

# Complaints Procedure for Parents / Principal Carers

The following policy and procedure has been revised and adopted by the school & college for dealing with complaints relating to the school and college as required by section 29[1][a] of the Education Act 2002.

It is to be used to pursue matters relating to the actions of staff and application of school and college procedures where they affect the individual pupils.

## GENERAL PRINCIPLES

- An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances.
- To allow for a proper investigation, complaints should be brought to the attention of the school and college as soon as possible. Any matter raised more than 3 months after the event being complained of will not be considered, save in exceptional circumstances.
- Investigation of any complaints will begin with 5 school days of receipt of the same, save in exceptional circumstances. The investigation will be completed as soon as reasonably practicable.

Σ

## Part A

### Complaining about the actions of a member of staff other than the Principal.

## INFORMAL STAGE

The complainant is normally expected to arrange to communicate directly with the member of staff concerned. This may be by letter, by telephone or in person by appointment. Many concerns can be resolved by simple clarification or the provision of information and it is anticipated that most complaints will be resolved by this informal stage. In the case of serious concerns it may be appropriate to address them directly to the Principal. An unreasonable refusal to attempt an informal resolution may result in the procedure being terminated forthwith. Any dispute in relation to the reasonableness may be determined through the review process.

## FORMAL STAGE

If the complaint is not resolved at the informal stage the complainant must put the complaint in writing and pass it to the Principal who will be responsible for the investigation.

The Principal shall consider whether or not the complaint be referred back to the Informal Stage of the procedure.

If the complaint is judged to be vexatious, then the complainant will be informed that their complaint will not be accepted and will not be investigated.

The complainant should include details, which may assist the investigation, such as names of potential witnesses, dates and times of events, and copies of relevant documents. In addition the Principal may meet with the complainant to clarify the complaint.

The Principal will collect such other evidence, as he deems necessary. Where this involves an interview with a member of staff, who is the subject of the complaint, a friend or representative may accompany that member of staff if they wish.

The investigation will begin as soon as possible and when it has been concluded, the complainant and the member of staff concerned will be informed in writing of the outcome. This may be to the affect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld
- The evidence does not substantiate the concern
- The concern was substantiated in part or in full. Some details may then be given of action the school may be taking but details of the investigation or of any disciplinary procedures will not be released.
- The matter has been fully investigated and that appropriate procedures are being followed which are strictly confidential particularly where staff disciplinary procedures are being followed.

**The complainant will be told that consideration of their complaint by the Principal is now concluded.**

**If the complainant is not satisfied with the manner in which the process has been followed, the complainant may request that the relevant Governing Body review the process followed by the Principal in handling the complaint. Any such request must be**

made in writing within 2 weeks of receiving notice of the outcome from the Principal, and include a statement specifying any perceived failures to follow the procedure. The procedure described in Part C will be followed.

If the complainant considers that the decision of the Principal is perverse, or that the Principal has acted unreasonably in considering the complaint, then the complainant may bring a complaint against the Principal under Part B of this procedure. This will provide an opportunity for the evidence to support such a complaint to be investigated.

## Part B

### Complaining about the actions of the Principal

#### INFORMAL STAGE

The complainant is expected to speak directly to the Principal. In the case of serious concerns it may be appropriate to raise them directly with the relevant Chair of the Governing Body. Many concerns can be resolved by simple clarification or the provision of information. If the matter is not resolved, if both parties agree, then a third party, Chair of Trustees, may be invited to act as a mediator at a further meeting. A refusal, unreasonably, to attempt an informal resolution may result in the procedure being terminated forthwith.

#### FORMAL STAGE

If the complaint is not resolved at the informal stage the complainant must put the complaint in writing and pass it to the Chair of the relevant Governing Body who will determine which of the agreed procedures to invoke. If it is determined that the complaint is 'general', the relevant Chair will arrange for its investigation.

The complainant should include details, which may assist the investigation, such as names of potential witnesses, dates and times of events, copies of relevant documents etc. In addition the complainant will be invited to meet with the relevant Chair to present oral evidence or to clarify the complaint.

The relevant Chair will collect such other evidence as is deemed necessary. This may include the interviewing of witnesses and others who may provide relevant information.

The Principal will be provided with a copy of the complaint and any additional evidence presented by the complainant or collected by the relevant Chair. Once there has been an opportunity for the Principal to consider this, he will be invited to meet separately with the relevant Chair, in order to present oral and written evidence in response. A friend or representative may accompany the Principal at this meeting.

When the investigation has been concluded, the complainant and the Principal will be informed in writing of the outcome. The complainant will not be informed of any disciplinary/capability action.

**The complainant will be told that consideration of their complaint by the relevant Chair is now concluded**

**If the complainant is not satisfied with the manner in which the process has been followed, or considers that the decision of the relevant Chair is perverse, or that the relevant Chair has acted unreasonably in considering the complaint, then the complainant may request the relevant Governing Body review the handling of the complaint by the relevant Chair. Any such request must be made in writing within 2 weeks of receiving notice of the outcome from the relevant Chair, and include a statement specifying any perceived failures.**

## **Part C**

### **Review Process**

A panel of 3 members of the relevant Governing Body shall conduct any review of the process followed by the Principal or the relevant Chair.

The review will normally be conducted through a consideration of written submissions, but reasonable requests to make oral representations should be considered sympathetically.

The panel will first receive written evidence from the complainant.

The panel will then invite the Principal or relevant Chair as appropriate to make a response to the complaint.

The panel may also have access to the records kept of the process followed.

The complainant, and the Principal or the relevant Chair, as appropriate, will be informed in writing of the outcome. This may be to the effect that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld.
- The evidence does not substantiate the concern
- The concern was substantiated in part or in full but that the procedural failure did not affect the outcome significantly so that the matter is now closed

- The concern was substantiated in part or in full and the relevant Governing Body will take steps to prevent a recurrence or to rectify the situation where this is practicable.

**The complainant is not entitled to access any details of the investigation except for any statements that may have been provided by their child. Any information relating to the application of disciplinary procedures is strictly confidential.**

**If a complainant believes that the relevant Governing Body has acted illegally or arbitrarily in handling the complaint, then the complainant may make representations to either the Secretary of State for Education and Skills or the CSCI.**

**Chair of School Governors  
Mrs P. Frankham  
St. John's School & College  
Firle Road  
Seaford  
East Sussex  
BN25 2HU**

**Chair of College Governors  
Mrs J. Marshall  
St. John's School & College  
Walpole Road  
Brighton  
East Sussex  
BN2 0AF**

**The Commission for Care Standards Inspection  
East Sussex Area Office  
Ivy House  
3 Ivy Terrace  
Eastbourne  
East Sussex  
BN21 4QT**

**Don Kent  
Principal**

**Procedure Revised November 2004**