



WILLIAM FARR

C of E Comprehensive School

Complaints' Procedure

Introduction

William Farr Church of England Comprehensive School endeavours to provide the best education possible for all of its pupils in an open and transparent environment. We welcome any feedback that we receive from parents, pupils and third parties, and we accept that not all of this will be positive. Where concerns are raised the school intends for these to be dealt with:

- Fairly;
- Openly;
- Promptly;
- Without prejudice.

In order to do so, the Governing Body of William Farr Church of England Comprehensive school has approved the following procedure which explains what you should do if you have any concerns about the school.

Complaints from parents or carers

The policy is limited to parents or carers of children that are registered as the school. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

Definition of a 'Parent'

Parents may be recognised differently under education law than under family law.

For the purposes of education law, section 576 of the Education Act 1996 defines a 'parent' as:

- all natural (biological) parents, whether they are married or not;
- any person who, although not a natural parent, has parental responsibility for a child or young person (this could be a step-parent, guardian or other relative);
- any person who, although not a natural parent, has care of a child or young person.
- A person has care of a child or young person if they are the person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child.

In family law 'parental responsibility' means all the rights, duties, powers, responsibilities and authority which by law a parent has in relation to the child. People other than a child's natural parents can acquire parental

responsibility, for example through being appointed a guardian or adopting a child. More than one person can hold and exercise parental responsibility for a child.

The difference between a concern and a complaint

A concern may be defined as *‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’*.

A complaint may be defined as *‘an expression of dissatisfaction however made, about actions taken or a lack of action’*.

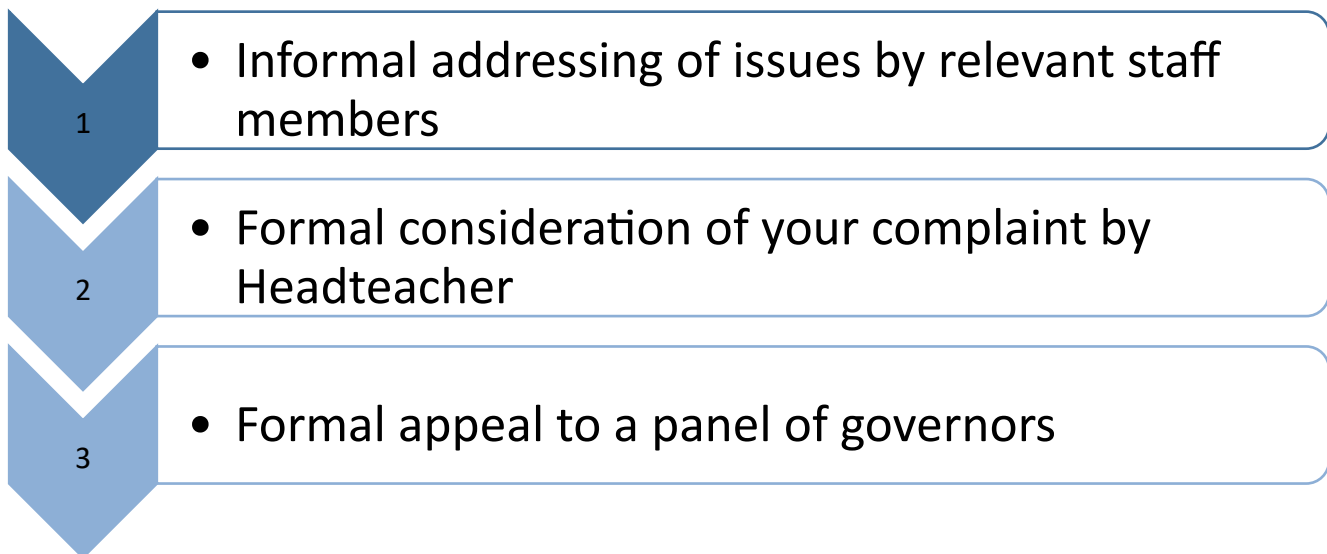
It is in everyone’s interest that concerns and complaints are resolved as the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure.

Procedure

If you need to raise an issue in the first instance, please do so informally with the relevant member of staff who will be happy to talk to you and seek to establish a solution. If you are not satisfied with this response and believe the issue has not been resolved, please use the following procedure as detailed below. William Farr Church of England Comprehensive School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff at our schools, we will respect your views. In these cases, the Headteacher will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case we will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.



Timeframes

William Farr Church of England Comprehensive School will endeavour to abide by timeframes stated under each stage but acknowledges that in some circumstances, this is not always possible due to the complexity of information needed to review a complaint or difficulties regarding an individual's availability to deal with the complaint, for example. If it becomes apparent that it is not possible to complete any stage of the complaints procedure within a given timeframe, the school will contact the complainant as soon as possible and come to an agreed timeframe that works for all parties involved.

William Farr School reserves the right not to investigate complaints that have been made 3 months after the subject of the complaint took place, except in exceptional circumstances. We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Which procedure do I need?

