

# COMPLAINTS POLICY

Prepared By: Adele Grandon

Date Adopted: January 2008

Job Title: Development Officer

Status: Statutory

Authorised By: Kate Grant

Last Reviewed: June 2019

Job Title: CEO

Ratified: June 2019

Reviewed by: Emma Hawkins

Next Review date: June 2020

Job Title: Director of Education

Version: 1.2

**TABLE OF CONTENTS**

**1. Purpose ..... 3**

**2. Definitions ..... 3**

**3. Scope ..... 3**

**4. The Policy ..... 3**

**5. The Complaints Procedure ..... 3**

    5.1 Informal Concerns .....3

    5.2 Stage One – Director of Education/Investigating Governor .....4

    5.3 Stage Two – Board of Governors.....5

    5.4 Stage Three - Appeal .....5

    5.5 Taking a Complaint Further .....6

    5.6 Local Authority Role .....7

**6. Records, Reporting & Confidentiality ..... 7**

**7. Procedure for Pupils to Make a Complaint ..... 7**

**8. Policy Review ..... 7**

**9. Version History ..... 8**

**10. Related Legislation & Guidance ..... 8**

**11. Related Internal Documentation ..... 8**

**APPENDIX 1 – Making a Complaint ..... 9**

**APPENDIX 2 – Complaints Procedure Flowchart.....10**

## 1. Purpose

- 1.1 The Complaints Policy and Procedure provides the framework within which anyone who has experienced dissatisfaction with school services can raise their concerns and the framework within which staff should deal with complaints from pupils, parents, customers, employers, contractors, local residents, visitors and others.
- 1.2 It does not replace school procedures for grievance and disciplinary action: those procedures should be used where appropriate.

## 2. Definitions

- 2.1 "The Trust" means Jigsaw School, Jigsaw Plus, Jigsaw Trust and Jigsaw Trading 2013 Limited (Café on the Park)
- 2.2 "The school" and "Jigsaw School" means Jigsaw CABAS® School
- 2.3 "CABAS®" is an acronym for Comprehensive Application of Behaviour Analysis to Schooling.

## 3. Scope

- 3.1 The School Management Team will ensure that the following procedures are followed.

## 4. The Policy

- 4.1 Anyone not satisfied with the level of service should feel able to approach relevant staff to address their concern promptly and directly.
- 4.2 Every attempt should be made to resolve complaints informally through a dialogue with those immediately concerned.
- 4.3 **All School staff** have a responsibility for receiving complaints, treating them seriously and dealing with them promptly and courteously in accordance with the procedure set out below.
- 4.4 **The Director of Education** has a responsibility for resolving a complaint, and leading or contributing to an investigation into a complaint when this is considered appropriate.
- 4.5 **The Board of Governors** are responsible for resolving complaints that have reached the appeals stage, ensuring that the complaints policy and procedure are operating effectively and may become directly involved if a complaint is directed against the Director of Education.

## 5. The Complaints Procedure

### 5.1 Informal Concerns

- 5.1.1 Concern or dissatisfaction should be raised as soon as possible with a member of staff. This may be a class teacher, other member of staff or the Director of Education. The member of staff/Director of Education will make every reasonable effort to resolve the complaint promptly at local level.
- 5.1.12 The School takes any issues or dissatisfaction seriously and will make every effort to resolve problems. Where appropriate the School will offer:

- An explanation of the issue;
- An explanation of the steps that have been taken to ensure that it will not happen again;
- An undertaking to review school policies in light of the problem;
- An apology

5.1.3 If the person with the concern is not satisfied that his/her issue has been resolved, the formal complaints procedure should be invoked in line with the process detailed below.

## **5.2 Stage One – Director of Education/Investigating Governor**

5.2.1 The complainant should write to the Director of Education, unless the complaint relates to the Director of Education, in which case the complainant should write directly to the Board of Governors who will nominate an investigating governor to carry out an investigation. The Director of Education/Investigating Governor will provide an initial formal response to the complainant within 5 working days acknowledging the complaint and advising the complainant of the complaints procedure. S/he will investigate the complaint and:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

5.2.2 The Director of Education/Investigating Governor will conclude investigations within 10 working days and respond in writing to the complainant to either:

- Dismiss the complaint as unfounded, giving reasons;
- 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; and advise the complainant what to do next if they are not satisfied with the outcome.

5.2.3 If the complainant is not satisfied that his/her complaint has been satisfactorily resolved, s/he should inform the Board of Governors in writing as soon as possible.

### **5.3 Stage Two – Board of Governors**

- 5.3.1 The Board of Governors will write to the complainant within five working days of receiving the complainant's letter confirming the invocation of Stage Two of the Complaints Procedure.
- 5.3.2 It is not expected that the Board of Governors will conduct another investigation; their role is to ensure that the complaint has been heard and dealt with properly and fairly. They will review the investigation and evidence and communicate their findings to the complainant within one month.
- 5.3.3 The Board of Governors will respond in writing to the complainant to either:
- Confirm that the investigation is being reopened.
  - Uphold the findings at Stage One.
  - Advise the complainant what to do next if they are not satisfied with the outcome.
- 5.3.4 If the complainant is not satisfied with the outcome at Stage Two, s/he should inform the Governors in writing as soon as possible and the Board of Governors will instigate the appeal process.

