



ROUNDHAY SCHOOL

EST. 1903

Policy name: **Complaints Policy and Procedures**

Author: **Leeds City Council**

Governor committee: **Pastoral and Staffing**

To be approved by: **Committee**

Date approved: **December 2019 (via email)**

Review date: **Autumn 2020**

Applicable to

PRIMARY CAMPUS

SECONDARY CAMPUS

SIXTH FORM

Complaints Policy

This policy statement sets out the school's approach to dealing with parental concerns and complaints.

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 the Procedures section of this document.

We value good home/school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.

We welcome feedback on what parents feel we do well, or not so well, as a school. We will consider carefully all feedback, whether positive or negative, and will review our policies and practices accordingly.

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

We will treat all concerns and complaints courteously. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of pupils.

Please note: Our staff will not respond to communications that are abusive, threatening or rude. We will listen to concerns and deal with complaints as outlined in this policy, but these should be addressed in a manner which is respectful and appropriate.

All school staff and members of the governing body, will receive a copy of this policy statement and will be familiar with the school's procedures for dealing with parental concerns and complaints, to which they will have access as required. The policy is available on request to parents.

The school's procedures will be reviewed regularly and updated as necessary.

Staff and governors will receive training in handling parental concerns and complaints as appropriate. This may be on an individual basis, or as a group activity for all staff, or for specific groups, such as the office staff or members of the governing body.

Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, use our option to close a complaint before all the stages of the school's procedures have been exhausted, if this appears to be appropriate.

The government and the local authority advocate resolution of parental concerns and complaints at school level wherever possible, in the interests of maintaining good home/school relations.

This policy may be adapted as appropriate to take into account any disability or any other special consideration as appropriate. If you feel you need any assistance in respect of any disability or other circumstances please inform the school as early as possible.

Complaints Procedure

Roundhay School's procedures for dealing with complaints

The majority of concerns from parents, carers and others are handled under the following general procedures.

To ensure you receive an effective response to your complaint, it will be helpful if you:

- co-operate with the school in seeking a solution to the complaint;
- express the complaint in full as early as possible;
- respond promptly to request for information or meetings or in agreeing the details of the complaint;
- ask for assistance if needed; and
- treat all those involved in the complaint, with respect.

The procedure is divided into three stages;

- **The informal stage** aims to resolve the concern through informal contact at the appropriate level in school.
- **Stage one** is the first formal stage at which written complaints are considered by the head teacher. If the complaint is about the Headteacher, then the Chair of Governors will appoint a suitably qualified governor to consider the complaint.
- **Stage two** is the next stage once stage one has been worked through. It involves a complaints appeal panel of governors.

How each of these stages operates is explained below:

Informal stage – your initial contact with the school

1. Many concerns will be dealt with informally when you make them known to us.

The first point of contact should be your child's form teacher/subject teacher or head of year.

2. Once your concern is made known to us, we will see you, or contact you by telephone or in writing, as soon as possible. If it is necessary, all members of staff know how to refer to the appropriate person with responsibility for your particular issues. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.

3. Any actions or monitoring of the situation that has been agreed, will be communicated clearly and we will confirm this in writing to you.

4. If necessary we will contact appropriate people who may be able to assist us with

our enquiries into your concern.

5. We will normally update you on the progress of our enquiries within 10 school days. Once we have responded to your concern, you will have the opportunity of asking for the matter to be considered further.

6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

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 above:

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. The complaint will either be investigated by the head teacher or they may ask a senior member of staff to be the investigating officer.
5. 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.
6. 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.
7. 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.
8. The Headteacher, senior colleague or Chair of Governors may also be accompanied by a suitable person.
9. 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.
10. 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. We will always take into account what is in the best interest of the child when making any decision.

