



## Hanson Policy

# Complaints Policy

Approved by the governing body:

Updated Feb 2020 – AWAITING APPROVAL

To be reviewed:

Next Governor's Meeting

Signed on behalf of the governing body:

## Policy Statement

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. Hanson School is committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures. However, depending on the nature of the complaint, you may wish or be asked to follow the school's formal complaints procedure.

For the school to be able to investigate a complaint, it needs to be made within one year of the incident occurring. If a complaint is older than a year it will not be investigated. The prime aim of Hanson School's policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by the school.

## General Complaints Procedure

A problem or concern should be raised promptly with the form tutor or member of staff responsible for the area or action you are concerned about. If your concern is more serious you may prefer to make an appointment to discuss it with the Headteacher/Deputy Head/Head of Year.

All staff will make every effort to resolve your problem promptly at this informal stage. Most concerns and potential complaints can best be resolved through informal discussion with the Headteacher or member of the Leadership team or relevant member of staff.

The Hanson School Policy has four main stages and the following details outline the stages that can be used to resolve complaints. In summary they are as follows:

- **Stage 1** – A concern is raised informally with a staff member.
- **Stage 2** – Formal complaint is heard by the complaints co-ordinator or nominated member of Senior Leadership Team.
- **Stage 3** – Complaint is heard by Headteacher.
- **Stage 4** – Complaint is heard by Governing Body's Complaints Appeal Panel.

### **Stage 1 – Raising a concern**

- a) Concerns can be raised with the school at any time and will often generate an immediate response, which will resolve the concern.
- b) The school requests that parents make their first contact via the student's Form Tutor or Head of Year or Head of Department. Concerns that may require investigation, or discussion with others, will receive an informal but informed response within 2 working days. However, if you are dissatisfied with the response of the member of staff then you may wish to put your concerns in writing as a complaint. You should make it clear if you still wish the matter to be dealt with as a complaint (see stage 2).

### **Stage 2 – Complaint heard by Complaints Co-ordinator or nominated Senior Leader (case manager)**

- a) Formal complaints should be put in writing (see appendix B 4.1) and addressed for the attention of the Headteacher or email [Headteacher@hansonacademy.org.uk](mailto:Headteacher@hansonacademy.org.uk) . The complaint will be logged, including the date it was received and presented to the Complaints Co-ordinator or nominated Senior Leader (case manager) by the Headteacher (see Appendix B 5.1). The school will normally acknowledge receipt of the complaint within 2 school working days of receiving it; following which a further response will be made to report on the action the school has taken to resolve the issue.
- b) The Complaints Co-ordinator or nominated Senior Leader will investigate the complaint and provide a written response. This will normally be within 10 school days of your letter/email, but you will be kept informed if, for example, more time is needed to complete the investigation. If your original concern was about an action by the Headteacher personally, and you have already discussed it at the informal stage, then you should put your complaint in writing to the Chair of the Governing Body.
- c) Alternatively, a meeting may be convened to discuss the issue within 10 school working days. The aim will be to resolve the matter as quickly as possible; however, if you are not satisfied with the result at Stage 2 please write again to the Headteacher within 10 school working days of getting our response. You will need to tell the Headteacher why you are still not satisfied and what you would like the school to do. You should make it clear if you still wish the matter to be dealt with as a complaint (see stage 3).

### **Stage 3 – Complaint heard by Headteacher**

- a) If you are dissatisfied with the response of the Complaints Co-ordinator or nominated Senior Leader, at Stage 2 then you may request that the Headteacher arrange a further investigation.
- b) Following the investigation, the Headteacher will normally give a written response within 10 school working days. Alternatively, a meeting may be convened to discuss the issue within 10 school working days. If you are dissatisfied with the result at Stage 3, you will need to let the school know within 10 school working days of the date of the written response. You should make it clear if you still wish the matter to be dealt with as a complaint.

### **Stage 4 – Complaint heard by the Governing Body’s Complaints Appeal Panel**

- a) If the matter has still not been resolved at Stage 3, then you will need to write to the Chair of Governors giving details of the complaint. Please address your letter to the Chair of Governors via Hanson School.
- b) The Chair will investigate your complaint and, in most cases, seek to resolve the matter through discussion with yourself and the Headteacher. At the end of this stage the Chair will provide you with a written response. This will normally be within 10 school days, but you will be kept informed if more time is needed.
- c) If you are not satisfied with the Chair's response at the end of stage 4, the complaint can be referred to the Governing Body by writing to the Clerk to the Governing Body. The Chair or a nominated Governor will convene a complaints appeal panel to investigate your complaint. The hearing will normally take place within 15 school working days of the receipt of the written request for a Stage 4 investigation.
- d) You may be invited to speak to the panel at a meeting and be accompanied by a friend or representative. The aim of the Appeal panel hearing is to impartially resolve the complaint and to achieve reconciliation between the school and the complainant. All parties will be notified of the Panel’s decision in writing within 10 working days after the date of the hearing (see Appendix B). The letter will also contain what you need to do if you wish to take the matter further.

In cases where the matter concerns the conduct of the Headteacher. The Chair of Governors will arrange for the matter to be investigated. In cases where the matter concerns the conduct of a member of the Governing Body the member will be informed of the complaint.

