

Complaints Procedure for Moreton School

Moreton School – Complaints Policy – Summary

If you have a complaint about any aspect of our school or anything that has happened in school, please contact us as soon as possible. This way we can help you to resolve the issue and move forwards.

The first point of contact for you is:

Mr. Josh Kinsey – Deputy Head – Telephone 01902 558310. kinseyj@moretonschool.org

If your complaint is about Mr Kinsey, please contact:

Mrs. Nicola Bayliss, Headteacher – Telephone 01902 558310 baylissn@moretonschool.org

The following pages will detail how we will work with you to try to resolve your problem. We hope that by talking to us early we can help resolve issues before they become a problem. If after talking to us, you wish to continue with a formal complaint, we will guide you through the process and explain what will happen, who will lead on it and when you can expect to hear from us.

The following pages are very detailed and we will happily talk you through them if you wish.

We can accept your complaint in any format, however if you are going to email us, there is a form which you will find at the bottom of this page or you can fill in the online complaint form.

Statement of intent

Moreton School is proud of the care provided and the quality of teaching for its students. However, if parents have concerns they can expect any issues to be treated seriously by the school in accordance with this policy document.

The Complaints Policy and Procedure has been created to deal with any complaint against a member of staff or the school as a whole relating to any aspects of the school or the provision of facilities or services.

A complaint can be brought by a parent/carer/guardian of a registered child at the school or any person who has been provided with a service/facility at the school. This person is referred to as the complainant.

Mr Kinsey is our nominated member of staff with responsibility for the operation and management of the school complaints procedure.

Mr. Josh Kinsey – Deputy Head – Telephone 01902 558310. kinseyj@moretonschool.org

If your complaint is about Mr Kinsey, please contact:

Mrs Nicola Bayliss, Headteacher – Telephone 01902 558310 baylissn@moretonschool.org

At Moreton we hope that any concerns can be resolved between home and the class teacher, Head of Year or senior team before it becomes a complaint. A concern becomes a complaint only when the complainant asserts that the school has acted wrongly in some significant decision, action, or failure to take action.

Even when a complaint has been made, it can be resolved or withdrawn at any stage.

1. Aims

In line with the Education Act 2002, Moreton School will:

- Encourage the resolution of problems by informal means wherever possible. We would like to meet with you and discuss your concerns and try to resolve them as soon as we can.

If we can't resolve your concern we will then help you by:

- Ensure a full and fair investigation by an independent person where necessary.
- Provide you with timescales.
- Respect people's desire for confidentiality.
- Address all your concerns and provide an effective response and appropriate redress where necessary.
- Provide information to the school's senior management team so that services can be improved.

Dealing with concerns informally

- The school recognises that a vast majority of complaints and concerns can be resolved informally.
- The complainant must feel able to raise concerns and complaints with members of staff, either in person, by telephone, or in writing. A preliminary discussion may be undertaken to help clarify if he or she is making a complaint or expressing an opinion, and whether they wish to take it further.
- The complainant should be able to bring a friend to any discussion.
- The member of staff dealing with the concern should make sure that the complainant understands what action (if any) or monitoring of the situation has been agreed.
- The process should be completed quickly and concluded in writing with appropriate detail.
- Where no satisfactory solution has been found, the complainant should be informed that he or she will need to consider whether to make a formal complaint in writing to the headteacher.
- To assist in this process, please use our complaints form, available on the website or from reception.

Monitoring and recording complaints

At all stages of the complaints procedure, the school will record:

- Name of the complainant
- Date and time at which the complaint was made
- Details of the nature of the complaint
- Desired outcome of the complainant
- How the complaint is being investigated (including written records of any interviews held)
- Results and conclusions of investigations
- Any action taken
- Further responses from the complainant
- Any subsequent action if required

Special circumstances

- If the complaint suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual harassment or neglect, it may be referred without further notice to the children's social care and/or to the social services authority for the area in which the child lives. It will also be referred immediately to the designated child protection lead in school – this is also Mr Josh Kinsey, or in his absence – Mrs K. Powis.
- If a social services authority decides to investigate a situation, this may postpone or supersede the investigation of your complaint by Mr Kinsey, the headteacher or governing body.
- Where a matter can be resolved through a legal appeal, it will not be considered as a formal complaint. The key areas are: admissions decisions; certain decisions relating to formal assessment of special educational needs; and decisions to permanently exclude a child.

