

# WCGS Complaints Policy & Procedure

This policy distinguishes two categories of complaints:

1. Complaints about the curriculum falling within Section 409 of the Education Act 1996.
2. Other complaints.

## **1. Purpose**

Wallington County Grammar School values the good relations enjoyed with parents and the local community. These good relations are based on mutual respect and a willingness to listen to other points of view. The purpose of the procedure is to provide a structure for the resolution of concerns and thus to improve the provision for students.

## **2. Introduction**

This procedure builds on the legal requirements of Section 409 of the Education Act 1996 and the guidance issued in the Department of Education and Science Circular 1/89: local arrangements for the consideration of complaints. It is in the best interests of all parties that any concern is expressed and resolved quickly and at the earliest possible stage.

## **3. Principles**

The Governing Body's Complaints Procedure will encourage resolution of problems by informal means wherever possible. This procedure aims to ensure that the School takes all complaints and concerns seriously and that it will deal with them in an appropriate manner.

An independent person - a person without prior knowledge of the complaint – will investigate all formal complaints. The investigation will be conducted in an impartial, non-adversarial manner, and will aim to provide an effective response and, where necessary, appropriate redress.

## **4. Stages**

The procedure has four possible stages, which must begin with the informal stage:

- **Informal:** Most concerns are easily resolved informally by discussion with staff at the school; more difficult or complex concerns may take more than one discussion.
- **Formal complaint to the Headteacher:** A formal complaint can be made to the Headteacher, usually after careful attempts have been made to resolve the matter informally.
- **Formal complaint to the Governing Body:** Where the complaint has not been resolved satisfactorily, or where it concerns the Headteacher, it may be referred to the Governing Body.
- **Formal complaint to the local authority:** If either party is dissatisfied with the outcome, it can be referred to a local authority Review Panel.

## 5. Informal Stage

- 5.1 At Wallington County Grammar School, we are happy to receive suggestions and talk about concerns; we have a positive attitude to this process as it helps us to identify areas of success and areas in which we can improve. Most concerns brought to our attention can be resolved with a single conversation. Sometimes, however, an issue is more complex and will take more than one discussion to resolve.
- 5.2 In most cases, a teacher or the School Office will receive the first approach. If possible, the member of staff should aim to resolve issues on the spot and, if appropriate, apologise. If the member of staff to whom the concern is expressed is uncertain how to resolve the issue, the matter must be referred to senior staff.
- 5.3 If, despite the best efforts of all parties, no satisfactory solution has been found, or if the complaint is of a sufficiently serious nature, the complainant should make an appointment to discuss it with the Headteacher. If, at this point, the matter appears too serious to be dealt with informally, the complaint should be made formally in writing to the Headteacher (see Appendix B: Complaint Form). The Headteacher will formally acknowledge receipt of the complaint in writing and copy relevant papers to any member(s) of staff named in the complaint.

## **6. Formal Complaint to the Headteacher**

- 6.1 The complainant should make a written complaint to the Headteacher (see Appendix B). The complaint will be acknowledged within three school days of receipt. The Headteacher may investigate the matter himself or delegate the investigation to a senior member of staff. If the complaint is about the actions of the Headteacher, the complainant should write to the Chair of Governors.
- 6.2 The Investigator should give the complainant a target date for providing a response to the complaint, usually within ten school days. If this proves impossible, a letter shall be sent explaining the reason for the delay and giving a revised target date.
- 6.3 The Investigator may meet the complainant to establish the facts and clarify what remains unresolved and what remedy, if any, is sought. The Investigator will interview those involved in the matter, allowing them to be accompanied by a friend if they wish. The Investigator may ask those interviewed to provide written statements and will keep records of interviews, telephone conversations, letters and electronic messages.
- 6.4 Once the investigation has been concluded, the Headteacher or the Investigator should produce a written response to the complainant. This response should include a full explanation of the decision and the reasons for it. The complainant should be advised that if they wish to take the matter further, they should notify the Clerk to the Governing Body within ten school days of receiving the outcome letter.

## **7. Formal Complaint to the Governing Body**

- 7.1 The Governing Body has a Complaints Committee whose responsibility it is to hear and decide about formal complaints that have not been resolved at an earlier stage.
- 7.2 The complainant should write to the Clerk to the Governing Body, at the school, requesting a meeting of the Complaints Committee. A copy of the written

complaints form (Appendix B) should be enclosed, indicating which matters remain unresolved. No new complaints may be included.