11. 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.
12. The Headteacher, Investigating Officer or Chair of Governors will keep written/typed/dated records of all meetings and telephone conversations, and other related documentation.
13. 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.
14. 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 Closure of Complaints later in this document for information about the 'closure' process.
15. 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 an 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 an 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, which will usually include representatives from the Governing Body, who have no prior knowledge of the details of the case and who can, therefore, consider it without having had previous involvement.
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.
4. On occasion, Governors may decide to invite independent specialist or a Governor from another school/academy or a headteacher or senior leader from another school/academy to join the panel. For example if the complaint is about the Governing body then independent members may be appropriate.

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; either to uphold the complaint in whole or in part or dismiss the complaint in whole or in part
 - b. decide on the appropriate action to be taken, if the complaint is upheld in whole or in part;
 - c. recommend, where appropriate, to the Governing Body, changes to the school's systems or procedures to improve future practice.
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 Secretary of State for Education.
15. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

Closure of Complaints

1. Very occasionally, a school will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.

2. We 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 – 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.
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 following page).
9. Where you have been through the school's internal complaints procedures and are still unhappy with the outcome or decision from the governing body, you can contact the Secretary of State for Education via the DfE website www.education.gov.uk, by telephoning 0370 000 2288 or by writing to the address below:

The School Complaints Unit (SCU), Department for Education, Piccadilly Gate Store Street, Manchester M1 2WD 37

Please enclose with your letter to the DfE a copy of the complaint outcome. This will save time in that the DfE will not need to ask for our view of what has happened.

We would advise parents that, unless the school is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken, as governing bodies are empowered to deal with many issues without reference to either the local authority or the secretary of state.

10. If your concern is about an aspect of **special educational needs provision**, which might include information about relevant voluntary organisations and support groups in Leeds,

you might like to talk to Leeds SEND Information Advice Service (Leeds Special Educational Needs and Disability Advice Support Service) on their helpline:0113 3951222.

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

Where a complaint is considered to be unreasonable then this policy will be adapted as appropriate.

Appendix A – School Complaint Recording Form



ROUNDHAY
SCHOOL

EST. 1903

Complaints / Feedback form

Name

Address

Postcode

Telephone number(s)

email address

If applicable, name of child(ren) and year at school

Your relationship to the school, e.g. parent, carer, neighbour, member of the public, student:

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint ? Who did you speak to, when and what was the response?

What actions do you feel might resolve the problem at this stage?

Signature
Date

Official Use:

Date of acknowledgment
By whom
Complaint referred to
Date

Appendix B – Model Complaint Closure Letter (Stage 1)

Dear Mr and Mrs X,

FORMAL STAGE 1 COMPLAINT ABOUT Y AND SCHOOL Z

Thank you for your letter dated..... From your letter(s) it is clear that you are still unhappy with the situation. As a result I have decided to have the matter investigated as part of formal stage one of the school's complaints procedure.

You complain that :

summary of complaint to be stated. State each point separately.

I have completed my investigation and can offer the following response(s) on each of the points you have raised.

1. Concerning your complaint that
2. Concerning your complaint that

It is important that you are clear about what action the school has taken at each stage of the process so far:

Informal stage

State what action was taken in response and the outcome of this.

Formal stage one

State what investigative action was taken in response and the outcome of this, including any remedial action to be taken if complaint is upheld.

I hope this response answers your concerns. Please let me know if you wish me to clarify any points.

In the meantime, if you are still not satisfied with my reply, there is a further stage of the complaints procedure that you can follow. This formal stage two is a review by a panel of governors who will look at the way in which your complaint has been dealt with. The panel will not, however, rehear the whole case.

To go to the next formal stage two, you should write to the chair of governors within 10 days of the receipt of this letter, giving your reasons why you wish to take your complaint further. If you are still not satisfied with the results of the formal stage two panel of governors, you can complain to the Secretary of State for Education who will consider how your complaint has been handled.

Yours sincerely,

Appendix C – Model Complaint Closure Letter (Stage 2)

Dear Mrs and Mrs

FORMAL STAGE 2 COMPLAINT ABOUT Y AND SCHOOL Z

The panel met on ...date...to hear your appeal regarding your complaint which can be summarised as follows:

That so and so/the school did/said/did not,...

