



Complaints Procedure
part of
The Corsham School Academy Group
Care & Guidance Policy

Policy Operational from	May 2014
Policy Agreed (date)	February 2022
Next Review date	September 2022

The Corsham School Academy Group is committed to working in close partnership with all members of the school community. The Academy Group places great value on the role which parents and carers can play in supporting children's learning. Staff, governors and trustees actively encourage a positive relationship between the school and the families of children who attend the school.

Principles

Our Complaints Procedure aims to:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- be simple to understand and use;
- be impartial;
- be non-adversarial;
- ensure a full and fair investigation where necessary;
- respect people's desire for confidentiality;
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- provide information to the school's Leadership Group so that services can be improved.

Complaints – Formal Procedures

Formal procedures will need to be invoked when attempts to resolve the issue informally are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. The school has nominated Amanda Chapman-Richardson, the School Business Manager, as complaints co-ordinator to have responsibility for the operation and management of the school complaints procedure.

Resolving Complaints

At each stage in the procedure the school will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;

- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review school policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. *An admission that the school could have handled the situation better is not the same as an admission of negligence.* We want to identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Vexatious Complaints

See separate Policy at Appendix 3 for Unreasonable or Vexatious Complaints

Complaint about a member of the Governing Body

If the complaint is about a member of the Governing Body, the complainant should address it to the Chair of the Multi Academy Trust (MAT); if the complaint is about the Chair of – the MAT the complainant should address it to the Chair of the Finance Committee. The Chair of –the MAT (or Chair of Finance Committee) will send an initial response within 5 working days and investigate the complaint.

The Chair of –the MAT (or Chair of -Finance Committee) may:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part
- decide on the appropriate action to resolve the complaint

The Academy aims to provide a decision in response to a complaint within 15 working days of receiving all relevant information.

The Stage of Complaints

This complaints procedure has three well-defined stages:

- **Stage one:** Initial Concerns
- **Stage two:** Formal Complaint;
- **Stage three:** Complaint heard by Governing Body’s complaints appeal panel;

Stage 1

Initial Concerns

If, at any time, a parent/carer or other stakeholder has a concern about an aspect of life at the school, the concern will be dealt with by the school as quickly, sympathetically and effectively as possible. It is hoped that most concerns will be settled amicably at this stage.

It is important that the initial contact is with the person best placed to resolve it – please contact Mrs Chapman-Richardson in the first instance: businessmanager@corsham.wilts.sch.uk.

ISSUES	CONTACT
Teaching, homework, setting	Curriculum Team Leader or Head of Subject
Exams	Exams Officer
Care & Guidance issues	Tutor or Year Learning Manager
	Deputy Headteacher or

School Curriculum, Policies	Assistant Head (Curriculum)
6 th Form Issues	Director of 6 th Form Studies
Support Staff	School Business Manager
Teaching Staff	Executive Headteacher
Executive Headteacher	Chair of the MAT The Academy Group
Teaching staff at Corsham Regis	Headteacher at Corsham Regis
Headteacher at Corsham Regis	Chair of Corsham Regis Local Governing Body
Governors who receive concerns will pass them to the appropriate person in school.	

Please provide as much information as possible. The person receiving your concern will ensure that

- an initial response is sent within five working days
- the issue is investigated thoroughly – what has happened, who has been involved and what remains unresolved
- appropriate members of staff are consulted and kept informed
- information is passed to the Leadership Group so that the school’s systems and practices can be improved if necessary
- confidentiality is respected
- a response is provided as quickly as possible (this might include an explanation or apology together with action to put the situation right).

Stage 2

If a complainant is dissatisfied with the way the initial concern was handled at Stage One or is unhappy with the outcome, s/he may wish to progress to the second stage and submit a formal complaint to be heard by the Headteacher. The Headteacher may delegate the task of collating the information to another member of the Leadership Group but will make the decision on the action to be taken. Where the Headteacher is the subject of the complaint it will be heard by the Chair of the MAT.

