



## North Cestrian School

### Concerns and Complaints Policy

<b>Nominated Lead Member of Staff:</b>	<b>Headmaster</b>
<b>Last Review Date:</b>	<b>6<sup>th</sup> February 2023</b>
<b>Next Review Date:</b>	<b>February 2025</b>

#### 1. Introduction

The Education Act 2002 requires the Governing Body to have a procedure for handling complaints. Complaints at North Cestrian School are rare. However, this Policy provides a framework so that where a complaint is made it can be dealt with in a fair and appropriate manner. The procedure covers complaints which may be made by pupils, pupils' parents, members of staff, local residents or visitors to the School. Examples of the sorts of complaint that might be made and this procedure is appropriate for are:

- Bullying
- Inappropriate comments
- Verbal abuse by a pupil outside school
- Unfair treatment by a member of staff
- Concern about teaching quality School
- Uniform or pupil appearance
- Anti-Social behaviour of a pupil

- 1.1 This complaints procedure does not cover those aspects of school life for which there are specific statutory requirements and, in particular, complaints about the provision of collective worship and religious education, special needs assessment and concerns about school admissions and exclusions from school which have specific appeal rights.
- 1.2 The school looks positively on most complaints. It is recognised that most people prefer not to complain and, therefore, to do so must be a matter of genuine concern. Sometimes explanation is needed to enlighten them. Sometimes complaints can be a useful engine of school improvement.
- 1.3 This document sets out NCS's procedure for addressing formal complaints. The policy is designed to ensure that a concern or a complaint is managed fairly, efficiently and at the appropriate level. We aim to do so sympathetically and to resolve the matter as soon as possible. Any complaint must be made within 3 months of the area of concern.

If you have any concerns about the school or your child's education, please contact us to discuss the matter at the earliest opportunity. If we do not know what your concerns are, we will not be able to do anything about them. The school fully understands that concerns which are not quickly resolved can cause resentment. The school's intention is that parents and their children should never feel that a complaint will not be taken seriously or will adversely affect their child or their opportunities whilst at NCS.

#### **The difference between a concern and a complaint**

The school defines a concern as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. A complaint is defined as 'an expression of dissatisfaction about actions taken or a lack of action'.

**Stage 1: Internal Concerns:** We expect that most concerns, where a parent seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Please raise the concern initially as follows:

- 1. Teaching and Learning** – if the matter relates to the classroom, the curriculum or special educational needs, please speak or write to the Head of Department/Faculty or the Academic Director or Special Educational Needs Co-ordinator as appropriate.
- 2. Pastoral care** – for concerns relating to matters outside the classroom, please speak or write to the relevant Head of Year or the Pastoral Director as appropriate.
- 3. Disciplinary matters** – a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the member of staff who imposed it then, if not resolved, with the relevant Head of Year or the Deputy Headmaster
- 4. Financial and administrative matters** – a query relating to charges or to other administrative matters should be raised either with the Finance Office or with the Finance and Planning Manager.

**5. Other** - Should an informal concern or complaint be raised with a member of staff other than those designated at item 1 to 4 above, he or she is asked to redirect it to the appropriate individual under this policy. Unresolved concerns: A concern which has not been resolved by informal means within ten working days from the receipt of the complaint can be notified as a formal complaint in accordance with Stage 2 below.

**Record of concerns:** In the case of concerns raised under Stage 1 of this procedure, the only record of the concern and its resolution will be file notes by the person dealing with the complaint and/or file correspondence between the person raising the concern and the respondent.

It is a precondition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way.

### **Stage 2 – Formal Resolution (Investigation by a member of the Senior Leadership Team)**

1. The complainant must put the complaint in writing, addressed to the Head Master, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the has not met reasonable expectations.
2. An investigation will be carried out by a member of the Senior Leadership Team - made up of the Head Master, Deputy Headmaster, Pastoral Director, Academic Director and SENCO who may offer the complainant a meeting and speak to others involved. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days\* of the written complaint being received.
3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days\* of the meeting with the complainant and if no meeting is to take place within 15 school days\* of the complaint being received.

Any complaint relating to the Head Master must be sent to the Clerk to the Governing Body, who will organise for a Governor to carry out the investigation and if a satisfactory outcome is not reached then a Panel of Governors will hear the complaint. Any complaint against a Governor must be sent to the Clerk to the Governing Body, who will organise for a Governor to carry out the investigation and if a satisfactory outcome is not reached then a Panel of Governors will hear the complaint. Any complaint against the whole Governing Body must be sent to the Clerk to the Governing Body who will determine the most appropriate course of action.

### **Stage 3 – Formal Resolution (Panel Hearing)**

1. If the complainant is not satisfied with the response of the investigator, she/he may request that the complaint be considered by the Complaints Panel of the Governing Body which will comprise at least three people who have not previously been directly involved in the matter including one person who is independent of the management and running of NCS. That request must be in writing, addressed to the Clerk to the Governors at NCS, within ten school days\* of the response being sent to the complainant and must set out briefly the reasons why the complainant is dissatisfied with the response.

2. The Clerk will invite NCS to put in writing its response to the complainant's reasons. NCS will do this within 15 school days\* and at the end of that period (whether or not NCS has responded) the Clerk will convene a meeting of the Complaints Panel of the Governing Body. That meeting will be held as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, NCS and the members of the Panel. Whenever possible, the meeting will be held within 15 school days\* of the end of NCS's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.
3. The meeting is not a court case and will be as informal as circumstances allow. The complainant will have the opportunity to put forward her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. NCS will have the opportunity to put its side of things and each side, as well as the panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the Panel.
4. The panel may make findings and recommendations and a copy of those findings and recommendations will be: - sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and - available for inspection on NCS premises.
5. The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days\*, and the Clerk to the Governors will notify all concerned.

#### **Attendance at a Complaints Panel Hearing**

If the complainant does not confirm attendance or fails to attend on the day without compelling reasons, the Complaints Panel will proceed and the complaint will be considered in their absence. Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section as below.

#### **Serial or persistent complainants**

If a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaint's procedure, the Chair of Governors may write to the complainant to inform him/her that the procedure has been exhausted and the matter closed, and that continued correspondence is vexatious and that NCS will not respond to any further correspondence on this issue or a closely related issue.

#### **Unreasonable complainants**

NCS is committed to providing a high-quality service to those who complain. We do not expect our staff to tolerate unacceptable behaviour and we have adopted the DfE model policy for unreasonable complainants to employ, if necessary.

## **Record Keeping**

A written record will be kept of all complaints that were resolved at the formal stage of the complaint's procedure. Records will contain details of whether the complaint was resolved at stage 2, or whether it proceeded to a stage 3 panel hearing. The action taken by the school as a result of a complaint (regardless of whether they are upheld) will also be recorded.

## **Confidentiality**

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them or otherwise as required by law.

## **Beyond the Governing Body**

Complaints may be taken to the Secretary of State for Education and Skills under Section 496 of the 1996 Education Act on the grounds that the Governing Body is acting unreasonably or under Section 497 of the same Act that the Governing Body has failed to discharge its duties under the Act. The Secretary of State may contact the Governing Body for more information to consider the complaint.

\*School will endeavour to meet these deadlines. If reasonable additional time is necessary it will inform the parties involved in a timely manner.