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|  **The Grove School****Complaints Procedure** |

Date of publication and adoption by governors: February 15th 2022 Review date: February 2024

**INTRODUCTION**

At The Grove School we welcome suggestions for improving our work in school. Be assured that, no matter what you want to tell us, our support and respect for your child will not be affected in any way. Please tell us of your concern as soon as possible. It is difficult for us to investigate an incident or problem properly if it took place some time ago. We do appreciate the assistance we receive from parents in addressing any problems that arise.

The majority of issues raised by parents, the community or pupils, are concerns rather than complaints. We are committed to taking concerns seriously, at the earliest stage, in the hope of keeping the number of formal complaints to a minimum and without needing formal procedures.

However, depending on the nature of the complaint, you may wish or be asked to follow the school’s formal complaints procedure. For the school to be able to investigate a complaint, it should normally be made within three months of the incident occurring. If a complaint is older than this it will not normally be investigated. The prime aim of The Grove School’s policy is to resolve the complaint as fairly and speedily as possible. Formal complaints will be dealt with in a sensitive, impartial and confidential manner. Malicious complaints may incur appropriate action by the school. The following details outline the stages that can be used to resolve complaints.

Anonymous concerns or complaints will not be investigated under this procedure, unless there are exceptional circumstances. To enable proper investigations, concerns or complaints should be brought to the attention of the School as soon as possible.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

The difference between a concern and a complaint

A concern may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’.

A complaint may be defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’. It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage.

Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The Grove School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

**Procedure in making a Complaint**

In the event that these initial approaches fail to resolve a complaint this policy lays out the procedures that should be followed to allay any concerns about a particular issue.

There are three School-based stages to the complaints procedure:

**Informal**

* Stage 1 - this will normally be a meeting with the complainant in an informal capacity
* Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at a later stage of the procedure

 **Formal**

* Stage 2 – complaint heard by Headteacher
* Stage 3 – complaint heard by the Governors committee’s complaints panel.

**Stage 1: Informal resolution with class teacher**

* Parents discuss concerns with the class teacher
* If the teacher is unable to deal immediately with the matter, a clear note is made, including complainant’s name, phone number and date, and the parent is contacted as soon as the matter has been investigated. The teacher may also consult the Head teacher at this stage.
* The teacher ensures that the parent is clear what action or monitoring of the situation has been agreed.
* If no satisfactory solution has been found, parents are asked if they wish their concern to be considered further.

**Stage 2: Referral to the Head teacher**

* The complaint should normally be made in writing. The form shown in **Appendix 2** may be used. If this is not possible an oral complaint may be made. This should be clear that it is stage two of a complaint
* The Head teacher acknowledges the complaint, orally or in writing within 5 school days.
* The Head teacher investigates further, interviewing witnesses as appropriate. If the complaint centres on a pupil, the pupil would normally be interviewed with a parent present or, if this is not possible, with a member of staff who is not directly involved. *Note: The headteacher may delegate the investigation to another member of the school’s senior leadership team but not the decision to be taken.*
* The Head teacher keeps written records of meetings, telephone conversations and other documentation.
* Once all relevant facts have been established, the Head teacher responds. If the complaint was in writing, a written response will be sent. At the conclusion of their investigation, the headteacher will normally provide a formal written response within 10 school days of the date of receipt of the complaint.
* If the complainant is not satisfied, they are advised to write to the Headteacher giving details of where they are not satisfied and whether they wish to move to the third and final stage of the procedure.

If the complaint is about the Head teacher, then the complaint should be sent in writing to the Chair of Governors, who will carry out the above procedure.

**Stage 3: Complaint Heard by Governing Body Complaints Appeal Panel**

If the complainant is dissatisfied with the outcome at Stage 1 and Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a meeting with members of the Governing Body Appeals Committee, which will be formed of the first three, impartial, committee members available. *(If there are fewer than three governors available, the Clerk will source any additional, independent governors through another local school or through their LA’s Governor Services team).* This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within 15 school days of receipt of the Stage 2 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

 Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 school days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant’s absence on the basis of written submissions from both parties.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant’s needs. If a parent (complainant) requests the complaint to be escalated to a panel hearing then the parent will be invited to attend the hearing and may be accompanied if they wish.

If the complainant is accompanied this can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

 For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

 Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Clerk will:

* confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
* request copies of any further written material to be submitted to the committee at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant’s own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place.

Consent will be recorded in any minutes taken. The committee will consider the complaint and all the evidence presented.