A Complaints Form is included at Appendix 1 and may be used to submit a formal complaint.

An initial response to a formal complaint will be issued within five working days of receipt.

The Headteacher may

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part
- decide on the appropriate action to resolve the complaint

We aim to provide a decision in response to a complaint within 15 working days of receiving all relevant information.

Stage 3 Complaint heard by the Governing Body’s Complaints Appeal Panel

The complainant should write to the Chair of Governors giving details of the complaint. Where the Chair of Governors is the subject of the complaint, the complainant should write to the Vice-Chair of Governors.

The Chair/Vice-Chair, or a nominated governor, will convene a Governing Body Complaints Appeal Panel. This is made up of three members of the Governing Body who do not have direct knowledge of the complaint and one other person who is independent of the management and running of the academy.

The independent person must not, at any time, have been a governor of the school, or a member of staff or supply staff at any school within the Academy Group, and must not have been the parent of a registered or former registered pupil at any school within the Academy Group.

They must also not have been directly involved in any matter detailed in the complaint. The members will be nominated by the Governing Body. The panel will choose their own chair. The panel will have access to the existing record of the complaint's progress.

The governors' appeal hearing is the last school-based stage of the complaints process, and is not convened merely to rubber-stamp previous decisions. Individual complaints will not be 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 remit of the Complaints Appeal Panel

The 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 the school's systems or procedures to ensure that problems of a similar nature do not recur.

It is important that the complainant understands that governors powers are limited and, in most cases, the complaint will only be reviewed rather than reconsidered.

Review

Many of the actions taken or decisions made by a headteacher are entirely within the headteacher's own remit and professional terms and conditions of service. In these cases the governors do not have the power to overturn the decision or direct a headteacher to change a decision/action. The Chair of the MAT does not have the power to consider afresh the complaint itself. The main function of the complaints panel in these circumstances will be to ensure that the complaint has been properly handled by the headteacher (and chair of governors); that a sufficiently comprehensive investigation has been carried out; that all information available at the time has been considered and/or the correct procedures/policies have been adhered to. Additionally, it will look at how the school has tried to resolve the disagreement.

The panel will also *review* whether the headteacher has acted 'reasonably', that is, was the headteacher's response one within a reasonable *range* of responses that might have been made, for example, by other headteachers in the same circumstances.

In considering whether the headteacher's response has been 'reasonable', the Panel will have to look at whether the outcome that the complainant wanted was possible for the headteacher to deliver. For example, were there constraints within employment law, the Special Educational Needs (SEN) Code of Practice, admissions policy or exclusions guidance with which the headteacher had to comply.

Reconsideration

Some matters can be considered 'afresh' by governors. These may relate to a matter which has been delegated to the headteacher but is a governing body's responsibility. In these less common circumstances, the panel can *reconsider* the matter and make its own decision. In doing so, it can take into account any new information that may not have been previously available to the headteacher

There are several points which any governor sitting on a complaints panel needs to remember:

- 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 panel if they have had a prior involvement in the complaint or in the circumstances surrounding it, or any other factors that might compromise them.

- The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the 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.
- An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child.
- The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care will be taken to ensure the setting is informal and not adversarial.

Roles and Responsibilities

The role of the chair of the panel

The chair of the 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;
- 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;
- each side is given the opportunity to state their case and ask questions;

The chair's management of the agenda, the verbal submissions, participants' and panel members' questions and emotions at the hearing will all contribute to a successful outcome for all concerned. The chair of the panel will:

- **maintain a relaxed atmosphere throughout the meeting while keeping to a formal agenda (Agenda attached at Appendix 2)**
- **explain and remind all parties that questions normally go through the chair but allowing flexibility in this if it seems appropriate and neither party feels threatened by it**
- **be aware where there is potential for confrontation between the parties and refer them back to the protocol if necessary**
- **encourage both parties to have their say**
- **preventing panel members getting involved in irrelevant discussion, debate, confrontation or giving their opinion or defending the school**

In addition, the school may supply the panel with additional contextual material where it feels it is relevant which may be shared with the complainant at the discretion of the Chair of the Panel.

