



## Complaints Policy and Procedure

Date approved: 24 May 2017  
Review cycle/date: Every 2 years, May 2019  
Party responsible: Headteacher and Full Governing Body

### Introduction

This policy and procedure is for the benefit of pupils, and parents/carers of pupils, at The Swanage School. This policy and procedure will be relied upon in respect of all complaints by parents/carers and students made against The Swanage School except in respect of;

- (a) Child protection allegations where a separate policy and procedure applies; and
- (b) Exclusions where a separate policy and procedure applies.

The Swanage School expects that most complaints can be resolved informally and will endeavour to resolve any complaints that are made on this basis.

If informal procedures fail to resolve the issue, a formal complaint under this policy must be given orally or in writing to the Headteacher or the Chair of Governors as appropriate and will be dealt with under this Complaints Policy and Procedure.

Every complaint shall receive fair and proper consideration and a timely response.

The Swanage School will do all it can to resolve any concern raised. All complainants can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and confidentially.

Correspondence, statements and records will remain confidential except where disclosure is required in the course of The Swanage School inspection, or where any other legal obligation prevails.

### Complaints Procedure

Our Complaints Procedure will:

- Encourage resolution of problems by informal means wherever possible
- Be easily accessible and publicised
- Be simple to understand and use
- Be impartial
- Be non-adversarial
- Allow swift handling with established time-limits for action and keeping people informed of the 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
- Provide information to The Swanage School senior leadership team so that systems can be improved.

The Swanage School will take expressions of concern seriously at the earliest stage in order to reduce the numbers that develop into formal complaints.

### **Stage One - Informal Resolution**

1. It is hoped that most complaints will be resolved quickly and informally.
2. If a parent/carer has a complaint they should normally contact their child's Tutor. In many cases, the matter will be resolved straightaway by this means to the parent/carer's satisfaction. If the Tutor cannot resolve the matter alone, it may be necessary for him/her to consult the Curriculum Area Leader, Head of House, Deputy Headteacher or Headteacher.
3. Complaints made directly to a Deputy Headteacher or the Headteacher will usually be referred to the relevant Tutor unless the Deputy Headteacher or the Headteacher deems it appropriate for him/her to deal with the matter personally.
4. The Tutor will make a written record, using the school MIS, of all complaints and the date on which they were received. These records will be kept for one (1) year after the student leaves the School.
5. The Swanage 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 where the School will use all reasonable endeavours to resolve them as soon as possible.
6. Should the matter not be resolved as referred to in paragraph 5 above, or in the event that the Tutor and the parents/carers fail to reach a satisfactory resolution, then parent/carers will be advised to proceed with their complaint in accordance with Stage Two of this Procedure.

### **Stage Two - Formal Resolution**

7. If the complaint cannot be resolved on an informal basis (as set out in paragraphs 5 and 6 above), then parents/carers should put their complaint in writing to the Headteacher. If the Headteacher is the subject of the complaint, the complaint should be put in writing to the Chair of the Board of Governors (and the Chair will undertake the actions ascribed to the Headteacher in paragraphs 8-13 below). Parent/carers should also identify how they wish their complaint to be resolved.
8. The Headteacher will delegate responsibility for undertaking investigation of the complaint to the Deputy Headteacher unless he/she deems it appropriate for him/her to deal with the matter personally.
9. The Headteacher will decide, after considering the complaint, the appropriate course of action to take.
10. The Headteacher will use reasonable endeavours to speak to or meet parents within ten (10) working days of the formal complaint being received, except where the complaint is received in

school holidays where the Headteacher will use his/her reasonable endeavours to speak or meet with parents/carers as soon as possible.

11. It may be necessary for a Deputy Headteacher to carry out further investigations.
12. The Headteacher will keep a written record of all meetings and interviews held in relation to the complaint.
13. Once the Headteacher 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/carers to discuss the matter (pursuant to paragraph 10 above). The Headteacher may also arrange to meet with parents/carers to explain the decision.
14. The Swanage School will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and The Swanage School's decision, which record will be kept for one (1) year after the student leaves The Swanage School. This record will state if complaints were resolved at the preliminary hearing or if they were taken to appeal.
15. 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.

### **Stage Three – Panel Hearing**

16. If parents/carers seek to invoke Stage Three following failure to reach an earlier resolution and where dissatisfied with the Headteacher's or Chair's decision in respect of their formal complaint, the parents/carers may, in writing addressed to The Swanage School, request that their complaint is further considered by an independent Complaints Panel set up for this purpose.
17. This request for further assessment of the complaint will, for the purposes of this Procedure, be known as an 'appeal'.
18. Parents/carers must lodge their appeal in writing and within ten (10) working days of the date of The Swanage School's decision made in accordance with the Stage Two Procedure. The parents/carers should provide a list of their complaint(s) made against The Swanage School and which they believe to have been resolved unsatisfactorily by the Stage Two Procedure, along with the remedies sought in respect of each.