Legal or administrative background

State any legal or administrative background to the case, including any legislation relevant to the investigation.

The investigation

Set out the key facts about the complaint, the findings and conclusions from the formal stage one investigation, and any continuing concerns.

Conclusion

Set out the findings of the panel

Panel decision

Outcome of the decision

Please let me know if you wish me to clarify any points for you.

In the meantime, if you remain dissatisfied with the way in which your complaint has been dealt with, you can contact the Secretary of State for Education through the DfE website www.education.gov.uk or by writing to the following address: The School Complaints Unit (SCU), Department for Education, Piccadilly Gate, Store Street, Manchester M1 2WD

Yours sincerely

Appendix D – Complaints which are subject to statutory procedures

Complaints which are subject to statutory procedures

A complaints procedure should cover all complaints about any provision of facilities or services that a school provides with the **exceptions** listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
Admissions to schools	Concerns should be raised direct with local authorities. For school admissions, it will depend on who is the admission authority (either the school or the local authority). Complaints about admission appeals for maintained schools are dealt with by the Local Government Ombudsman.
Statutory assessments of Special Educational Needs (SEN)	Contact Leeds City Council Complex needs service tel: 395 1030
School re-organisation proposals	Contact Leeds City Council educ.school.organisation@leeds.gov.uk
Matters likely to require a Child Protection Investigation	If you have a concern as a practitioner please call the Social Care Duty & Advice team on: 0113 376 0336 (9am to 5pm) or the Emergency Duty team on 0113 240 9536 (out of office hours)
Exclusion of children from school	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-disciplineexclusions/exclusions
Whistleblowing	Schools have 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.
Staff grievances and disciplinary procedures	These matters will invoke the school's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.
Complaints about services provided by other providers who may use school premises or facilities.	outcome of any investigation. • Complaints about services provided by other providers who may use school premises or facilities. Providers should have their own complaints procedure to deal with complaints about service.

The head teacher will in most cases determine which if any of these statutory procedures apply. Advice can be obtained from the local authority on any such issues either by contacting the appropriate service manager or customer relations on 0113 37 85111. If one of these statutory procedures needs to be invoked at some point during the investigation of a more general complaint the complaints procedure should be suspended until the statutory procedure has been concluded.

Appendix E – The Role of the School Complaints Unit

The Role of the School Complaints Unit

If a complaint has completed the local procedures and the complainant remains dissatisfied, they have the right to refer their complaint to the Secretary of State for Education. The Secretary of State has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so.

The School Complaints Unit (SCU) considers complaints relating to local authority maintained schools in England on behalf of the Secretary of State. The SCU will look at whether the complaints policy and any other relevant statutory policies were adhered to. The SCU also looks at whether statutory policies adhere to education legislation. However, the SCU will not normally re-investigate the substance of the complaint. This remains the responsibility of schools.

The SCU will not overturn a school's decision about a complaint except in exceptional circumstances where it is clear the school has acted unlawfully or unreasonably. If the SCU finds that the school has not handled a complaint in accordance with its procedure, we may request that the complaint is looked at again.

If legislative or policy breaches are found, the SCU will report them to the school and the complainant, and where necessary, ask for corrective action to be taken. The SCU normally also seeks written assurances as to future conduct. Failure to carry out remedial actions or provide written assurances could ultimately result in a formal Direction being issued by the Secretary of State in accordance with her powers under sections 496 and 497 of the Education Act 1996.

Schools may wish to contact the SCU for advice on whether they have acted reasonably; for example: in closing down a complaint from a serial complainant before the local procedure has been completed. However, the SCU will not be able to advise on how to resolve the complaint.

Further information can be obtained from the SCU by calling the National Helpline on **0370 000 2288** or going online at: www.education.gov.uk/help/contactus or by writing to: Department for Education, School Complaints Unit, 2nd Floor, Piccadilly Gate, Store Street, Manchester M1 2WD