



ACORN FREE SCHOOL

Complaints Procedure Policy

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Introduction

At the Acorn Free School all staff are dedicated to giving all children the best possible education and caring properly for their health, safety and welfare at all times. We are committed to working closely with parents and believe that school and parents must work together in partnership, each carrying out our own particular responsibilities to help pupils gain the most from their time in school.

Complaints Process

If you feel that something is not going quite as you would like it to, that we are doing something that you are unhappy with, or not doing something that you feel we should, please tell us about it. The Acorn Free School has a 3 stage procedure for complaints and this policy has been written with reference to 'School Complaints Procedure 2011' DFE. A procedural flowchart can be found in Appendix A

- The first step:

Please arrange to discuss any concerns with the particular teacher concerned. Depending on the nature of the complaint the member of staff may refer the issue to a member of the senior management team who will initiate the appropriate action. In all cases the teacher would need to inform their line manager of the complaint received and of the outcome. We hope that most problems can be sorted out this way.

Where the first approach is made to a governor the next step would be to refer the complainant to the appropriate person and advise them about the procedure. Governors should not act unilaterally on an individual complaint outside of the formal procedure or be involved in the early stages as they may be needed to sit independently on a panel at a later stage of the procedure.

- The second step:

If, after speaking to the teacher concerned, you do not feel that your complaint has been properly dealt with, or if your concern is about the conduct of a particular teacher, then you should write to the Headteacher who will then take the appropriate action. A central log of written complaints that reach the Headteacher will be maintained. This will include the date, reason for complain and the outcome. In almost all cases we can sort things out satisfactorily in this way.

- The third step:

If your complaint is about the conduct of the headteacher, or if you are dissatisfied with the headteacher's response to your formal complaint letter, then you will need to contact the governors.

You should send written details of your complaint, with any correspondence and evidence to support your complaint, to the Clerk to the Governors at the school address. The governors will investigate your complaint and write to advise you of the outcome.

Governors Complaints Procedure

- If a parent is not satisfied with the response from the headteacher regarding their complaint or if their complaint is about the headteacher, then he/she is entitled to take their complaint to the Governing Body.
- All complaints to the Governing Body must be in writing and should include full details of the complaint, enclosing any supporting evidence. A sample format for submitting your complaint can be found in Appendix B. This should be sent to the clerk to the governors, care of the school. The clerk will then ensure the complaints process is started as soon as practicable (a complainant can request that the clerk to the governors write down the complaint on their behalf rather than completing the form).
- A minimum of three governors should be selected to form a complaints committee to investigate and consider the complaint. Those governors chosen should have no knowledge whatsoever of the details surrounding the complaint or of the complainant themselves. When selecting a complaints panel, governors need to try and ensure that the panel offers a cross section of categories of governors and also demonstrates sensitivity to issues such as race, gender or religious affiliation
- Once the complaints committee has been formed, a hearing date will be set and the clerk will notify this to all parties. The date will be no later than 10 working days from receipt of the stage 3 written complaint.
- Parents will be invited to the hearing which will be a meeting where they will be able to put their complaint personally to the governors. The headteacher should also be present to respond. Teachers and/or other school staff should not attend. If their evidence is needed it should be either obtained via the headteacher, or where this is not appropriate by a governor, before the meeting with the parent. The governors will only make a decision about a complaint once they have heard the parent's and the school's evidence
- The structure of the meeting will be flexible and the panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. The panel chair will ensure that the proceedings are as welcoming as possible and that the format is comfortable and informal. The complaints committee should have familiarised themselves with the written complaint before the meeting opens and will have an opportunity to ask any questions, as will the headteacher. The complaint should then be responded to by the headteacher with questions from both parties being permitted. Each party can then be asked to summarise their position. Both parties will then leave to allow the governors to make their decision in private.
- Although it would not normally be necessary, either party may bring a legal representative if they wish. Either party intending to bring a representative would be expected to contact the clerk to the governors before the hearing to notify them.
- The complaints panel must take a robust approach and not simply endorse the decision of the headteacher without any consideration of the evidence. The aim of the panel will always be to resolve the complaint and achieve conciliation between the complainant and the school. 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

- The complaints committee must have all the necessary evidence they feel is necessary for them to make their decision. If they are not satisfied and require further evidence from either party, they should adjourn and request that information. The complaints committee should only make their decision if they are satisfied they have sufficient evidence with which to make a final decision.
- The decision of the complaints committee should be given to the complainant within 5 working days of the hearing. The decision letter should outline the nature of the complaint, the factors taken into consideration and the decision of the complaints committee. The decision letter will also detail if there is any further independent appeals procedure the claimant may wish to pursue.
- Complaints regarding external examinations should be addressed to the chair of governors, due to the time constraints involved. An independent committee will be decided upon the course of action following the three step process where appropriate. In extreme cases appeals regarding coursework or examinations can be made to the Awarding body in question. The nominated tutor for each awarding body will give details of how this can be done.

Raising Complaints with Awarding Bodies

Complaints can be raised with relevant awarding bodies if you are unhappy with the school's response to the complaint. For the Acorn Free School the Awarding Body is Highfield Awarding Body for Compliance. Contact details can be obtained from the Acorn Free School. If a learner is still unsatisfied then they are able to raise their Appeal with the relevant Qualification Regulators whose details will be provided on request

Roles and Responsibilities

Clerk to the Governors

The clerk will act as 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 in advance of the hearing
- collate all written material and send it to the panel in advance of the hearing
- meet and welcome the parties at the hearing
- record the proceedings
- notify all parties of the panel's decision

Nominated Chair of Complaints Panel

The Chair of the Panel will:-

- ensure that the remit of the panel is explained to all parties and that each party
- is able to put their case forward without interruption
- ensure that key issues are addressed
- draw key facts from the proceedings
- ensure parents and carers are put at ease

- conduct the hearing in an informal manner and ensure each party treats the other with respect and courtesy
- ensure that the panel is open minded and independent
- allow all parties to see all written material relevant to the complaint
- ensure that no member of the panel has a vested interest in the outcome of the proceedings or an involvement in an earlier stage of the complaint.
- ensure that timescales are met and that the complainant is notified in writing of the outcome and the procedure if there is any further right of appeal.

It is important that the complaint and the investigation papers are not attached to the child's file as they do not relate to the child.

Acorn Free School will keep a central register of complaints received.

Appendix A – Sample complaints format

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint.

**What action, 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 acknowledgement sent:

By who:

Complaint referred to:

Date: