

Browns School

Complaints Policy

Complaints

Brown's School regards the implementation of its complaints procedure as a means to improving the services for our pupils, their families and external partners. We understand that we may not always get everything right; however, we welcome the opportunity to address any worries or concerns you have at an early stage by contacting us to talk about your concerns.

In accordance with Regulation 24 and the manner in which complaints are to be handled (Regulation 25) our Complaints Procedure provides:

- A route for pupils, staff, family members and others involved with the children outside the home to make both minor and major complaints
- An opportunity to resolve the complaint informally at an early stage
- A time scaled formal procedure to follow if complaints are not resolved at the informal stage
- Contact details of Ofsted
- Written records at each stage of the process
- Instructions to follow in the event of a complaint

To assist you or your child in making any concern or complaint known to us, we suggest you use the following procedure. However, please be assured that you may speak with whoever you feel most comfortable.

A child is entitled to have an advocate at any stage of the complaints procedure. This can be a parent or family member acting on behalf of the child, the child's Social Worker or someone from an independent advocacy agency or any other person who is suitably skilled.

STAGE 1

Informal Complaint

An *Informal Complaint* does not mean it is any less a complaint; however we believe that the vast majority of complaints can be addressed and resolved at this stage. Our aim is to

treat your complaint with respect, in a prompt manner and to look for a positive and successful outcome. An informal complaint can be through discussion or in writing, and can be raised with the Teacher or Teaching Assistant (TA) directly involved in the education of the child.

If you are not satisfied with the response or if you prefer, perhaps because of the nature of the concern, you are able to make direct contact with the Head Teacher/Proprietor to discuss your concerns.

If your concern has not been resolved to your satisfaction or your complaint is about a senior member of staff, we would ask that you contact the Head Teacher/Proprietor who will arrange for an appropriate person to contact you directly.

We will try to address and resolve your complaint through informal means such as discussion, negotiation and mediation. We will keep a written record of your complaint, the agreed action and the outcome and we will keep you updated and informed of the progress of the complaint.

Should we fail to resolve your concern, we reserve the right to implement the Formal Complaints procedure at any time, as no further investigation following a previous successful outcome, will be identified. It is hoped that most concerns and complaints can be resolved at this stage.

STAGE 2

Make a Formal Complaint

If you feel your complaint has not been satisfactorily resolved, or your complaint is very serious in nature and you do not wish to use Stage 1, you should consider making a formal complaint to us.

All formal complaints need to be expressed in writing (a form is attached to this policy) and addressed to:

**Head Teacher/Proprietor
Brown's School
Cannock House
Hawstead Lane
Chelsfield
Kent
BR6 7PH**

Receipt of your formal complaint will be acknowledged within seven working days, either in writing or through direct contact.

Any serious complaint will be reported to Ofsted and/or the Social Services Department concerns and Bromley Local Authority Designated Officer (LADO).

If required an independent representative may accompany any individual throughout this process.

You will be kept informed of the progress of the complaint.

The outcome of the investigation into your complaint will be put in writing and sent directly to you. We aim to resolve all complaints within 60 days of receipt.

STAGE 3

Appealing the outcome of an Investigation

If you are not satisfied with the result of stage 2, or the complaint is regarding the Headteacher, the complainant should write to the Chair of Governors giving details of the complaint. Sometimes the Chair will be able to diffuse the situation at this point, by speaking with or writing to the complainant and reassuring him or her that the school has taken the complaint seriously. This may be sufficient to satisfy the complainant. Should, however, this prove not to be the case, the Chair, or a nominated Governor will convene a Governing Body (GB) Complaints Appeal Panel. The Panel can be drawn from the nominated members and may consist of three Governors. If the Chair has heard the complaint informally as described above, the Chair must not participate in the Panel Hearing. The Panel may choose its own Chair. Individual complaints should never be heard by the whole GB at any stage as this could compromise the impartiality of any panel set up for a disciplinary hearing. The last school-based stage of the complaints process, and is not convened merely to rubber stamp previous decisions. The procedure adopted by the panel for hearing appeals would be part of the school's complaints procedure.