### **5.4 Stage Three - Appeal**

- 5.4.1 If the complainant is still not satisfied, a panel of three governors and one person who is independent of the management or running of the school will be convened to hear the complaint and make a final decision about it on behalf of the governing body. Every effort should be made to assemble this panel within one month of the appeal request being received. The governors appointed to the panel must have had no previous involvement in the complaint.
- 5.4.2 The primary function of the complaints panel is to decide on the merits or otherwise of the complaint. However, the panel will also play an important role in attempting to resolve the complaint. The panel should reach a decision on whether the complaint is upheld or rejected and may call for certain action to be taken by the school or the parents.
- 5.4.3 The panel should invite written evidence from the complainant and the Director of Education on the complaint and the action taken to resolve it. Any written evidence should be circulated to all parties before the hearing.
- 5.4.4 The complainant will be invited to attend the hearing and bring someone to accompany them if required. The Director of Education and/or Investigating Governor will also attend the hearing.
- 5.4.5 A suggested procedure for the hearing itself is as follows:
- Introduction by the chair of the panel
  - Complainant makes statement of complaint and outcome sought
  - Questions to complainant by panel
  - All parties hear and question any witnesses called by complainant
  - Director of Education/Investigating Governor makes statement

- Questions to Director of Education/Investigating Governor by panel
- All parties hear and question any witnesses called by Director of Education/Investigating Governor
- Complainant makes final statement
- Director of Education/Investigating Governor makes final statement
- Panel withdraws and reaches decision

5.4.6 Minutes will be taken for this appeal hearing and care should be taken in identifying a clerk. It may be appropriate for a member of staff such as the school administrator or the clerk to the governing body to act as clerk, although consideration should be given to the sensitivity of the particular complaint. It would not be appropriate for a governor to act as clerk.

5.4.7 The decision reached by the panel should be notified to the complainant and where relevant, the person complained about via email or otherwise within 10 working days of the appeal hearing. It should also be reported back to the next meeting of the full governing body. It will also be made available for inspection on the school premises by the Trustees and the Director of Education. Only a brief summary should be provided with no detailed or named information; this will ensure that any further actions will not be jeopardised.

5.4.8 The panel can:

- 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.

5.4.9 Written records will be kept of all complaints indicating whether they were resolved at the preliminary stage, or whether they proceeded to a panel hearing.

## **5.5 Taking a Complaint Further**

5.5.1 If the complainant remains dissatisfied with the response by the governing body, he or she would have the right to refer the matter to the Secretary of State for Education on the grounds that the governing body had failed to discharge a statutory duty or that the governing body had acted, or was proposing to act, unreasonably. This could lead to the issuing of a direction against the governing body.

5.5.2 The Local Government Ombudsman can only consider complaints about school governing bodies that relate to admissions. If the matter is not concerned with admissions, it would not be appropriate to direct a complainant to the Ombudsman.

5.5.3 If a complainant remains dissatisfied with the School response following appeal they should contact the Board of Governors.

## **5.6 Local Authority Role**

- 5.6.1 The Local Authority (LA) has no power to investigate complaints about general matters that are the responsibility of the governing body (see below for matters covered by statutory procedures). If parents approach the LA with a complaint about a school, they will be advised to contact the school and to follow the school's complaints procedure.
- 5.6.2 If the complainant is not satisfied by the school's procedures, there is no right of appeal to the LA. That said, the LA can play a useful role in mediating between the parties and helping to reach a mutual understanding or agreement. It is for each governing body to decide whether or not the LA should have a role within their general procedures.

## **6. Records, Reporting & Confidentiality**

- 6.1 Complainants will be advised that while confidentiality will be respected as far as possible it is not normally possible to resolve complaints without disclosing details of a complaint to relevant staff in order to allow the School a fair opportunity to resolve the issue.
- 6.2 The Director of Education should maintain a confidential record of complaints dealt with to feed into the School's quality improvement processes. The Director of Education will maintain a record of all appeals and outcomes.
- 6.3 This Complaints Policy and Procedure will be made available in:
- the school prospectus;
  - the information given to new parents when their children join the school;
  - the information given to the children themselves (where appropriate);
  - posters displayed in areas of the school that will be used by the public, such as reception or the main entrance;
  - the school website.

## **7. Procedure for Pupils to Make a Complaint**

- 8.1 If a pupil wishes to make a complaint, there is a procedure for them to follow that is displayed in the relevant classroom. The pupils are made aware of the complaints procedure and know where they can find the full policy. This procedure is in Appendix A of this policy.

## **8. Policy Review**

- 9.1 This policy will be updated as necessary to reflect best practice and to ensure compliance with any changes or amendments to relevant legislation.
- 9.2 This policy was last reviewed in May 2018



## APPENDIX 1 – Making a Complaint



### Making A Complaint



A complaint is when you tell someone that you aren't happy about something.

#### **You can make a complaint:**



- By talking to a teacher
- By asking your family or a friend to talk to a teacher
- By writing a letter to your teacher



#### **You can tell your complaint:**

- To your mum and dad or a member of your family
- To any teacher



#### **What will happen when you make a complaint:**

- a) We will listen to you
- b) We will try and help
- c) If you are still unhappy talk to your teachers again

## APPENDIX 2 – Complaints Procedure Flowchart

