



**School Complaints Procedure**

Adopted from Kent SPS

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| **Ratified/Reviewed** | **To be reviewed** |
| **November 18** | **November 19** |

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This policy has been drawn up following Department for Education Guidance and takes into account equality strands, gender, disability, ethnicity, sexuality, belief and age.

At Aylesford School all staff are dedicated to providing all students with the best possible education and will aim to care properly for their health, safety and welfare at all times. We are committed to working closely with parents and believe that Aylesford School and the parents should work in partnership, each carrying out their particular responsibilities to help the students gain the most from their time at the School.

If you feel that something is not occurring quite as you would like it to be, or we are doing something you are unhappy with, or not doing something you feel we should, PLEASE TELL US ABOUT IT.

In the first instance, parents/carers should discuss any concerns informally with their child’s Mentor, Progress Leader, Pastoral Support Manager or the particular teacher or Head of Department most closely concerned with the issue.

If, after doing this you do not feel that your concern has been properly addressed, or if you concern is about a particular teacher, please discuss the matter informally with Mrs N Land, Complaints coordinator or a member of the leadership team. Contact details can be obtained from the school website or from the school office.

Upon receipt of your complaint the Complaints Co-ordinator will arrange for the matter to be fully reviewed and for a response to be sent to you within 10 school working days. This response may invite you to a meeting to discuss the matter further and to try to achieve a satisfactory resolution.

If you remain dissatisfied and feel your complaint has not been properly addressed through these earlier discussions, you can indicate that you wish your complaint to be referred to the Headteacher. Upon a complaint being referred to the Headteacher she, or in her absence her nominated deputy, will arrange for a separate investigation into the circumstances’ of your complaint to be completed and a response will be sent to you within 10 school working days. This response may invite you to a meeting to discuss the matter further and to try to achieve a satisfactory resolution.

If after doing this you are still not satisfied with our actions or decisions, you can send a formal complaint to the Governors of Aylesford School, addressed to the Clerk to the Governors. The Clerk to Governors is Lesley Hardwick. At this point your formal letter of complaint should briefly set out the main circumstances and reasons for your complaint, together with the reasons you remain dissatisfied by earlier discussions and attempts to resolve the matter. These various stages of our Complaints Process are set out in more details below for ease of reference.

**Stage One: Complaint heard by Staff Member**

It is in in everyone’s interest that complaints are resolved at the earliest possible stage. Many can be resolved quickly and informally to the satisfaction of all parties and wherever possible this is what we endeavour to do. The experience of the first contact between the complainant and the School can be crucial in determining whether the complaint will escalate.

The School respects the views of a complainant who indicates that they would have difficulty discussing a complaint with a particular member of staff. In these cases, the Complaints Co-ordinator (Mrs N Land), can refer the complainant to another appropriate staff member.

Where the complaint concerns the Headteacher or Executive Headteacher the Complaints co-ordinator can refer the complainant to the Chair of Governors.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the Complaints Co-ordinator may consider referring the complainant to another appropriate staff member. The ability to consider the complaint objectively and impartially is crucial.

Where the first approach is made to a Governor, the next step is to refer the complainant to the Complaints Coordinator so that an appropriate member of staff can be identified to consider the complaint. In normal circumstances, Governors will not be involved at the early stages of complaints in case they are needed to sit on a Complaints Panel at a later stage.

The role of the Complaints Coordinator is to ensure fair and impartial consideration of all complaints and to ensure that complainants are provided with a well-considered response to their concerns within the appropriate timescales. Complainants can contact the Complaints Coordinator to discuss the progress of their complaints or to indicate they wish their complaints to be considered further at the next stage.

The Complaints Coordinator will maintain a record of all complaints which are referred to them and ensure that all correspondence, statements and records of any such complaints are kept confidential.

**Stage Two: Complaint heard by Headteacher**

At this point, the complainant may be dissatisfied with the way the complaint was handled at Stage 1 as well as pursuing their initial complaint. The Complainant should be advised by the Complaints Coordinator of their right to have the matter considered at Stage 2. The Headteacher may delegate the task of undertaking a further investigation, or of collating all the relevant information to another staff member, but not the decision on the action to be taken. Upon reference of any complaint to the Headteacher, a response will be sent to the complainant within 10 school working days.

**Stage Three: Complaint heard by Chair of the Governing Body or nominated Governor**

If still dissatisfied after Stage 2, the complainant will be advised of their right to make a **formal complaint** to the Chair of the Governors or nominated Governor by writing to the Clerk of the Governors at Stage 3. This letter should set out the details of the complaint, together with reasons for the complainants continued dissatisfaction.