Sometimes, when concerns are more specific, there are alternative and more appropriate policies for dealing with them. The following list details specific topics of complaints, and the correct policy to refer to. You can access these policies on the school website or ask for a copy from the main school reception.

- Pupil admissions; please see the school's Admissions Policy;
- Pupil exclusions; please see the school's Behaviour Policy or Exclusion Policy;
- Staff grievance, capability or disciplinary; these are covered by the school's Grievance/ Disciplinary/ Capability Procedure Policies;
- Where the complaint concerns a third party used by the school; please complain directly to the third party themselves;
- Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate;
- Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

William Farr Church of England Comprehensive School procedures for dealing with complaints

The majority of concerns from parents, carers and others are handled under the following general procedures.

The procedure is divided into four stages;

Stage one aims to resolve the concern through informal contact at the appropriate level in school.

Stage Two is the first formal stage at which written complaints are considered by the Headteacher.

Stage Three is the next stage once stage one has been worked through. It involves a Complaints Appeal Panel of governors.

How each of these stages operates is explained below:

Stage-One: Your initial contact with the school

1. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's form teacher/tutor, Head of Year/Department.
2. Once your concern is made known to us, we will see you, or contact you by telephone or in writing, as soon as possible. If it is necessary, all members of staff know how to refer to the appropriate person with responsibility for your particular issues. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.
3. Any actions or monitoring of the situation that have been agreed, will be communicated clearly and we will confirm this in writing to you.
4. If necessary, we will contact appropriate people who may be able to assist us with our enquiries into your concern.
5. We will normally update you on the progress of our enquiries within 10 school days. Once we have responded to your concern, you will have the opportunity of asking for the matter to be considered further.
6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

Stage Two Formal consideration of your complaint

This stage in our procedures deals with written complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined above.

1. Normally, your written complaint should be addressed to the Headteacher. If, however, your complaint concerns the Headteacher personally, it should be sent to the school marked "for the attention of the Chair of Governors". Please use the Formal Complaints Form on page 7 of this procedure.
2. The Headteacher may delegate the investigation to another member of the school's senior leadership team, but not the decision to be made. They will be referred to as the Investigating Officer.
3. We will acknowledge your complaint in writing as soon as possible after receiving it. We will aim to respond within three school days.
4. We will signpost/enclose a copy of these procedures with the acknowledgement.
5. Normally we would expect to respond in full within 15 school days but if this is not possible, we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.
6. As part of our consideration of your complaint, we may contact you to discuss the complaint and add further details as required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
7. The Headteacher, may also be accompanied by a suitable person if they wish.
8. The Investigating Officer will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
9. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.

10. The Headteacher will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
11. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give an explanation of the Headteacher's decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.
11. The person investigating your complaint may decide that we have done all we can to resolve the complaint, in which case we may use our discretion to close the complaint at this point. Please see below for further information about this process.
12. If you are unhappy with the way in which we reached our conclusions, you may wish to proceed to stage three, as described below.

Stage Three - Consideration by a Governors' Appeal Panel.

If the complainant is still dissatisfied after Stage Two of the complaints procedure, the complainant may appeal to a Governors' Appeal panel.

They must write to the Clerk (see the contact details at the end of the procedure) within five working days after receiving notice of the Headteacher's decision, briefly outlining the content of the complaint and requesting that a Complaints Appeal Panel is convened.

The Clerk will fulfil the role of organising the time and date of the appeal hearing, inviting all the attendees, collating all the relevant documentation and distributing this 5 school days in advance of the meeting, recording the proceedings in the form of minutes, and circulating these and the outcome of the meeting.

The complainant must request an Appeal Panel within 5 school days of receiving the Headteacher or Chair of Governor's decision or it will not be considered, except for in exceptional circumstances. On receipt of this written notification, the following steps will be followed:

1. The Clerk will write to the complainant within 5 school days to confirm receipt of the appeal request and detail further action to be taken.
2. The Clerk will convene a panel of two school Governors, and one independent member with no connection to the school (i.e. they will not be part of the governance or management of the school, will not be a staff member, parent or pupil). All three panel members will have no prior knowledge of the content of the complaint.
3. The appeal hearing will take place whenever possible depending on the availability of the panel within 20 school days (excluding those which fall in the school holidays) of receipt of the date of the confirmation letter from the Clerk to the complainant, confirming the appeal.
4. In addition to the panel, the following parties may be invited, where applicable:
 - The complainant;

The complainant is also able to bring a companion with them to the hearing if they wish. The companion will be a friend or a colleague. Neither party is able to bring legal representation with them. If, after the hearing any party feels that legal action is necessary, please see the contact details at the end of the procedure.

The Headteacher (or representative) will also attend to present the school's case.

