



Huxlow Science College

Procedure Owner	Department	Effective Date	Approval Date	Review Cycle	Revision Due Date
Paul Letch	Headteacher	Sept 2021	28 September 2021	Annual	Sept 2022

COMPLAINTS POLICY

Policy Approver: Full Governing Board

Version Control

Version Number	Date of Change	Changes Made
1	25-9-18	Layout amendment
2	15-12-20	Addition of point 6 SEN
3.	20-9-21	Clarification on days to respond, addition of ESFA details & flow chart



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1. Policy Name

Complaints Policy

2. Policy Aims

The College's aims and values put the student at the centre of everything it does. The Governing Body believes that feedback is an important ingredient for self-improvement and raising standards. If you have a concern or complaint please be assured that what you have to say will be heard and considered seriously.

3. 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 generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

4. Availability of the Complaints Procedure

The complaints procedure is available on request to students, the parents/carers of students of Huxlow Science College and members of the public. While students may, themselves, raise concerns and complaints under this policy and procedure, the College will involve parents or carers should this occur.

5. Complaints Overview

The Complaints procedure is for the benefit of students and parents/carers of students at the College, and members of the public. It will be relied upon in respect of all complaints by parents/carers and students, and members of the public made against the College except in respect of the complaints outlined below which are not in scope of the procedure.

The College expects that most complaints can be resolved informally through discussion with the relevant Head of Department or Pastoral Leader. If this is not possible, then discussion with a member of the Senior Leadership Team will ensure that best endeavours are used to resolve any complaints or concerns that are made informally on that basis.

If informal procedures fail to resolve the issue, a first formal complaint about any matter aside from those outlined below, must be submitted in writing to the Headteacher and will be dealt with under the Complaints Procedure.

6. SEND

Arrangements for handling complaints from parents of children with special educational needs (SEN) about the schools support are within the scope of this policy. Such complaints should first be made to the Special Educational Needs Co-ordinator (SENCO); they will then be referred to this complaints policy. Our SEN Policy and Information Report includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.



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7. Complaints not in scope of the procedure

<p>Admissions to schools</p> <ul style="list-style-type: none"> • Statutory assessments of Special Educational Needs (SEN) • School re-organisation proposals • Matters likely to require a Child Protection Investigation 	<p>Concerns should be raised direct with local authorities (LA). For school admissions, it will depend on who is the admission authority (either the school or the LA). The College has a Safeguarding Policy which will be followed for all child protection concerns.</p>
<p>Exclusion of children from school</p>	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p>
<p>Whistleblowing</p>	<p>The College has an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.</p>
<p>Grievances and disciplinary procedures</p>	<p>These matters will invoke the College's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.</p>
<p>Complaints about services provided by other providers who may use school premises or facilities.</p>	<p>Providers should have their own complaints procedure to deal with complaints about service. They should be contacted directly.</p>

8. Unreasonable Complaints

Huxlow Science College is committed to dealing with all complaints fairly and impartially, and providing a high quality service to those who complain. We will not normally limit contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect our staff from that behaviour, including that which is abusive and threatening.

Huxlow Science College defines unreasonable complainants as 'those who, because of the frequency or nature of their contact with the school, hinder our consideration of their or other people's complaints'.



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In making decisions on how to deal with unreasonable complaints reference will be made to 'Best Practice Advice for School Complaints Procedures 2016', Department for Education Appendix A.

Signed
Chair, Full Governing Board

Date



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1. Complaints Procedure

2. Purpose

- This procedure is not intended to cover those matters for which there is a specific statutory process to object, complain or appeal.
- Complaints about delivery of the National Curriculum and the provision of religious education and collective worship should be handled under the requirements of Section 409 of the Education Act 1996.
- Separate procedures also exist for appeals about special needs assessments and school admissions and exclusions. (See the SEN Code of Practice and School Admissions Code of Practice).
- Concerns about allegations of child abuse and staff discipline must be dealt with through the separate agreed procedures that have been adopted for these purposes. (See Professionals and Child Protection Procedures and Practice and the DfES document Safeguarding Children in Education: Dealing with Allegations of Abuse Against Teachers and Other Staff, Ref: DfES/2044/2005).
- Guidance on dealing with complaints linked to racism is contained in Annex B.

