



WETHERBY HIGH SCHOOL

Complaints Procedure

This policy applies to staff, governors, parents

Reviewing Committee:

Responsible SLT member	-	S Jefferson
Delegated policy updater	-	S Jefferson
Responsible governor sub-committee	-	Quality of Education and Inclusion Committee
Specific governor advisor (if required)	-	C Bentley

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School Complaints Procedure

1. Informal: pre-complaint stage

The fact that schools must, by law, have a complaints procedure need not in any way undermine efforts to resolve concerns or complaints informally. The underlying principle is that concerns will be handled, if at all possible, without the need for formal procedures.

All concerns will be treated seriously. Parents should contact their child's coach in the first instance in an attempt to resolve any issue. If a complainant remains dissatisfied after this initial contact and wishes to take matters further, formal procedures will then need to be invoked.

2. Formal Stage One: official complaint

- 2.1 Where a person has not been able to resolve a concern informally, they are entitled to ask the Headteacher or a senior member of staff nominated by the Headteacher, to investigate the issue. The complaint should be put in writing to the Headteacher; in all cases, this should include details of the complaint, action already taken to resolve the complaint and what actions might help resolve the problem.
- 2.2 Formal complaints should be lodged as soon as possible, but no later than three months after the incident or issue occurring. There may be certain exceptions to this, for example, for complaints involving allegations with child protection implications, where it is necessary to conduct an investigation some time after the event.
- 2.3 Receipt of the complaint will be acknowledged within three school days and will specify how the complaint will be investigated, by whom and the timescale within which a full response will be made.
- 2.4 The Headteacher will ensure that a thorough investigation is carried out and a full written response is made within 15 school days. If the timescale needs to be extended (for example, if meetings with complainants or relevant people cannot be arranged within this timescale), complainants will need to be informed.

3. Exceptions

3.1 Complaints about the Headteacher

A complaint about the Headteacher should be made in writing to the Chair of Governors. This may include a complaint about the actions or lack of actions of the Headteacher in investigating a complaint. The governing body should consider appointing a designated governor to investigate the complaint as a Stage One complaint. Where a complaint is about the conduct of the Headteacher, the Chair of Governors should seek advice from the school's personnel officer at the Local Authority (LA).

3.2 Complaints about the Chair of Governors

A complaint about the Chair of Governors should be made in writing to the Vice Chair of Governors. Procedural advice and guidance should also be sought from the LA Governor Support Service or customer relations service.

3.3 Complaints about issues covered by other statutory procedures

Where complaints concern issues that are covered by other statutory procedures, for example, school admissions or exclusions, then those specific procedures and related timescales will apply instead.

3.4 Complaints involving a claim for compensation

The school will refer any claims for compensation directly to the school's claims financial adviser in the LA.

4. Reporting the outcome

4.1 A full written response should be made to complainants who may be offered a further meeting to explain how the investigation was carried out and how decisions were reached. The decision at the end of formal Stage One is final. The only exception to this is if in investigating the complaint, the Headteacher or governor did not conduct a full and fair investigation and therefore did not arrive at the decision fairly, then there may be an opportunity to review the decision at formal Stage Two.

4.2 Complainants will be advised that, if they are dissatisfied with the way in which their complaint has been handled, they may refer the matter to the governing body. This should be done by writing to the Chair of Governors within 10 school days of receipt of the letter from the Headteacher and Chair of Governors.

5. Formal Stage Two: review to panel of governors

The governors' review panel

If complainants are dissatisfied with the way in which their complaint was handled at Stage One, there will be a further and final right of review to a specially convened panel of governors.

- 5.1 Reviews should be lodged in writing with the Chair of Governors within 10 school days of receipt of the Stage One decision.
- 5.2 The review panel will meet within 20 school days of receiving the complaint. The complainant and the Headteacher or appropriate investigating officer (or governor if the Stage One complaint was about the Headteacher) will be informed of the date, time and venue of the appeal hearing.
- 5.3 The panel will comprise at least three governors who have had no previous knowledge of, or involvement in the case. The panel should not include staff governors.

Remit of the governors' panel

- 5.4 The panel will consider the way the complaint has been investigated and handled by the school (or governor if it is about the Headteacher). The panel will carry out a review of the investigation carried out at formal Stage One. It will hear the report of the investigating officer at Stage One and any submissions on that report by the complainant. The review should not entail a re-hearing of the case.
- 5.5 The decision of the panel is final and will be communicated in writing to complainant and the Headteacher within 3 school days.
- 5.6 If the school feels a complainant is unreasonable then Governors will consider appropriate action. See Appendix A.

6. Secretary of State review

A further stage of appeal can be taken to the Secretary of State for Education, but only on the grounds that the governing body is acting or proposing to act unreasonably or illegally.

Appendix A:

A complainant may be regarded as unreasonable if the complainant's behaviour includes:

- refusing to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- refusing to accept that certain issues are not within the scope of a complaints procedure.
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- makes unjustified complaints about staff who are trying to deal with the issues
- changes the basis of the complaint as the investigation proceeds.
- repeatedly makes the same complaint (despite previous responses concluding that the complaint is groundless or has been addressed).
- makes excessive demands on the school's time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone

A complaint may also be considered unreasonable if the person making the complaint acts in a manner which is:

- malicious;
- aggressive;
- threatening, intimidating or violent;
- made using abusive, offensive or discriminatory language;
- made knowing the complaint to be false;
- made using falsified information;
- otherwise made using conduct which is intended to intimidate, harass
- or is otherwise similarly inappropriate.