### **School Curriculum Complaints**

In general these are dealt with in a similar way to other complaints, however, there are some specific differences:

- The complaint may be investigated by Curriculum Leader or nominated Senior Leader.
- You might also complain to the LA.
- The Governing body will inform both the complainant and the LA of the outcome of its investigation.
- In general, internal school matters are the responsibility of the school governing body. However, you may have a complaint which relates to something which is the Local Authority's responsibility.

The LA will provide advice to parents and schools on best practice procedures for dealing with complaints. The LA will, where appropriate, check to make sure that the complaint has been reasonably dealt with. Where required, LA officers may play a role in helping schools to investigate and resolve particular complaints.

### **School admissions and exclusions**

Separate complaint and appeal procedures exist for these matters, and appropriate information is available on request from the school.

### **Special needs**

There is a separate appeal procedure for these matters, and appropriate information is available on request from the school.

### **Complaints against school staff**

If your complaint amounts to, or includes, an allegation against a member of staff, this may need to be considered under the school's disciplinary procedure for employees, rather than the complaint procedure. You will be advised if these procedures are to be used in dealing with your complaint.

## Appendix A:

### 1. Terms used in the procedure

1.1 Throughout the document the person making the complaint may be termed the “complainant”. The term “Governing Body” also refers to any Interim Executive Board which may be in place at a school.

### 2. Definitions of bullying, harassment and discrimination

2.1 Bullying is:

*“Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient”.*

2.2 Harassment is:

*“Unwanted behaviour or conduct that threatens or torments somebody, especially persistently and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient”.*

2.3 Discrimination may be characterised as:

*Any less favourable treatment or victimisation of someone relating to*

- *Gender*
- *Race*
- *Disability*
- *Sexual orientation*
- *Trans-gender Status*
- *Religion or belief*
- *Age*

### 3. Responsibilities under this procedure

It is the responsibility of the school’s management to:

- Make all members of staff aware of the policy and ensure their compliance
- Deal with all issues in a timely, serious and sensitive manner
- Maintain confidentiality when dealing with cases and ensure that a written record is kept of all informal and formal meetings and discussions
- Make every effort to resolve complaints informally by discussion
- In considering evidence relating to a complaint the Headteacher or Senior Leader will apply the “balance of probabilities” standard proof

## Appendix B

### 4. Making a complaint in writing

**4.1** The letter of complaint (or email) should carefully describe the complaint, giving a detailed account of what is alleged to have occurred, who was involved, detail any witnesses and state when the event/s happened. The complainant should also state what outcome they are seeking from their complaint.

### 5. Complaints Co-ordinator or nominated Senior Leader

**5.1** The Headteacher will appoint a Complaints Co-ordinator or nominate a Senior Leader (case manager) to handle the complaint. Care should be taken that the person who is to investigate has no direct interest in the outcome of the case and is not a witness to any of the events complained of.

The case manager's role is to:

- Acknowledge the complaint in writing
- Manage the case in accordance with policy requirements
- Offer mediation and arrange this, if required
- Undertake an investigation, or commission another appropriate person to undertake this role (for further advice please contact your Human Resources Business Partner)
- Present the findings of the investigation to the Headteacher or Chair of Governors if appropriate
- Present the management case at any hearing, or commission another appropriate person to undertake this role (for further advice please contact your Human Resources Business Partner)

Where the complaint is against the Headteacher the Chair of Governors will arrange for the Clerk to Governors to convene a Governing Body meeting to nominate a Governor/s to investigate. Alternatively, the school may decide to employ an external investigating officer.

### 6. The Investigation

**6.1** The case manager will establish the basic facts of the case. Where the matter is not complicated it may be resolved by mutual agreement or mediation. The complaint and response can be presented directly to a Headteacher or Governors hearing.

**6.2** More complex or legally sensitive cases are likely to require a more detailed investigation. Should the Headteacher/case manager decide that an investigation is required then an investigating officer will be appointed. In some circumstances the school may decide in the interests of fairness or capacity to appoint an independent external investigator.

## **7. The Decision**

There are two possible outcomes following an appeal hearing:

### **7.1 Complaint - not upheld**

The Governing Body's Complaints Appeal Panel may conclude that the complaint is not upheld, i.e because there is insufficient evidence to support the complaint.

### **7.2 Complaint upheld or upheld in part**

If the outcome of the hearing is that the complaint is fully or in part proven on the balance of probabilities then consideration should be given to appropriate actions to prevent reoccurrence of the matters complained of.

## **8. Issuing the decision**

**8.1** The complainant should be informed of the outcome, in writing, normally within 10 working days. The reason(s) for the outcome should be included as part of the response.

## **9. The Appeal**

**9.1** If the complainant is dissatisfied with the decision from the first hearing, s/he should notify the Clerk to Governors within 10 working days of receipt of the decision letter of his or her decision to appeal. The complainant must give specific reasons why they are dissatisfied with the outcome. An appeal can be made on the grounds of:

- Perceived unfairness of the decision
- Disputing the facts of the case including new evidence coming to light
- Procedural non-compliance

**9.2** An Appeals Committee will hear the complaint. The Committee will be convened by the Clerk to Governors. The committee will comprise of Governors not previously involved at the first hearing. The hearing will take place as soon as is reasonably practicable. The decision will be confirmed in writing normally within 10 working days. The decision will be final; there is no further right of appeal. The Governors appeal hearing is the last school-based stage of the complaints process.