In exceptional cases evidence from different parties may be heard separately by the panel.

The role of the clerk

The clerk is the contact point for the complainant and they are required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- 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;
- notify all parties of the panel's decision.

Attendance at the Panel Hearing

The following are entitled to attend a hearing, submit written evidence and address the Panel;

- the complainant representatives of the school
- any other person who the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision making

Parents/carers may be accompanied by a 'friend' who is present in the role of support but does not contribute to the hearing.

Students of the school will not attend the hearing; however, if the Panel feels that student evidence is insufficient they may require the school to re-interview student witnesses.

Notification of the panel's decision

The chair of the panel will ensure that the complainant is notified of the panel's decision, in writing, with the panel's response. The complainant will be notified of the panel's decision within 15 working days. This is the Final Stage of the Academy's Complaints Procedure.

There will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Governing Body will inform them in writing that the procedure has been exhausted and that the matter is now closed as far as the Academy is concerned.

If the complainant feels that the governing body acted 'unreasonably' in the handling of the complaint, they can complain to the Department for Education after the complaints procedure has been exhausted. Please note that unreasonable is used in legal sense and means acting in a way that no reasonable school or academy would act in the same circumstances: <https://www.gov.uk/government/publications/complain-about-an-academy/complain-about-an-academy>

Part 3: Managing and Recording Complaints

Recording complaints

The school will record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing. An example of a complaint form can be found at Appendix 1. At the end of a meeting or telephone call, the member of staff will ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record. The complaints co-ordinator will be responsible for the records and hold them centrally and confidentially. (In accordance with the race equality policy, complaints relating to racial or racist incidents will be logged.)

Governing Body review

The Governing Body will monitor the level and nature of complaints regularly at the appropriate committee meeting to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the whole Governing Body will not name individuals.

Publicising the procedure

There is a legal requirement for the complaints procedure to be publicised. Details of the complaints procedure will be included in:

- the information given to new parents when their children join the school;
- the school website.

This Policy has been workload impact assessed, and is operational from 21st May 2014

Date of last review: February 2022

Date of next review: September 2022

Appendix 1

The Corsham School Academy Group

Complaint Form

Please complete and return to Mrs A Chapman-Richardson (Complaints Co-ordinator) who will acknowledge receipt and explain what action will be taken.

Your name:

Student's name:

Address:

Postcode:

Daytime telephone number:

Evening telephone number:

Please give details of your complaint:

**What actions, if any, have you already taken to try and resolve your complaint.
(Who did you speak to and what was the response)?**

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

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official Use:

Date acknowledgements sent:

By whom:

Complaint referred to:

Date:

A G E N D A

Governors' Complaints Panel Hearing

- 1. Introductions**
- 2. Complainant's verbal submission**
- 3. Questions by school**
- 4. School's verbal submission**
- 5. Questions by complainant**

Panel members will be able to ask questions for clarification throughout the hearing.

- 6. Summing up by complainant (with no new information)**
- 7. Summing up by school (with no new information)**
- 8. Closure by chair**

All parties (complainant and headteacher/school representative) should leave.

Panel members will stay to discuss their views and conclusions.

The clerk will remain to assist the panel.

Policy for Unreasonable or Vexatious Complaints

The Corsham School Academy Group is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The Corsham School Academy Group defines unreasonable complainants as “those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people’s complaints.”

A complaint may be regarded as unreasonable when the person making the complaint:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- Refuses to accept that certain issues are not within the scope of a complaints procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raised large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- Changes the basis of the complaint as the investigation proceeds
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- 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 including referral to the Department for Education
- Seeks an unrealistic outcome
- 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

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or 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

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an ‘unreasonable’ marking.

If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact The Corsham School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from The Corsham School

Barring from the school premises

See Related 'Nuisance, Trespass and Disturbance Policy', Appendix 4