3. Procedure

This procedure has three stages: -

1. Initial Approach
2. Formal Complaint to Headteacher
3. Appeal to Governor Complaints Panel

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

Stage 1 - INITIAL APPROACH

GUIDELINES

- The vast majority of concerns and complaints can be resolved informally, often straight away by the class teacher, form tutor or referred to a linked team member.
- We will ensure that parents feel able to raise concerns with staff without undue formality, either in person, by telephone or in writing. There may be occasions when it is appropriate or helpful for someone to accompany or act on behalf of a parent.

- Parents may not be clear at first that they are making a complaint. They may wish to ask a question or express an opinion. A preliminary discussion with school staff will usually clarify the issue and help parents to decide whether they wish to take the matter further.
- The complaint will be acknowledged within 2 school days of receipt.
- An informal complaint should be resolved within 15 school days.

PROCEDURE

1. Parents should have an opportunity for informal discussion of their concerns with an appropriate member of staff. This discussion should aim to clarify the nature of the parent's concern and assure them that the school wishes to hear about it. The discussion should also aim to clarify what kind of outcome the parent is seeking.
2. If the member of staff first contacted cannot deal with the matter immediately, they should make a firm arrangement to deal with it at a future date or refer the matter to an appropriate member of staff. In either case a note of the name, date and contact details of the complainant should be taken. The first contact should check to make sure the referral has been successful.
3. The Headteacher should ensure that staff have guidelines about when to refer a matter and who to.
4. If the concern relates to the Headteacher and the parent feels unable to raise it with the Headteacher they should be advised to contact the Chair of Governors.
5. The staff member dealing with the complaint should make sure that the complainant is clear about what will happen next (if anything). This should be put in writing if it seems the best way of making the next steps or outcome clear.
6. If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the Headteacher in writing within 10 school days. They should be informed of any advice and support that may be available to them.

Stage 2 - FORMAL COMPLAINT TO HEADTEACHER

GUIDELINES

- The Headteacher will determine who has responsibility for responding to a formal complaint and may delegate to a designated member of staff, including the decision about his/her own involvement at various stages.
- If the complainant is dissatisfied with the action of the Headteacher, or the Headteacher has been very closely involved, the Chair of Governors should carry out all the Stage Two procedures, with support if necessary, from another governor.
- Individuals on the governing body should not become involved at this stage to avoid prejudicing their possible future involvement.
- The complaint will be acknowledged within 2 school days of receipt.
- A stage 2 complaint should be resolved within 20 school days of receiving the complaint. Where there are exceptional circumstances resulting in delays, the parent will be notified of this and informed of the new timescales as soon as possible.

PROCEDURE

1. Parents who wish to pursue a formal complaint at Stage Two should be asked to put their complaint and their desired outcome in writing, or in person, to the Headteacher. The Headteacher should acknowledge the complaint orally or in writing within 2 school days of receipt, giving a brief explanation of the complaints procedures and a target date for providing a response. Ideally, this should be within 20 school days. If it is not possible to deal with the matter in this time, the complainant should be informed of when it is likely to be concluded.

2. The Headteacher (or designated member of staff), may offer an opportunity for the complainant to meet with them. The complainant should, if they wish, be allowed to be accompanied by a friend or relative who can speak on their behalf. Interpreting facilities should be made available if required.
3. If necessary, the Headteacher (or designated member of staff) will interview any witnesses and take statements from those involved. If the complaint centres around a pupil, the pupil will also be interviewed. If a member of staff is complained against, the needs of that person should be borne in mind.
4. The Headteacher (or designated member of staff) should keep written records of meetings, telephone conversations and other documentation.
5. Once all the relevant facts have been established, the Headteacher (or designated member of staff) should either write to the complainant or arrange a meeting to discuss or resolve the matter. This meeting should be followed up with a letter summarising the outcome of the meeting.
6. If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the clerk to the governing board in writing within 10 school days.

