who will be responsible for holding a formal investigation. The investigation will take an appropriate form depending on the nature of the complaint.



The Head Teacher will be provided with a copy of the complaint. Once there has been an opportunity for the Head Teacher to consider this, she will be invited to meet separately with the Chair, and to present written a response.

When the investigation has been concluded, the complainant and the Head Teacher will be informed in writing of the outcome. The complainant will not be informed of any disciplinary or capability action.

The complainant will be told that consideration of their complaint by the Chair is now finished.

If the complainant is not satisfied with the manner in which the process has been followed, or thinks that the decision of the Chair is incorrect, or that the Chair has acted unreasonably in considering the complaint, then the complainant may request that the Governing Body review the handling of the complaint by the Chair. This request must be made in writing within 2 weeks of receiving notice of the outcome from the Chair, and include a statement specifying any perceived failures.

Part C Review Process

Any review of the process followed by the Head Teacher or the Chair shall be conducted by a panel of 3 members of the Governing Body.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered.

The panel will first receive written evidence from the complainant.

The panel will then invite the Head Teacher or the Chair, as appropriate, to make a response to the complaint.

The panel may also have access to the records kept of the process followed.

The complainant, and the Head Teacher or the Chair, as appropriate, will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- The concern is not substantiated by the evidence
- The concern was substantiated in part or in full but that the procedural failure did not affect the outcome significantly so the matter is now closed.
- The concern was substantiated in part or in full and the Governing Body will take steps to prevent a recurrence or to rectify the situation where this is practicable

The complainant is not entitled to access to any details of the investigation except for any statements that may have been provided by their child. Any information relating to the application of disciplinary procedures is strictly confidential.

If a complainant believes that the Governing Body has acted illegally or arbitrarily in handling the complaint, then the complainant may make representations to the Secretary of State for Education.



Vexatious or Repeated Complaints

There may be occasions when, despite a complaint being considered under all stages in this Complaints Policy, the Complainant persists in making the same complaint to the Academy. There may also be occasions when a Complainant raises unreasonable persistent complaints or raises complaints about matters which do not affect them. There may also be occasions when a complaint is made about a matter which is clearly so trivial that it would be a waste of the Academy's resources to deal with it under the formal stages of the procedure.

In all of these cases, the Academy reserves the right to regard the complaint as vexatious and/or repeated and to refuse to investigate it under the procedure in this Complaints Policy, **if it appears reasonable and fair to do so, having regard to the circumstances surrounding the complaint.**

Where the Academy decides that a complaint is vexatious and/or repeated and will not be investigated, the Academy will write to the Complainant within **five school days** of the complaint being raised to notify them of the decision.

If the Complainant is unhappy with the decision not to investigate a vexatious and/or repeated complaint, they may write to the Chair of Governors to ask for the decision to be reviewed. The Chair of Governors will be provided with all documentation relating to the current complaint and any previous complaints which were relevant to the decision, together with the letter from the Academy to the Complainant, and will review the decision not to investigate the complaint. The Chair of Governors will **not** investigate the complaint itself during this review.

The Chair of Governors will write to the Complainant with the outcome of the review within **ten school days** of the date that the letter from the Complainant seeking the review was received.

If the Chair of Governors quashes the decision not to investigate the concern or complaint, it will be referred to the Academy to be dealt with under the procedure in this Complaints Policy in the usual way.

If the Chair of Governors upholds the decision not to investigate the concern or complaint, the Complainant may refer the concern or complaint to the Education Funding Agency using the procedure stated towards the end of this Complaints Policy.

In exceptional circumstances, the Chair of Governors can delegate the responsibility for the review to the Vice-Chair of Governors.

Anonymous Complaints

The Academy will not investigate anonymous complaints under the procedure in this Complaints Policy. Anonymous complaints will be referred to the Headteacher who will decide what, if any, action should be taken.

Signed by Chair of Committee:

Print Name:

Date:



Complaint Form

Oaklands School Complaint Form

Please complete this form and return it to Head Teacher / Clerk to Governing Body, who will acknowledge its receipt and inform you of the next stage in the procedure.

A letter will also be acceptable in making a formal complaint. If writing a letter, it should include the same information as the form.

Your name:

Relationship with school [e.g. parent of a pupil on the school's roll]:

.....

Pupil's name [if relevant to your complaint]:

.....

Your Address:

Daytime telephone number:

Evening telephone number:

e-mail

Please give details of your complaint, [including dates, names of witnesses etc...], to allow the matter to be fully investigated.



You may continue on separate paper, or attach additional paperwork, if you wish.

Number of additional pages attached =

What action, if any, have you already taken to try to resolve your complaint? [i.e. who have you spoken with or written to and what was the outcome?]

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

Signature:

Date:

School use:

Date Form received:

Received by:

Date acknowledgement sent:

Acknowledgement sent by:

Complaint referred to:

Date:



Model Response to spurious complainant

Dear

Following receipt of your communications and careful consideration of the same, I regret that I am unable to deal with this matter under the governing body's General Complaints Procedure as:

[Please select appropriate wording from the following]

- You have not identified any specific actions of which you might complain
- Your concerns are presented as conclusions rather than specific actions of which you complain.
- The concerns that you identify relate to historical actions and any evidence which might have enabled an objective investigation of your complaint is no longer available.
- The substance of your complaint has been addressed under this procedure already.
- The concerns that you raise do not fall within the scope of this procedure.
- You have not identified any potential sources of evidence which might allow the matter to be investigated.
- The school offered to resolve the matter informally and in my judgement you refused unreasonably to take advantage of this.

If you wish my decision to be reviewed then you may take advantage of the procedure outlined in Annex 3 of the complaints procedure, by writing to the Clerk to the Governing Body.

Yours sincerely,

Head Teacher
or Chair of Governing Body



Model letter of
NOTIFICATION OF DECISION REGARDING GENERAL PARENTAL COMPLAINT

Dear

Following receipt of your complaint and careful consideration of all the available relevant evidence, I have concluded that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld. If you are able to provide additional evidence forthwith I/we will reconsider this decision.

OR

- The concern is not substantiated by the evidence in that

OR

- The concern was substantiated in part/in full, as The school will review its practices/procedures..... with the intention of avoiding any recurrence. Parents will be informed in due course of any policy changes.

OR

- In order to address fully the matters investigated, the school has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, that the circumstances that gave rise to your complaint should not recur.

I hope that we may now put this matter behind us and work together for the benefit of your child's progress.

Yours sincerely,

Head Teacher / Chair of Governing Body

c.c. Head Teacher



Model REVIEW OUTCOME NOTIFICATION

Dear

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the General Complaints Procedure was followed appropriately in respect of your complaint in that

Therefore, the matter is now closed as far as the school is concerned.

Or

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the Head Teacher/ Chair of Governors followed the General Complaints Procedure except

Therefore, the following action will be taken

Once this action has been completed the school will consider the matter to be closed.

Or

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the Head Teacher/ Chair of Governors followed the General Complaints Procedure except that

We have determined that this procedural failure did not affect the outcome of the consideration of your complaint so, while we regret this error, we will now consider this matter to be closed as far as the school is concerned.

Chair of Complaints Review Panel

c.c. Head Teacher
Chair of Governors