The Complaints Panel is only obliged to consider the complaint(s) lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.

19. Where an appeal is received by The Swanage School, it will, within five (5) working days, refer the matter to the Clerk to the Board of Governors who will act as Clerk to the Complaints Panel. Where the appeal is received by The Swanage School during school holidays, or within two (2) working days of their commencement, The Swanage School has up to five (5) working days upon commencement of the next school term to refer the matter to the Clerk.
20. The Clerk provides an independent source of advice on procedure for all parties.

21. 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/carers of the steps involved in this Complaints Procedure.
22. 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 parents'/carers' written notice that they wish to invoke the Stage Three Procedure, dependent upon the availability of the Panel members.
23. The independent Complaints Panel will consist of two Governors on the Board who have not previously been involved in the complaint, and one person independent of the management and running of The Swanage School. The process used for selecting an independent person will conform to relevant guidance issued by the Department for Education.
24. The following are entitled to attend a hearing, submit written representations and address the Panel:
  - (a) The parent/carer or, if aged over 18, the student and/or one representative;
  - (b) The Headteacher of The Swanage School 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.

25. 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) Chronology 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 the parents/carers.

26. 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.
27. 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' complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.
28. 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 Swanage School will need the appropriate approval from the relevant authorities e.g. the Board of Governors, although any such approval must be compatible with the decision of the Complaints Panel.

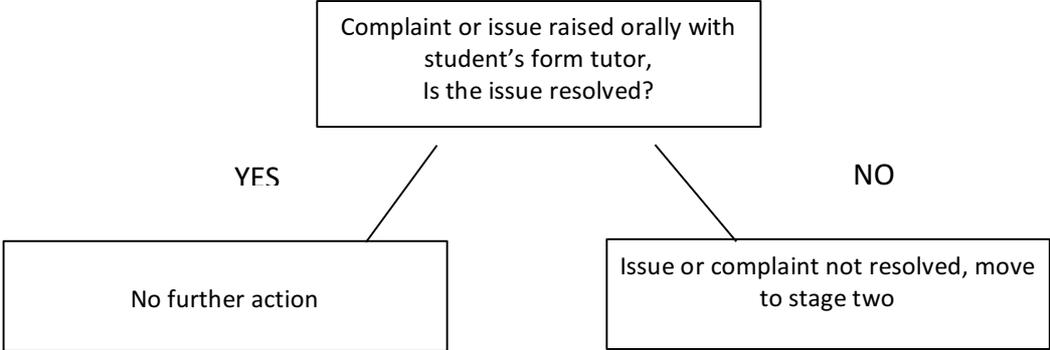
29. The Panel's findings will be sent by the Clerk in writing to the parents/carers, the Governors, and the Trust and, where relevant, the person complained of. The letter will state any reasons for the decision reached and recommendations made by the Complaints Panel.
30. The Swanage School will keep a record of all appeals, decisions and recommendations of the Complaints Panel, which record will be kept for one (1) year after the pupil leaves The Swanage School.

### **Monitoring, Evaluation and Review**

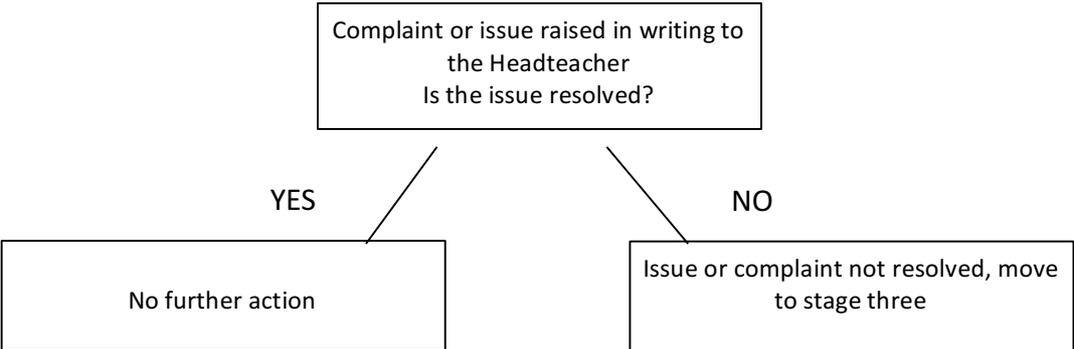
The Governing Body will review this policy at least every two years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the school.

# Complaints Policy and Procedure - Summary

## Stage One - Informal Resolution



## Stage Two - Formal Resolution



## Stage Three - Panel Hearing