Stage 3 – APPEAL TO A PANEL OF GOVERNORS

GUIDELINES

- Complaints only rarely reach the appeal stage, but it is important that governing bodies are prepared to deal with them. At this stage, the Chair of Governors may wish to seek advice.
- The aim of the appeal to a panel of governors is to resolve the complaint and achieve reconciliation between the school and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action, and to satisfy the complainant that their complaint has been taken seriously.
- It is important should a complaint reach the appeal stage that the governing body will be impartial and independent and is seen to be so. Individual complaints should not be considered by the full governing body. The governing body should therefore establish a panel to deal with complaints, by nominating a pool of five governors from which three can be drawn for any hearing.
- Panel members will have had no prior involvement with the complaint. Generally, the Chair of Governors is not on the panel as they may have been involved at the earlier stage. Governing bodies should have regard to the advantages of having a mix of types of governor on the panel and be sensitive to issues of equal opportunity in the composition of the panel.
- Individual governors should not get involved in looking into complaints before this stage to avoid prejudicing their potential involvement. If individual governors are approached by parents or others with complaints, they should refer the complainant to the school's complaints procedure, making the necessary introduction to a member of staff or Headteacher if appropriate.
- Complaints that reach the appeal stage will do so because the complainant is not satisfied with the response so far. In this situation the panel of governors should view any complaint as being against the school rather than an individual staff member whose actions may have led to the original complaint.
- The clerk will acknowledge the complaint within 2 school days. The clerk will invite the Headteacher to put in writing a response to the complaint. The Headteacher is expected to provide this within 15 school days. At the end of that period the clerk will convene a meeting of the Complaints Panel. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the academy and the members of the

Complaints Panel. Whenever possible, the meeting will be held within 15 school days of the Headteacher submitting their response.

PROCEDURE

Upon receipt of a written request from the complainant for the complaint to proceed to Stage Three, the following procedure should be followed:

1. A suitable clerk to the panel will be appointed.
2. The clerk will write acknowledging receipt of the written request within 2 school days of receipt, informing the complainant that it will be heard by a committee of the governing body within 30 school days of receipt.
3. The clerk will convene a meeting of the complaints committee at a time which is convenient for the complainant, the school and the Complaints Panel.
4. The clerk will ensure that the complainant, Headteacher and any other witnesses are given at least 5 school days' notice in writing of the date, time and place of the hearing or otherwise are in full agreement of a shorter timescale. The letter of notification to the complainant should also inform them of their right to be accompanied by a friend/relative who can act as an advocate. The chair should ensure that interpretation facilities are offered and made available if required. The letter should set out the procedure for the conduct of the hearing (see Annex A) and the complainant's right to submit further written evidence to the committee.
5. The clerk will invite the Headteacher to attend the hearing and to submit a written report for the committee in response to the complaint. The Headteacher may also invite the Chair of Governors or any other members of staff directly involved in matters raised by the complainant to respond in writing and/or in person to the complaint. Any involvement of other staff should be at the discretion of the chair of the panel.
6. All relevant documents should be received by all parties, (including the complainant) at least 5 school days before the meeting of the panel. This provides adequate opportunity to read them prior to the start of the meeting.
7. A Headteacher serving or otherwise will be invited to attend the meeting to act in an independent advisory role. This panel member is independent of the management and running of the school.
8. The panel should elect a chairperson who should ensure that proper minutes of the meeting are taken.
9. The chair of the panel will try to ensure that the proceedings are sufficiently informal as possible and that the complainant and other participants feel at ease.
10. At the conclusion of the representations and questions, the chair should explain that the panel will consider the issues and write to both parties with their decision or judgement within 5 school days.
11. All except for the governor's panel and any advisers should then withdraw and the panel should consider the evidence. This should include: a judgement about the validity of the complaint; appropriate action to be taken by the school and/or the parent and where appropriate, recommendations on changes to the school's systems or procedures to ensure similar problems do not arise in the future.
12. The school should ensure that a copy of all correspondence and notes is kept confidentially on file in the school. This should be separate from pupils' personal records.
13. When the panel make findings and recommendations, a copy will be provided to the complainant and, where relevant, the person complained about;
14. The broad outcomes recommended by the panel can be reported to the next full governing body or appropriate committee with the identity of all those taking part kept confidential. The governing body should monitor implementation of any recommendations made.
15. The findings and recommendations of the panel will be available for inspection on the school premises by the proprietor and the Headteacher;

