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Hanwell Fields Community School

COMPLAINTS

Owner/Author	Caroline Bond, Head Teacher Sig_____
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COMPLAINTS

Policy Statement

Hanwell Fields Community School prides itself on the quality of teaching and pastoral care provided to its students. It recognises that parents may, from time to time, have concerns about the progress, achievement, behaviour or welfare of their son or daughter. Parents are encouraged to make those concerns known to staff so that they can be addressed in partnership with the school.

This policy deals with complaints from parents of current pupils and parents of former pupils provided the complaint was initially raised when the pupil was still registered at the School. This policy does not deal with complaints from prospective parents.

A complaint can be any matter about which a parent is unhappy and seeks action by the School. The School will take all concerns and complaints seriously and will make every effort to deal with complaints informally, at an early stage, in the spirit of continued respect and partnership.

This procedure does not apply in relation to appeals against pupil exclusions, admissions and safeguarding concerns (which are managed under the School's Safeguarding Policy) and is distinct from formal staff disciplinary proceedings. Appeals regarding permanent exclusions are managed in accordance with the school's *Exclusions / Behaviour Policy which adheres to the statutory DFE guidance on exclusions.*

In most cases any concern or complaint, regardless of whose attention to whom it is initially brought, should be discussed informally (Stage 1) before being submitted at any of the following consecutive formal stages. However, complaints concerning the Head may proceed directly to Stage 2 and be considered by the Chair of the Local Governing Body. A complaint against a member of the school leadership team may also proceed directly at Stage 2 and be considered by the Head.

Policy Aims

We aim to:

- Resolve all complaints in a timely manner and normally within the timescales set out in this policy. Where this is not possible, such as where a complaint is received during school holidays (which may cause a delay in collecting information, for example, owing to staff absence), the timescales set out in the policy may be extended and you will be informed of the reasons why and the new timescales. References to 'school days' means Monday to Friday (excluding bank holidays) when the school is open during term time. Parents are in turn expected to proceed with their complaint in a timely and reasonable manner. It is expected that if parents wish to escalate their complaint to the next stage of the procedure, they will generally do so within 15 school days of the conclusion of the current stage. Depending upon the circumstances, the School may, acting reasonably, treat a complaint as closed if a parent has not proceeded within this timeframe.
- Ensure that complaints are managed, so far as reasonably possible, in line with the procedures set out in this document.
- Ensure that no-one, including a pupil, is penalised for concerns or complaints raised in good faith.
- Keep a written record, for at least 6 years, of all complaints, the action taken and at what stage they were resolved regardless of whether or not they were upheld including those that related to the EYFS provision.

- Record, in writing, whether each complaint was resolved following a formal procedure, or proceeded to a panel hearing, and the action taken by the school as a result of the complaint (regardless of whether they are upheld);
- Ensure that the record of all written complaints and their outcomes is reviewed regularly by the Head (or other designated senior leader) to identify whether a review or change in practice is needed and so that any patterns can be identified and appropriate interventions made.
- Keep confidential all correspondence, statements and records relating to individual complaints except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them, or under other legal authority.

The School will keep records of formal complaints and panel hearings, as required by regulation. A record of formal complaints is kept by the Complaints Co-Ordinator and held securely and kept locked in HR office and is reviewed regularly by the Head to identify whether review or change in practice is needed. Records are held in accordance with the School's Privacy Notice but in most cases for a period of at least 6 years.

The School processes data in accordance with its Privacy Notice, when dealing with complaints the School (including any panel member appointed under the Stage 3 process) may process a range of information, which is likely to include the following:

- The name of the complainant;
- The date and time at which the complaint was made;
- The details of the complaint;
- The desired outcome of the complainant;
- How the complaint is investigated (including written records of interviews held);
- Findings and recommendations of investigations;
- Any action taken;
- The complainant's response (satisfaction or further pursuit of complaint).

This may include 'special category personal data' (including sensitive data such as information relating to physical or mental health) where this is necessary owing to the nature of the complaint.

The number of complaints registered under the formal procedure during the last school year 2018-19 was 0.

Parents may also contact OFSTED if they so wish. Relevant contact details are set out below.

OFSTED: Piccadilly Gate, Store St, Manchester, M1 2WD
Phone: 0300 123 4666 or email enquiries@oftsed.gov.uk]

If parents are unhappy with how the School has managed their complaint under this procedure, they may complain to the Department of Education.

The School is fully committed to its obligations under the UK Equality Act (2010). Further details are available in the School's Equal Opportunity policy document.

The School seeks to implement this policy through adherence, whenever reasonably possible, to the procedures set out in the rest of this document.