- 7.3 The Clerk to the Governing Body will convene the Complaints Committee. The meeting will be arranged as soon as possible for a date within 15-30 school days of receipt of the complainant's request for a formal meeting. If there is difficulty agreeing a date, the Chair of Governors makes the final decision.
- 7.4 Any documents from either the complainant or the Headteacher to be considered by the committee, and the names of any witnesses who might be called, must be received by the Complaints Committee clerk at least 7 school days before the meeting. Copies of all papers submitted, along with the agenda, will be sent to the Complaints Committee members, complainant, Headteacher, Chair of Governors and the Strategic Director of Children, Young People and Learning Services for the London Borough of Sutton, at least 5 school days before the meeting date. The Headteacher will copy relevant papers to any member(s) of staff named in the complaint.
- 7.5 The complainant may bring a friend, supporter or interpreter to the meeting.
- 7.6 The Headteacher may bring a friend or a professional representative.
- 7.7 If teachers or other members of staff are asked by the Headteacher to be present at a complaints committee meeting, they have a right to bring a friend or professional representative.
- 7.8 It is not appropriate for a child/pupil to attend.
- 7.9 The committee will be made up of governors who have not previously had significant involvement with the complaint.
- 7.10 They will consider the complaint on the basis of the papers they receive and what is said at the meeting.
- 7.11 In the event of either party not attending the meeting, the Chair of the Complaints Committee has discretion to proceed or to adjourn at any stage.

7.12 The Chair of the Complaints Committee controls the meeting and will aim to complete all the business at a reasonable hour without the need to adjourn to another day. It is important that all participants help by being clear about the points they wish to make, by keeping to the point, and by being courteous throughout.

The hearing will be held in an informal a way as is possible:

- a) The Committee Chairman will welcome the participants and outline the proceedings.
- b) The complainant or a friend will present his or her case; this may include any examination of witnesses for the complainant. Witnesses will only be required to attend for the part of the hearing in which they give their evidence.
- c) The Headteacher may question both the complainant and the witnesses after each has spoken.
- d) The Headteacher will be invited to explain the School's actions and may call witnesses.
- e) The complainant may question both the Headteacher and the witnesses after each has spoken.
- f) The Headteacher is then invited to sum up the School's actions and the response to the complaint.
- g) The complainant will then be invited to sum up including if wished reaffirming the remedy sought.
- h) All parties will withdraw leaving the committee to consider the issue and to arrive at the decision.

At any stage of the proceedings members of the Committee may ask questions to seek information on any matter raised before them.

The role of the Clerk to the Committee in the proceedings will be to make a record of the hearing and to assist the Committee on points of procedure and fact.

7.13 The committee can:

- uphold the complaint in full,
- uphold it in part, or
- dismiss it

In complex cases they may wish to give a complex response. The Complaints Committee clerk will send the complainant, Headteacher, Chair of Governors and the Strategic Director of Children, Young People and Learning Services a letter with

the outcome of the meeting within **7** days of the meeting. The Headteacher will copy relevant papers to any member(s) of staff named in the complaint.

- 7.14 Having come to a decision about the complaint, the Committee may refer issues of principle or general practice to another forum, such as the governing body, or to an individual, such as the Headteacher.
- 7.15 The Strategic Director of Children, Young People and Learning Services has the right, under this procedure, to have a representative present at all stages of the Complaints Committee meeting and to have a copy of all associated paperwork.

## **8. Formal complaint to the local authority**

- 8.1 If one of the parties (i.e. the complainant or the Headteacher) believes either that the complaint has not been properly and fairly dealt with by the governing body, or that the outcome is unreasonable, then a formal request for a paper review may be made to the local authority. Such a request will be expected to be received within **15** days of the date of the letter from the Complaints Committee clerk giving the outcome of the meeting.
- 8.2 To refer a formal complaint to the local authority either party writes a letter to the Strategic Director of Children, Young People and Learning Services setting out the grounds for dissatisfaction.

From this point on, the procedures of the London Borough of Sutton for apply.