**Stage Four: Complaint heard by Governors Complaint Appeal Panel**

If still dissatisfied after Stage 3, the complainant will be advised of their right to make a formal complaint to the Governors Appeal Panel

Upon receipt of a formal complaint, a nominated Governor will arrange for all the information on the complaint to be collated and will convene a Governors Complaints Appeal Panel within 20 school working days. This will consist of three Governors. None of the members of the Complaints Appeal Panel will have been directly involved in any previous consideration of the complaint. One of the members of the Complaints Appeal Panel will be independent of the management and running of Aylesford School.

The appeal hearing by the Governors’ Complaints Appeal Panel is the last Aylesford School based stage of the complaints process and will review the earlier stages of the process, together with any additional information that is available.

Individual complaints are not heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing, against a member of staff following a serious complaint.

The complainant will be invited to the appeal hearing of the Governors Complaint Panel and will be given at least seven days’ notice in writing of the time and venue of the hearing. Complainants will also be advised that, if they wish, they may be accompanied to the appeal hearing by an appropriate friend or adviser.

**The Remit of the Complaints Appeal Panel**

The Governors Complaints Panel can:

* dismiss the complaint in whole or in part;
* uphold the complaint in whole or in part;
* decide on the appropriate action to be taken to resolve the complaint;
* Recommend changes to Aylesford Schools systems or procedures to ensure that similar problems do not recur.

Governors or any independent members of the Appeals Panel, will keep certain points clearly in mind:

* It is important that the appeal hearing is independent and impartial and that it is seen to be so. No Governor may sit on the Complaints Appeal Panel if they have had a prior involvement in the complaint in question or in the circumstances surrounding it or any conflict of interest. Members of the Complaints Appeal Panel who feel that their independence may be compromised in this or any other way must draw this to the attention of the Chair of Governors. In deciding the make-up of the panel, Governors need to try and ensure that it is a cross-selection of the categories of Governor and sensitive to the needs of race, gender and religious affiliation.
* The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between Aylesford School and the complainant. However, it is recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. In some cases, it may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
* Extra care needs to be taken when a complaint directly concerns a student. The Complaints Appeal Panel needs to be aware of the views of the student and give them equal consideration to those of adults. Where the student’s parent is the complainant, the panel will provide the parent with an opportunity to discuss which parts of the hearing, if any, it might be helpful for the student to attend.
* The Governors sitting on the Complaints Appeal Panel need to be fully aware of this complaints procedure.

**Roles and Responsibilities**

**The role of the Clerk to the Governors**

The Clerk to the Governors is the contact point for the complainant at Stage 3 and required to:

* set the date, time and venue of the hearing, ensuring where possible that the dates are convenient to all parties and that the venue and proceedings are accessible;
* ensure that the Complaints Appeal Panel is convened within 20 school working days of the notice of formal complaint being received unless all parties agree to any further deferral;
* collate any written material and send it to the parties in advance of the hearing;
* meet and welcome the parties as they arrive at the hearing;
* record the proceedings and outcomes of the hearing;
* notify all parties in writing of the panel’s decision and any recommendations within 20 school working days of the hearing;
* ensure that copies of all the written records of the hearing are included on the Complaints Coordinators confidential file and record of complaints.

**The role of the Chair of Governor**

The nominated Governor/Chair of Governors is required to:

* check the correct procedure has been followed;
* notify the clerk to arrange a panel if a hearing is required.

**The role of the Chair of the Panel**

The Chair of the Complaints Appeal Panel has a key role, ensuring that:

* the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
* the issues are addressed;
* key findings of fact are made;
* parents and others who may not be used to speaking at such a hearing are put at ease;
* any friend or adviser accompanying the parent/complainant is advised of their role and how the panel will arrange for their contribution to proceedings.
* the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
* the panel is open minded and acting independently;
* no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
* one member of the panel is independent of the management and running of the school;
* each side is given the opportunity to state their case and ask questions;
* written material is seen by all parties. If a new issue arises, it would be useful to give all parties the opportunity to consider and comment on it.

**Notification of the Appeal Panel’s Decision**

The Chair of the Panel needs to ensure, via the Clerk to the Governors, that the complainant is notified of the panel’s decision and any recommendations, in writing, within 20 school working days. The letter will explain if there are any further rights of appeal and, if so, to whom they need to be addressed.