2. Complaints procedure

Stage 1 – Complaint heard by staff member

- Parent/carer/guardian discusses their concern with the child's teacher, head of year, pastoral manager, or, if they prefer, another member of the school's teaching staff.
- Where the complaint concerns the headteacher, the complaints coordinator can refer the complainant to the chair of the governing body.
- If the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them on the complaints procedure.
- Governors should not act alone on an individual complaint outside the formal procedure or be involved at the early stages, in case they are needed to sit on a panel at a later stage of the procedure.
- If a resolution cannot be sought at this level, or the complainant is dissatisfied with the outcome of these initial discussions, then the parent/carer/guardian may wish to escalate the complaint to the next level of the procedure.

Stage 2 – Complaint heard by headteacher

- The parent/carer/guardian should request an appointment to see the headteacher. This should be as soon as reasonably practical to avoid any possible worsening of the issue.
- The headteacher may delegate the task of collating the information to another staff member but not the decision on the action to be taken.
- If the complaint is against a member of staff, the headteacher should talk to the staff member against whom the complaint has been made. If necessary, the headteacher should interview witnesses and take statements from those involved.
- The headteacher should keep reasonable written records of meetings, telephone conversations and other documentation.
- The headteacher will investigate fully and communicate findings and/or resolutions to the complainant verbally or in writing depending on the nature of the issue.
- Once all the relevant facts have been established, the headteacher should produce a written response to the complainant. The written response should include a full explanation of the decision and the reasons for it. Where appropriate, it should include what action the school will take to resolve the complaint.
- We will aim to complete this stage of the procedure within 15 days, however, it is recognised that where the case is complex, it may prove difficult to meet this time constraint. In such cases, the headteacher should write to the complainant giving a revised target date.
- If the parent/carer/guardian is not satisfied with the outcome at this stage, the complaint can progress to the next level for an independent review by the governing body panel.
- If the concern or complaint is against the headteacher, in the first instance the complainant will need to write in confidence to the chair of the governing body at the school. The chair will seek to resolve the issue informally before, if necessary, moving to Stage 3.

Stage 3 – Complaint heard by governing bodies' complaints appeal panel (CAP)

Complaints at this stage should be made in writing and addressed to the chair of school governors no later than ten school days following receipt of a Stage 2 outcome. The chair of governors, or a nominated governor, will convene a governing body CAP.

Written acknowledgement of the complaint will be made, within five school days, informing the complainant that their complaint will be heard within twenty school days.

A CAP will be arranged with three members of the governing body and the complainant. Five working days' notice will be given to all attending. The clerk of this meeting will write to the complainant to explain how the review will be conducted. The letter should be copied to the headteacher.

At the meeting everyone's case will be put across and discussed. The CAP should reconsider the issues raised in the original complaint and not confine themselves to consideration of procedural issues.

The meeting should allow for:

- The complainant to explain his or her complaint and the headteacher to explain the reasons for his/her decision.
- The headteacher to question the complainant about the complaint and the complainant to question the headteacher.
- The CAP to have an opportunity to question both the complainant and the headteacher.

- Any party to have the right to bring witnesses (subject to the approval of the chair of CAP) and all parties to have the right to question all the witnesses.
- A final statement by the headteacher and complainant.
- A written response to the complainant will be made within ten school days. The letter will explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

3. Roles and responsibilities

The remit of the CAP

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.

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. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.
- The aim of the hearing, which must 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 conclude in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his/her complaint has been taken seriously.
- 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 of the hearing and care is needed to ensure the setting is informal and not adversarial.
- Extra care must be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.
- The governors sitting on the panel need to be aware of the complaints procedure.

The role of the clerk

The clerk is the contact point for the complainant and will:

- 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.

The role of the chair of the governing body or the nominated governor

The nominated governor will:

- Check that the correct procedure has been followed.
- Notify the clerk to arrange the panel if a hearing is appropriate.

The role of the chair of the panel

The chair of the panel will ensure that:

- The remit of the panel is explained to all parties and each party has the opportunity to put their case forward 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 party 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.

The role of the secretary of state for education

If the complainant is unhappy with the way in which the school has dealt with the complaint, they may be able to approach the Secretary of State for Education to intervene. For the Secretary of State to intervene following a complaint, they need to be sure that either:

- The school has acted or is proposing to act unreasonably in the exercise or performance of its functions imposed by or under the Education Act 1996.
- The school has failed to discharge any duty imposed by or for the purposes of the Education Act 1996