In line with our Provision of Information policy this document is available to all interested parties on our website and on request from the main school office and should be read in conjunction with the following documents;

- Anti-Bullying Policy
- Safeguarding and Child Protection Policy
- Curriculum Statement
- Special Educational Needs Policy
- Admissions Policy – Reception to Year 6
- Admissions Policy - Nursery
- Behaviour and Discipline Policy
- Exclusions
- Privacy Notice

All the above policies can be found on the school's website here under 'Policies'.

This document is annually reviewed by the Head Teacher and Chair of Governors or as events or legislation change requires.

Procedures

STAGE ONE: INFORMAL RESOLUTION

We recognise that, almost invariably, the sooner concerns are raised the easier it is for an appropriate resolution to be found. In the first instance, you are encouraged to raise your concern or complaint with the following members of staff:

- Concerns of a pastoral or academic nature should normally be made to your child's class teacher, EYFS lead – Mrs Sophie Trivett, Lower school lead - Mrs Sara Ridgway or Upper school lead – Mrs Emily Thompson

That person will normally acknowledge the complaint within 3 school days of receipt. They will try to identify areas of agreement and clarify any misunderstandings that might have occurred. They will make a written record of your concern or complaint, the date on which it was received, and then try to resolve the matter themselves or refer you to the appropriate person.

Should the matter not be resolved within 15 school days or fail to reach a satisfactory resolution then you may proceed with your complaint in accordance with Stage 2 of this procedure. If so, you will be expected to do so within a reasonable timeframe, ordinarily within 15 school days of receiving the outcome of Stage 1. If the complaint concerns the Head, contact the Chair of the Local Governing Body (LGB) under Stage Two of this process.

STAGE TWO: FORMAL RESOLUTION - Headteacher

If you wish to take your complaint to this stage, you should put your complaint in writing to the Head Caroline Bond. If you have difficulty in doing that, you are asked to seek assistance from the Complaints Co-Ordinator. If the complaint is against the Head, you should make your complaint directly to the Chair of the LGB. The Chair will review your complaint in accordance with this stage of the procedure.

The Head will acknowledge your formal complaint normally within 5 school days, and will explain how we propose to proceed and set a date (not normally more than 15 school days from the date of receipt of the formal complaint under Stage 2) by which time a response will be provided. The Head will decide, after considering the complaint, the appropriate course of action to take which may include carrying out further investigation. Further investigation may affect timescales and if so, the Head will keep you informed of a date for a response. The Head will also decide whether it would be helpful to meet with you to discuss your complaint.

Once the Head is satisfied that, so far as is reasonably practicable, all the relevant facts have been established, a decision will be made, and you will be informed in writing. This will normally be within 15 school days of having received the Stage 2 complaint. The response will set out the Head's conclusion, the reasons for it, and any action taken or proposed. The School hopes that you will be satisfied with the outcome and will understand that your concerns have been fully and fairly considered.

If parents are still not satisfied with the decision, they should proceed to Stage Three of this procedure within 15 school days of the Stage Two decision being communicated. If parents do not invoke Stage Three within this timeframe the School may, acting reasonably, deem the complaint closed.

STAGE THREE: FORMAL RESOULTION - Local Governing Body (LGB) Complaints Panel

The third stage of the complaints procedure is the LGB Complaints Panel. If you wish to take your complaint to this stage you are required to put your complaint in writing to the Chair of the LGB, requesting the complaint be reviewed by a Complaints Panel. It is important that you set the matter out in sufficient detail as well as the outcome you are seeking. You should also ensure a copy of all relevant documents accompany your request wherever possible.

A Clerk will be appointed to organise the meeting and convene a Panel consisting of three persons not directly involved in the matter detailed in the complaint, one of whom shall be independent of the management and running of the school. Wherever possible, the Clerk will convene a date for the meeting within 15 school days of receiving the Stage Three request for a Panel meeting. If the request is received during school holidays, the process may be delayed owing to limited availability of personnel and the Clerk will inform you when the meeting will be scheduled.

If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the meeting. Copies of such further particulars shall be supplied to all parties, where possible, not later than four school days prior to the meeting.

You may attend the meeting in person and may be accompanied if you so wish by a friend, relative or colleague. If you wish to be accompanied, you are required to notify the Clerk of the name and occupation of such a person. Legal representation will not normally be appropriate. The Head may also arrange for a colleague to attend the meeting.

The Panel meeting of Stage 3 will go ahead unless you later indicate that you are satisfied and do not wish to proceed further. A Panel meeting may proceed notwithstanding that you may subsequently decide not to attend, in which case, the Panel will consider your complaint in absentia and issue findings on the substance of the complaint, thereby bringing the matter to a conclusion. The requirement for the Panel to proceed does not prevent the School from accommodating parental availability for dates or considering comments concerning Panel composition.

Communication of the LGB Complaints Panel Findings

After due consideration of all the facts the Panel considers relevant, the Panel will decide to do one or more of the following:

- 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, where appropriate.

The Panel has no power to compel the School to take action.