The Remit of the Complaints Appeal Panel

The Panel can:

1. dismiss the complaint in whole or in part;
2. uphold the complaint in whole or in part;
3. decide on the appropriate action to be taken to resolve the complaint;
4. recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

There are several points which any Governor sitting on a Complaints Appeal Panel needs to remember:

(a) 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 he or she has had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the Panel, Governors need to try and ensure that it comprises a cross-section of the categories of Governor and is sensitive to issues of race, gender and religious affiliation.

(b) The aim of the hearing, which should be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome, if the hearing does not find in his/her favour. It may, however, be possible to establish the facts

and make recommendations, which will satisfy the complainant that his or her complaint has been taken seriously.

(c) 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 is needed to ensure the setting appears appropriate and not adversarial.

(d) The Governors sitting on the Panel need to be aware of the entire complaints procedure. A checklist for a Panel Hearing is attached at Appendix

Roles and Responsibilities

The Role of the Clerk:

The Complaints Appeal Panel should be clerked. The clerk would be the contact point for the complainant at the third stage and be 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 all of 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.

The Chair of the Governing Body or the Nominated Governor

- check that the complaints procedure has been correctly followed to this point;
- if a hearing is appropriate, notify the clerk to arrange the Panel.

The Chair of the Panel must ensure that

- 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;
- the remit of the Panel is explained to the parties and each party has the opportunity of putting their case forward without undue interruption;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the issues are addressed;
- key findings of fact are made;
- the hearing is conducted in an informal, although structured, manner, with each party treating the other with respect and courtesy;
- 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 all parties should be given the opportunity to consider and comment on it;
- the Panel is seen to be open minded and acting independently.

Notification of the Panel's Decision

The Chair of the Panel should ensure that the complainant and the Head Teacher are notified of the Panel's decision, in writing, within a set deadline, which is publicised in the procedure. The letter needs to explain that any further appeal should be addressed to the Secretary of State.

This policy is based on a procedure published by the Department for Education and Skills, arising from Section 29 of the Education Act 2002 and recommended to Governing Bodies, as approved by the Council on 22.3.04.

One of the panel will have no connection with the management or running of the school. All parties will be given adequate notice of the panel meeting. All parties will be notified that they may be accompanied to the panel meeting by independent observers (Social Services, the Local Authority, or a recognised Trade Union).

The Panel may, with the consent of the Complainant, adjourn their discussion to obtain more information. They may also request additional time to reach a decision but a timeframe for this will be agreed by all parties at the panel meeting.

Once the panel has reached a decision, usually within 24 hours, the Complainant will be notified in writing and/or electronic mail of this decision. Where relevant the person complained about will also be made aware of the panel's decision and this decision will be available for inspection on the school premises by the proprietor and the head teacher.

If you feel that your complaint has not been satisfactorily resolved then you have a right to complain directly to any of the following agencies:

- **OFSTED**

- **SOCIAL WORKER**

- **CHILDREN'S RIGHTS COMMISSIONER**

- **BROWN'S BOARD OF GOVERNORS**

- **PLACING AUTHORITY**

Reviewed in Staff Meeting.

Person responsible for editing: Mrs Mitchell in July 2018

_____ **Signature**

_____ **Date**

Signed by

_____ **Headteacher**

Date:

Governors:

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This policy will be reviewed: December 2018

FORMAL COMPLAINTS FORM

NAME	
ADDRESS	
TEL No.	
EMAIL	
NATURE OF THE COMPLAINT (including name of child/young person)	
What have you done already to resolve the problem?	

Please advise your preferred outcome as a result of making this complaint?

Please indicate if you should require an interpreter or any special support.

Please indicate the name and contact details should you require the support of an advocate?