16. A written record of all stage 2 and 3 complaints will be kept, along with details of whether they were resolved following a formal procedure, or progression to a panel hearing;
 17. The academy will record the action it takes as a result of complaints (regardless of whether they are upheld);
 18. Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.
 19. If the complainant is unsatisfied with the outcome of the schools complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a schools decision about a complaint. However, it will look into:
 - Whether there was undue delay, or the school did not comply with its own complaints procedure
 - Whether the school was in breach of its funding agreement with the secretary of state
 - Whether the school has failed to comply with any other legal obligation
- If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the schools complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>, we will include this information in the outcome letter to complainants.

4. Appendix A

ANNEX A

Procedure for the Conduct of a Stage 3 Governors Panel Hearing

1. The chair of the committee should invite all parties (except any witnesses) into the room, introduce them and explain the role of each person.
2. The chair should explain to all present that the purpose of the hearing is to review the complaint and try to resolve it and achieve reconciliation between the school and the complainant. However, it may only be possible to establish the facts of a situation and make recommendations about future action.
3. The chair should then ascertain whether the proposed procedure is acceptable. If so, the meeting will proceed along the following lines:
 - i. The complainant describes their complaint and may call witnesses.
 - ii. The Headteacher may seek clarification from the complainant and any witnesses.
 - iii. The governors' panel or its advisers may seek clarification from the complainant and any witnesses.
 - iv. The Headteacher will respond to the complaint and may call witnesses.
 - v. The complainant may seek clarification from the Headteacher and any witnesses.
 - vi. The governors' panel (including any Advisers) may seek clarification from the Headteacher and any witnesses.
 - vii. The Headteacher will be given the opportunity to sum up.
 - viii. The complainant will be given the opportunity to sum up.
 - ix. Both parties will leave the room to allow the panel to deliberate but any advisers may remain to offer technical and procedural advice.
4. The panel should make a decision or judgement on: -
the validity of the complaint; appropriate action to be taken by the school and/or parent and where appropriate, recommendations on changes to the school's systems or procedures to ensure similar problems do not arise in the future.
5. The decision or judgement will be confirmed in writing within 5 school days.

NB. If there is more than one complainant this procedure should be followed for each one in turn, unless the complainants agree to the complaint being heard with all present in one sitting.

ANNEX B

Dealing with Complaints about Hate Incidents in Schools

Definition:

A Hate Incident which may or may not constitute a criminal offence which is perceived by a victim or any other person as being motivated by prejudice or hate. (Association of Chief Police Officers)

1. Hate incidents to a Child or Student. The procedures to be followed are contained in the North Northamptonshire Council "Hate Incident Reporting Policy and Procedures"
2. Hate Incident Alleged Against School Staff
 - i. The report/complaint should be made to the Headteacher, or if the Headteacher is the subject of the report/complaint, to the Chair of Governors;
 - ii. A Hate Incident is a disciplinary offence, the normal disciplinary procedures are followed.
3. Institutional Hate
Parents who perceive that Hate-related practice or policies are operated by the school should pursue these through the General Complaints Procedure

Stage 1 – Informal Complaint

3 months from incident (or last incident in a series)



Acknowledge within 2 school days



Resolved within 15 school days



Not resolved – escalate to Stage 2 – 10 school days



Stage 2 – Formal Complaint to Headteacher (Chair of Governors if complaint regarding Headteacher)



Acknowledge within 2 school days



Resolved within 20 school days



Not resolved – escalate to Stage 3 – 10 school days



Stage 3 – Appeal to Panel of Governors (3 governors and 1 serving or otherwise Headteacher)



Acknowledge within 2 school days of receipt



Headteacher written response to complaint to Clerk within 15 school days of receipt



Panel Hearing within 30 school days of receipt



Panel letter to all parties within 5 school days of Panel Hearing