



ROUNDHAY
SCHOOL

EST^D 1903

Complaints Policy

**Approved by the Governing Body
Pastoral & Staffing Sub-Committee:
12 November 2018**

Date Reviewed: December 2020

Introduction

At Roundhay School we will always try to deal with issues or concerns at an informal level. We work hard to listen to the views of all members of our school community but accept that from time-to-time, mistakes are made and things can go wrong. We would encourage all stakeholders to contact the school in the first instance, where we will do our best to work with you in order to reach a satisfactory resolution to the issues raised. However, if you are still not satisfied with the response from the school the formal channels are outlined within this policy.

All complaints are taken seriously by the school and the Governing Body and will be investigated in line with this Policy.

Stage 1 – 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 in our flyer:

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".
2. We will acknowledge your complaint in writing as soon as possible after receiving it. This will normally be within three working days.
3. We will enclose a copy of these procedures with the acknowledgement.
4. Normally we would expect to respond in full within 15 working 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.
5. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
6. Please note that the school will not enter into email conversations if a meeting is deemed more appropriate to obtain the facts and details of the complaint.
7. The Headteacher, senior colleague or Chair of Governors may also be accompanied by a suitable person.
8. Following the meeting, the Headteacher, investigating officer or Chair of Governors 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. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will do our best to ensure that another member of staff, with whom the pupil feels comfortable, is present.

10. 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.
11. The Headteacher, Investigating Officer or Chair of Governors will keep written/typed/dated records of all meetings and telephone conversations, and other related documentation.
12. 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 or Chair of Governors' 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.
13. The person investigating your complaint may decide that we have done all we can to resolve the complaint and we may then use our discretion to 'close' the complaint at this point. Please see page 8 for information about the 'closure' process.
14. If you are unhappy with the way in which we reached our conclusions, you may wish to proceed to stage 2, as described below.

Stage 2 – Consideration by a Governors' Appeal Panel

1. If the complaint has already been through stage 1 and you are not happy with the outcome as a result of the way in which the complaint has been handled, you can take it further to a Governors' Appeal Panel. This is a formal process and the final stage at school level.
2. The purpose of Stage 2 is to give you the chance to present your arguments in front of a panel of Governors who have no prior knowledge of the details of the case and who can, therefore, consider it without prejudice.
3. However, the aim of a panel is not to rehear the complaint. It is there to review how the complaint has been investigated and to determine whether this has been conducted fairly. It is there to establish facts and make recommendations which will reassure you that we have taken the complaint seriously.

The Governors' Appeal Panel operates according to the following Formal Procedures

1. The Governing Body will arrange a panel of three Governors and will aim to arrange for the panel meeting to take place within **20 working days**.
2. You will be asked whether you wish to provide any further written documentation in support of your appeal.
3. The Headteacher or complaint investigator will be asked to prepare a written report for the panel. The panel can request additional information from other sources if necessary.
4. You will be informed, at least **five working days** in advance, of the date, time and place of the meeting. We hope you will feel comfortable with the meeting taking place in the school but we will do what we can to make alternative arrangements if you prefer. You will also receive relevant correspondence or reports regarding stage 1 that do not compromise confidentiality and you will be asked whether you wish to submit further written evidence to the panel.
5. The letter will explain what will happen at the panel meeting and that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish. You must alert the panel to who will be accompanying you in writing two days before the meeting if you choose to bring a friend. Please note that this is not a legal hearing.
6. The complaint investigator may, with the agreement of the Chair of the panel, invite relevant witnesses directly involved in matters raised by you to attend the meeting.
7. The Chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
8. As a general rule, no new evidence or witnesses should be introduced into the meeting. If either party wishes to do this, the meeting will be adjourned at the discretion of the Chair so that the other party has a fair opportunity to consider and respond to the new evidence.
9. The Chair of the panel will ensure that the meeting is properly minuted. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy as the minutes are the property of the Governing Body. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.
10. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance. If the panel is happy for the minutes to be copied to you, the clerk can then be asked maintain confidentiality in the minutes.

11. During the meeting, you can expect there to be opportunities for:
 - a. The panel to hear you explain your case and your argument for why it should be heard at stage 2;
 - b. The panel to hear the complaint investigator's case in response;
 - c. you to raise questions via the Chair;
 - d. you to be questioned by the complaint investigator through the Chair;
 - e. the panel members to be able to question you and the complaint investigator;
 - f. you and the Headteacher to make a final statement.

12. In closing the meeting, the Chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to you and the Headteacher **within three school days**. All participants other than the panel and the clerk will then leave.

13. The panel will then consider the complaint and all the evidence presented in order to:
 - a. reach a unanimous, or at least a majority, decision on the case;
 - b. decide on the appropriate action to be taken, if necessary;
 - c. recommend, where appropriate, to the Governing Body changes to the school's systems or procedures to ensure that similar problems do not happen again.

14. The clerk will send you and the Headteacher a letter outlining the decision of the panel. The letter will also explain that you are entitled to have the handling of the complaint reviewed by the Local Authority. That process is not strictly an appeal, as the local authority cannot direct the Governing Body in most general complaints cases.

15. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

Unreasonable Complaints

A complaint may be regarded as unreasonable when the person making the complaint:

1. Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
2. Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
3. Refuses to accept that certain issues are not within the scope of a complaints procedure.
4. Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
5. Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
6. Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced.
7. Changes the basis of the complaint as the investigation proceeds.
8. Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
9. Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed.
10. Seeks an unrealistic outcome.
11. Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
12. A complaint may also be considered unreasonable if the person making the complaint does so either face to face, by telephone, in writing or electronically:
 - Maliciously
 - Aggressively
 - Using threats, intimidation or violence
 - Using abusive, offensive or discriminatory language
 - Knowing it to be false
 - Using falsified information
 - Publishing unacceptable information in a variety of media such as in social media websites and newspapers

Please note: if you have any concerns over the way your complaint has been handled, you can refer your complaint to the Local Authority for a review of the process followed.

Closure of Complaints

1. Very occasionally, a school and/or Local Authority will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.
2. We, and the local authority where appropriate, will do all we can as reasonably expected to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".
3. If a complainant persists in making representations to the school – to the Headteacher, designated Governor, Chair of Governors or anyone else – or to the local authority, this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children and staff in our care.
4. For this reason, we are entitled to close correspondence (including personal approaches, as well as emails, 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. The local authority will support us in this position, and especially where the complainants' action is causing distress to staff and/or pupils.
5. Closure of a complaint may occur if the complainant refuses to come into school to discuss the complaint or provide sufficient information to allow the complaint to be investigated fully and effectively.
6. In some circumstances, closure may occur before a complaint has reached stage 2 of the procedures described in this document. This is because a complaints 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.
7. The Chair of Governors may decide, therefore, that every reasonable action has been undertaken to resolve the complaint and that a complaints review panel would not help to move things forward.
8. Closure of the complaint can occur if it is regarded as unreasonable (see previous page).
9. This does not, of course, prevent you from referring your complaint to the Local Authority for a review of the way it has been handled.