5. If the attendance of any pupils is required at the hearing, parental permission will be sought if they are under the age of 18. Extra care will be taken to consider the vulnerability of children where they are present at a complaints hearing.
6. Where the complaint is about a governor, the complainant may request that the appeal is heard by an entirely independent panel. It is at the discretion of Governing Body who will notify the Clerk of their decision. Where an entirely independent panel is required, timescales may be affected while the school source appropriate individuals for the review.
7. The panel can make the following decisions:
 - Dismiss the complaint in whole or in part;
 - Uphold the complaint in whole or in part;
 - Decide on the appropriate action to be taken to resolve the complaint;
 - Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.
8. Evidence supplied by parents/carers on the day of the appeal may be deemed inadmissible or may lead to the appeal being adjourned to a later date, both at the discretion of the Chair.
9. All parties who attended the meeting will be informed in writing of the outcome of the appeal within 5 school days.

This is the final stage at which the school will consider the complaint. If the complainant remains dissatisfied and wishes to take the complaint further, please see the contact details at the end of the document. The school will not consider the complaint beyond this.

Findings and Recommendations

The panel's findings and recommendations will be:

- Provided in writing to the complainant.
- Provided, where relevant, to the person complained about.
- Available for inspection on the school premises by the proprietor and Headteacher. [legislation.gov.uk]
This satisfies Part 7 paragraph 33(i). [legislation.gov.uk]

Record Keeping

The school will maintain a confidential Complaints Register recording:

- Date received.
- Nature of complaint.
- Stage reached.
- Outcome.
- Whether resolved at Stage 2 or proceeded to a panel hearing.
- Actions taken by the school regardless of whether upheld.

Confidentiality

Correspondence, statements and records relating to individual complaints will remain confidential except where disclosure is required:

- By law.
- For safeguarding purposes.
- By the Secretary of State.
- By Ofsted or another authorised inspectorate.

Data Protection & GDPR

Complaint information will be processed in accordance with:

- UK GDPR.
- Data Protection Act 2018.
- The school's Data Protection Policy.

Records shall be stored securely with access limited to those with a legitimate need to know.

Complaint records will be retained in accordance with the school's Records Retention Schedule.

Unreasonable and vexatious complaints

Where a complainant raises an issue that has already been dealt with via the school's complaints procedure, and that procedure has been exhausted, the complaint will be considered vexatious. The school will not reinvestigate complaints after the complaints' procedure has already been concluded except in exceptional circumstances.

If a complainant makes a vexatious complaint, the Chair of Governors will write to them explaining that the matter has been dealt with fully in line with the school complaints procedure, and therefore the case is closed. The complainant will be provided with the contact details of the Department for Education (see the end of this document) if they wish to take the matter further.

Unreasonable complaints are complaints that are clearly trivial or petty or those intended to aggravate or create a nuisance. The Headteacher will use their discretion to choose not to investigate these complaints. Where they decide to take this course of action, they must inform the Chair of Governors that they have done so, explaining the nature of the complaint and why they have chosen not to investigate. If the Chair deems it appropriate to, they can redirect the Headteacher to investigate the complaint. The full complaints procedure will commence from stage one on this direction.

If the Chair upholds the Headteacher's decision not to look into the complaint and the complainant deems this decision to be so unreasonable that no other rational body in the same position would have made that decision, then the complainant may write to the Department for Education (see the contact details at the end of the document).

Closure of complaints

Very occasionally, a school will feel that it needs, regrettably, to close a complaint where the complainant is still dissatisfied.

If a complainant persists in making representations to the school – to the Headteacher, designated governor, Chair of Governors or anyone else, this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.

For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and that the complaint has exhausted our official process.

In exceptional circumstances, closure may occur before a complaint has reached stage two of the procedures described in this document. This is because a Complaints Appeal Panel takes considerable time and effort to set up and we must be sure that it is likely to assist the process of investigating the complaint.

The Chair of Governors may decide, therefore, that every reasonable action has been undertaken to resolve the complaint and that a Complaints Appeal Panel would not help to move things forward.

Where you have been through the school's internal complaints procedures (with or without recourse to a Complaints Appeal panel) and are still unhappy with the outcome or decision from the Governing Body, you can contact the Secretary of State for Education via the DfE website www.education.gov.uk, by telephoning:

0370 000 2288 or by writing to the address below:

The School Complaints Unit (SCU)
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Please enclose with your letter to the DfE a copy of the complaint outcome. This will save time in that the DfE will not need to ask for our view of what has happened.

We would advise parents that, unless the school is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken, as Governing Bodies are empowered to deal with many issues without reference to either the local authority or the Secretary of State.

Clerk's contact details

Mrs Sarah Elderkin
Clerk to the Governing Body and Company Secretary
William Farr Church of England Comprehensive School
Lincoln Road
Welton
Lincoln LN2 3JB
Tel: 01636 866900
Email: s.elderkin@williamfarr.lincs.sch.uk

**William Farr Church of England Comprehensive School Formal Complaints For Stage 2
Complaints Only**

Name	
Name of pupil, year group and your relationship to them (where applicable)	
Contact address	
Contact telephone day	
Contact telephone mobile	
Contact email address	
Details of the complaint	
Action taken at the informal stage (including staff member who has dealt with it so far) or solutions offered	

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Signed Parent/Guardian	Date