MAY 2010

## **“I have something to say to the school”**

### **Introduction**

Often parents and other members of the public would like schools to know their views. Sometimes there are meetings when this is possible. On other occasions a personal comment is more appropriate. Communication, written or spoken, is valued as part of the partnership between home and school. Cooperation between parents, staff and governors leads to a shared sense of purpose and a good atmosphere in school. Here are some of the questions we frequently receive.

### **Should I pay a compliment?**

Certainly. Those at the school are always pleased to learn that things have gone well and compliments are appreciated.

### **Should I tell them my concerns?**

Definitely. All members of staff want to know as soon as possible if something concerns you or your child. They can then investigate and give you a response. If need be, they can also take steps to remedy a situation. Misunderstandings can be cleared up. An apology can be given if something is found to be wrong. Everyone benefits from the speedy resolution of difficulties and from suggestions for improvement.

### **Should I complain?**

Yes, if you believe that something is seriously wrong. Your view can then be considered and an investigation can establish whether there is something wrong which needs to be corrected. The school's response will be based on the governors' agreed policy and will seek to be fair to all concerned. Writing down your complaint helps to clarify exactly what you are complaining about.

### **Who do I contact?**

That depends on the particular situation. Often the teacher is able to deal with the matter. More serious problems will require the attention of a senior member of staff or the headteacher. Mutual courtesy is to be expected and ensures that things go smoothly. There should always be discussion in the hope of solving difficulties informally. Most problems are solved in this way. Certain specific complaints (e.g. about admissions to school) are dealt with separately.

For further advice about where to direct your complaint call the London Borough of Sutton Call Centre on 020 8770 6080.

### **What if the matter is still unresolved?**

It will be necessary to write to the school to inform them about this. In response the school may invite you to a meeting to talk together about it. The school may arrange for a suitable mediator to be present. If the matter remains unresolved, you may decide to make a formal complaint to the governing body.

### **What is a complaint?**

It is an expression of serious dissatisfaction. This could be about an event that has happened, failed to happen, or the way in which something was handled. You can obtain a copy of your school's full complaints procedure from the school.

### **Who will deal with my complaint?**

At first, school staff will respond, and others may assist. If you proceed further with your complaint, a committee of governors (not previously involved with the case) will listen carefully to both sides before reaching an independent decision.

### **How do I make a formal complaint to the governing body?**

You submit a copy of your complaint in writing to the clerk of governors, including a request for a formal hearing. You cannot introduce new or different complaints at this stage. You will receive an acknowledgement within five school days. A meeting will follow, with all the relevant paperwork having been circulated at least five school days in advance to everyone involved. You (accompanied by a friend or professional representative) will be invited to speak to the committee and to ask and answer questions. The committee normally allows witnesses to attend part of the meeting. A governing body may decide not to consider a complaint about something which occurred more than six months previously.

### **What happens next?**

You will be informed in writing of the committee's decision. If you believe either that the complaint has not been properly and fairly dealt with by the governing body, or that the outcome is unreasonable, then you can make a formal request for a Review Panel appointed by the local authority to check the paperwork and make a recommendation to reconsider its decision if it deems it appropriate. Any such request by you should be received within 15 days of the date of the letter from the complaints committee clerk giving the outcome of the meeting.

**Remember**

This whole process exists so that your views, and the views of others, can be heard. You have rights. Pupils have rights. Staff and governors have rights. The aim is that the complaint should be properly and fairly dealt with. Communications with school are frequent and are welcome. The later stages of the complaints procedure are used rarely but remain part of the response to compliments, concerns and complaints.





## Summary of external bodies dealing with complaints about schools beyond the local authority

### Local Government Ombudsman

Will investigate complaints about the operation of any general schools complaints procedure, but normally does not look at internal school management matters and expects that the local complaints procedure has been completed prior to any investigation.

Contact details are:

Local Government Ombudsman  
The Oaks, No 2, Westwood Way  
Westwood Business Park  
Coventry CV4 8JB  
Tel: (024) 7682 0000

### Ofsted

Ofsted can consider general complaints about the education or care offered by a school as a whole, not about a child's individual circumstances. They will normally only intervene when the school's complaints procedure has been exhausted.

Contact details are:

[www.ofsted.gov.uk](http://www.ofsted.gov.uk)

email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

Help desk: 08456 40 4045

### Note

Separate arrangements apply in the case of school admissions appeals and Special Educational Needs or Disability complaints. Further details are available from the local authority.

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