The committee can:

* uphold the complaint in whole or in part
* dismiss the complaint in whole or in part. If the complaint is upheld in whole or in part, the committee will:
* decide on the appropriate action to be taken to resolve the complaint
* where appropriate, recommend changes to the school’s systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and the school with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days. The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by the school.

**Next Steps**

 If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 3.

 The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by the school. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint. The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education

Piccadilly Gate Store Street

Manchester,

M1 2WD.

Mediation

Sometimes during the handling of a complaint, communication between parents and the school can become difficult. Mediation can be a very useful way of helping people to resolve their differences and find an agreed way forward. Both parties need to agree to mediation. The school (or the parent) may suggest mediation, if communication becomes a problem.

Mediation can be sought at any point during the processes of resolution and investigation. The mediation process is informal, impartial and voluntary, and aims to resolve conflicts to the benefit of all. It does not apportion blame and concentrates on developing a better understanding of each other’s point of view and works to secure future relationships. For more information, please contact: 07966 474364.

For issues raised relating to SEND (Special Educational Needs and Disability) resources, specialist mediation is a requirement in the SEND Code of Practice. For more information please contact The Devon Information Advice and Support service: devonias@devon.gov.uk

**Vexatious complaints and unacceptable behaviour**

If properly followed, the complaints procedure will aid the speedy resolution of most complaints, however, there may be occasions where an agreed resolution cannot be reached and it is only possible to agree an acceptable way forward. It should be noted that once a complaint reaches the end of the school complaints procedure it cannot be reopened and reinvestigated. If the complainant tries to reopen the same issues, the chair of the complaints committee will be able to inform them in writing that the procedure has been exhausted and that the matter is now closed. A complaint will be considered by the school to be vexatious when:

* Repeatedly and obsessively pursued
* An unrealistic or unreasonable outcome is sought
* Is reasonable, but is pursued in an unreasonable manner.

The school will not tolerate behaviour from complainants that is deemed to be offensive or threatening or which is considered to pose a risk to either staff or pupils. The school will take such steps as necessary to manage behaviour of this kind and may seek legal advice.

Where the complainants contact with the school is unreasonably demanding, or the frequency of contact is judged to impede the day to day running of the school, then the complainants contact with the school may be subject to a management plan to aid in the resolution of the complaint.

## Scope of this Complaints Procedure

The following items are not covered by the Complaints Procedure:

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| **Exceptions** | **Who to contact** |
| * Admissions to schools
* Statutory assessments of Special Educational Needs
* School re-organisation proposals
 | Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Devon CC.  |
| * Matters likely to require a Child Protection Investigation
 | Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).  |
| * Exclusion of children from school\*

 | Further information about raising concerns about exclusion can be found at: [www.gov.uk/school-discipline-exclusions/exclusions](http://www.gov.uk/school-discipline-exclusions/exclusions). *\*complaints about the application of the behaviour policy can be made through the school’s complaints procedure.*  |
| * Whistleblowing
 | We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus).Volunteer staff who have concerns about our school should complain through the school’s complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint. |
| * Staff grievances
 | Complaints from staff will be dealt with under the school’s internal grievance procedures.  |
| * Staff conduct
 | Complaints about staff will be dealt with under the school’s internal disciplinary procedures, if appropriate.Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed. |
| * Complaints about services provided by other providers who may use school premises or facilities
 | Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct. |
| * National Curriculum - content
 | Please contact the Department for Education at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus)  |

**Summary of Dealing with Complaints**

Appendix 1

Complaint heard by staff member

Issue resolved

Issue not resolved

Complaint heard by Headteacher

* Acknowledge receipt of complaint in writing, detailing processes to be followed within 5 school days
* Conduct investigation of the complaint
* Write to complainant with outcome of investigation usually within 10 school days.

Issue resolved

Issue not resolved

* Written request for a review of the complaint within 15 school days

Complainant writes to the Clerk

* Governor’s complaints panel meeting arranged
* Issue letter inviting complainant to meeting
* Issue letter confirming panel decision

Issue resolved

Issue not resolved

* Written complaint to the Department of Education

**Appendix 2 - Complaint Form** Please complete and return to The Grove School, FAO: Headteacher, Hilary Priest, who will acknowledge receipt and explain what action will be taken.

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| Your name: |
| Pupil’s name (if relevant): |
| Your relationship to the pupil (if relevant |
| Address:Postcode:Day time telephone number: Evening telephone number: |
| Please give details of your complaint, including whether you have spoken to anybody at the school about it. |
| 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 acknowledgement sent |
| By who: |
| Complaint referred to: |
| Date: |