

	<b>POLICY TITLE:</b>	<b>Complaints Procedure</b>
<b>Kingsmead Academy T/A Kingsmead School</b>		
<b>Committee/Person Responsible for Policy:</b>		Finance, Strategy & Personnel sub-committee Director of Finance & Operations
<b>Date Approved by Governing Body:</b>		February 2021
<b>Date of Last Review:</b>		Term 3 2020/21
<b>Next Review Due:</b>		Term 3 2021/22

This procedure advises how to make a complaint about any service provided by Kingsmead School. We appreciate that sometimes miscommunication or misunderstandings can arise and would hope that these could normally be resolved in discussion with school staff.

If you have a concern, often this can be dealt with by contacting the relevant teacher or member of the Senior Leadership Team. We will always attempt to resolve any issues in discussion with you in the first instance.

If you are still unhappy you may wish to contact the Headteacher to discuss your concerns further and to help achieve a solution. It may be useful for you to put your concerns down in writing. The Headteacher may need to undertake further investigations before fully responding to your concern but you will be kept informed during this process.

If, following your meeting with the Headteacher, and the conclusion of any subsequent investigatory process, you are still unhappy, you may wish your complaint to be reviewed by the Governing Body. This is a formal process whereby you can contact the Clerk to the Governors, giving details of your complaint in writing.

## **PROCEDURE FOR REVIEW OF COMPLAINTS BY THE GOVERNING BODY**

February 2021 - Complaints Procedure  
 Author: Director of Finance & Operations

**On receipt of a written request for a complaint to be reviewed by the Governors, the procedures outlined below should be followed.**

1. The Clerk to the Governors should write to the complainant within 5 school days to acknowledge receipt of the written request. If the exact nature of the complaint, and/or the complainant's desired outcome(s), are not clear from their letter, clarification should be requested. A pro forma is attached, which can be used for this purpose. The acknowledgement should inform the complainant that the complaint will be considered by a panel comprising two members of the Governing Body and one person independent of the management and running of the school, within 15 school days of receiving the complaint, and should provide the names of the panel members. The complainant should be told what papers will be supplied to the panel (usually just the letter of complaint and/or the completed complaint pro forma) and should have the opportunity to provide any further relevant papers for the panel's consideration if they wish. The complainant should be provided with copies of any papers provided for the panel at this stage.
2. The Clerk to the Governors should arrange to convene the panel from members of the Governing Body. The panel members should be governors who have had **no prior knowledge** of the complaint. It is also recommended that the clerk seek to address the issue of gender balance in determining the composition of the panel. The Headteacher should not be on the panel and it would usually also be inappropriate for the Chair of Governors to be a panel member. The advantages of having a governor who is a parent/carer on the panel should be borne in mind, as should the need to be sensitive to any issues of gender, race and religion.
3. It is inappropriate to include a teacher or staff governor on the panel, as they would be compromised where the complaint is against a fellow member of staff at the school.
4. The complaint should be considered by the panel, possibly at a venue other than the school, within 15 school days. Details of the date, time and location of the hearing should be agreed in consultation with the complainant and panel members, and confirmed in writing at least 5 school days prior to the meeting. The letter should also outline in general terms how the hearing will be conducted and confirm the complainant's right to be accompanied by a 'friend'.
5. The meeting must be properly minuted, either by the Clerk to the Governors or an independent clerk (not another governor) appointed for the purpose. **At the meeting, the following procedure should be followed by the Chair of the panel:-**
  - 5.1 Welcome all in attendance, and introduce panel members, giving their status (parent governor, etc).
  - 5.2 If the complainant is accompanied, check/clarify - if necessary - the name and status of the friend/representative.
  - 5.3 Explain purpose of meeting, i.e.
    - to provide the complainant with the opportunity to explain or clarify their written complaint, and to enable the panel to identify any issues for investigation; and
    - to ascertain from the complainant what would, in their view, constitute a satisfactory resolution of the complaint.

- 5.4 Invite complainant to explain their written complaint, with panel members asking questions and/or seeking clarification as necessary.
  - 5.5 Agree with complainant the issues to be investigated and/or considered by the panel.
  - 5.6 Explain that the panel will undertake any necessary investigations and make a written response to the complainant (copied to the school) within 15 school days.
  - 5.7 Thank the complainant for attending and seek confirmation that they feel they have had a full and fair hearing.
6. After the complainant has left the meeting, the panel should:-
- 6.1 Produce a letter to go to the complainant confirming the agreed issues for investigation/consideration (see paragraph 5.5, above).
  - 6.2 Agree the nature/scope and a timetable for any necessary investigations.
  - 6.3 If appropriate/necessary, agree a date for panel members to meet again, to consider the results of investigations and to draft/agree a written response to the complainant.
7. **The Clerk to the Governors, or other person appointed to act as clerk to the complaints panel, should assist the panel in the production of their written response, once the complaint has been investigated. This response should confirm:-**
- 7.1 The date and venue of the hearing attended by the complainant;
  - 7.2 Membership of the Governors' panel;
  - 7.3 The issues mutually agreed to be the subject of the panel's investigations and/or deliberations;
  - 7.4 The methodology followed by the panel for their investigation (e.g. interviews, written statements obtained, etc);
  - 7.5 The conclusions reached by the panel;
8. The nature of the complaint and the outcome of the panel's investigation should be reported, in general terms, to the next full meeting of the Governing Body, together with any implications for school policies or procedures which require further consideration/action.

We will endeavour to abide by the timeframes stated under each stage but, in some circumstances, this may not always be possible. If it becomes apparent that it is not possible to complete any stage of the complaints procedure within the given timeframe, you will be contacted as soon as possible to agree a timeframe that works for all parties involved.

We reserve the right not to investigate complaints that have been made six months after the subject of the complaint took place, except in exceptional circumstances. What is meant by exceptional circumstances is where new evidence has come to light, where the complaint is of an exceptionally serious nature, or where there is reasonable justification for why you have been unable to raise the complaint before this time.

A written record of all formal complaints will be kept, along with details of whether they were resolved following a formal procedure, or progression to a panel hearing. We will record the action taken as a result of a complaint, regardless of whether it was upheld.

Correspondence, statements and records relating to individual complaints are confidential except where the Secretary of State or a body conducting an inspection under Section 109 of the 2008 Education and Skills Act requests access to them.

**Complaints Procedure**

**Governing Body Review - Request Form**

When you have filled in this form, please return it to the Clerk to the Governors, at the school.

Name: .....

Address: .....

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Email address: .....

Telephone number: (Home) .....

(Mobile).....

Student's name: .....

Your complaint is: .....

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When did you raise this with Headteacher?

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When did you receive the Headteacher's response?

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Your reasons for requesting a review are: .....

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(If you run out of space, please use extra paper)

**Complaints Procedure**

**Governing Body Review – Request Form (continued)**

What do you want the School Governors' Panel to do?

- give an acknowledgement and/or apology
- give an explanation
- give an undertaking to recommend revision of school policies or practices
- give a commitment to recommend steps designed to prevent a recurrence
- other action (please specify)

Your signature ..... Date .....

What happens next?

- you will receive an acknowledgement that this form has been received
- you will be invited to discuss your complaint with a Panel of Governors
- within 15 school days of meeting the Governors' Panel you will receive a full reply telling you the Panel's conclusions/decisions, explaining their reasons and informing you of any action that has been taken/recommended.