The Chair of the Panel ensures that the LGB (where appropriate), the Head, the complainant and, where relevant, the person complained about, are notified in writing of the panel's findings and recommendations within 15 school days of the hearing taking place.

This marks the end of the formal complaints process.

Provision of Information

Information considered by the Panel will be made available to you (the complainant) unless data protection laws or any other legislation prevents us from lawfully providing this to you, in which case we will make appropriate redactions and provide you with as much of the information as possible.

End of formal process

United Learning recognises there may be very rare occasions when the complainant feels that the individual school and the LGB have failed to appropriately address their complaint and that they must escalate it beyond the LGB. They can do this by contacting United Learning's Central Office. If Central Office deem it appropriate to consider the matter further, they will pass the complaint to a designative representative to investigate and respond to the concern.

Please be aware that Central Office won't get involved ***unless*** there is clear evidence that all other stages have been exhausted and they are under no obligation to consider the matter further. The complainant should be directed to contact our London Reception at Reception.London@unitedlearning.org.uk or 01832 864 477, who will ensure the complaint is sent confidentially to the appropriate designated Central Office representative (typically at Director level). A brief overview of the issue, the school involved, and the steps taken thus far to resolve it, should be set out. The earlier steps in the complaints process must have been completed and a formal response given by the LGB before this escalation route is used, and it should be initiated within 15 school days of the LGB panel's decision being communicated to the complainant. All records from the panel hearing must be shared with designated Central Office representative.

Once the designated Central Office representative have details of the complaint, they will review the matter to see if it warrants further investigation and consideration. Any decision to review the matter further will include a review of the complaint and the action taken by the school up to this point. They will then give a direction and ensure the complainant is appropriately informed.

The decision of the designated representative is final and binding. Complainants will be given a written response to their complaint usually within 15 school days from the receipt of the complaint by United Learning's Central Office.

Complaints against Central Office

If the complaint relates to a member of Central Office, then the complaint should be directed to the Company Secretary at company.secretary@unitedlearning.org.uk, clearly marked as a complaint in the subject box. The complaint will initially be passed to the relevant line manager to deal with.

As with complaints dealt with by schools, United Learning expects all concerns and complaints raised about Central Office colleagues to be dealt with in a respectful, impartial and non-adversarial manner usually within 15 school days. A full and fair investigation of the issue will be undertaken.

In the event that the complaint is not resolved satisfactorily with the line manager and the person concerned, the complaint will be reviewed by the Company Secretary who will investigate and aim to respond within a further 15 school days.

Complaints about members of the Local Governing Body

A complaint about a member of the Local Governing Body should be sent in a sealed letter to the Chair of Governors of the school. The Chair of Governors will investigate the issue and give a written response to the complainant usually within 15 school days from receipt of the letter.

A complaint about the Chair, or where the complainant believes their complaint about a member of the LGB has not been satisfactorily addressed by the Chair, should be sent to either the Chair of Trustees for ULT, Dame Yasmin Bevan (academies) or the Chair of Trustees for UCST, Rosalind Given-Wilson (independent schools). The relevant Chair of Trustees will either investigate the issue themselves or nominate a representative to do so on their behalf, and a written response will be given to the complainant usually within 15 school days from receipt of the letter.

Written Complaints relating to the Requirements of the EYFS Statutory Framework

Written complaints about the fulfilment of the EYFS requirements will be investigated in accordance with Stage Two of the complaints procedure and you will be notified of the outcome of the investigation within 28 calendar days. Stage Three above will be available to you if you remain dissatisfied with the outcome at Stage Two.

The School will provide Ofsted on request, with a written record of all complaints made during any specified period, their outcome and the action that was taken as a result of each complaint, which will include details of whether the complaint was upheld.

You may also complain directly to Ofsted if you believe that the School is not meeting the EYFS requirements:

Ofsted may be contacted on 0300 123 4666 or by email: enquiries@ofsted.gov.uk.

Vexatious Complaints

There will be occasions when, despite all stages of the procedures having been followed, and Central Office having investigated, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the relevant United Learning Director and the Chair of the LGB will inform them in writing that the procedure has been exhausted and that the matter is now closed.

If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school or Central Office to respond.

Appendix 1: Complaint Form

Please complete in BLOCK CAPITALS and return to the Complaints Co-ordinator who will acknowledge receipt and explain what action will be taken.	
Your name	
Student's name	
Your relationship to the student	
Address	
Postcode	
Contact telephone number (1)	
Contact telephone number (2)	
Please give details of your complaint below	
What action, if any, have you already taken to try and resolve your complaint? (To whom 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?	**YES / NO**
If so, please give details.	
Signature:	**Date:**

For Official use only			
Date acknowledgement sent		Complaint resolved at which stage	
Acknowledgement sent by		Complaint recorded in school records	
Complaint referred to			
Complaint referred on (date)			