



# 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 Policy Statement

This policy statement sets out the Wetherby High School's approach to dealing with parental concerns and complaints. We value good home/school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.

We welcome feedback on what parents feel we do well, or not so well, as a school. We will consider carefully all feedback, whether positive or negative, and will review our policies and practices accordingly.

We will treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately or in front of students. We have a duty of care to all our staff and communication with our staff should not intimidate, or be considered abusive. Wetherby High School will take any further necessary action to protect staff and students and prevent a reoccurrence where this expectation is not met by parents/carers or visitors.

Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, use our option to close a complaint before all the stages of the school's procedures have been exhausted, if this appears to be appropriate.

## School Complaints Procedure

The majority of concerns from parents, carers and others are handled under the following general procedures.

The procedure is divided into three stages;

**The Informal stage** aims to resolve the concern through informal contact at the appropriate level in school. **In most cases this is the appropriate way to raise concerns with an appropriate manager in school so we can work with you to resolve these in a timely manner.** We have a duty of care to our staff and communication with our staff should not intimidate or threaten them in any way.

**Stage 1** is the first formal stage at which written complaints are considered by the Investigating Officer or a designated governor, who has special responsibility for dealing with complaints.

**Stage 2** is the next stage once Stage 1 has been worked through. It involves a complaints appeal panel of governors.

How each of these stages operates is explained below:

### **Informal Stage: 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, your concern will become a formal complaint and we will deal with it at the next stage.

## **1. Formal Stage One: official complaint**

- 1.1 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.
- 1.2 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.
- 1.3 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.
- 1.4 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.

- 1.5 As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
- 1.6 If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.

## **Exceptions**

### **- 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).

### **- 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.

### **- 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.

### **- 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.

## **Reporting the outcome**

- 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.

- 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.

## **2. 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.

- 2.1 Reviews should be lodged in writing with the Chair of Governors within 10 school days of receipt of the Stage One decision.
- 2.2 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.
- 2.3 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.
- 2.4 Please note if we feel that a complaint has not been raised with us as a Stage 1 complaint this may be referred back to the Headteacher to try and resolve your concerns.

### **Remit of the governors' panel**

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 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 role of the panel is not to re-hear the case, they will not go through the case again. It is there to review how the complaint has been investigated and to determine whether this has been conducted fairly and that correct procedure has been followed. It is there to establish facts and make recommendations which will reassure you that we have taken the complaint seriously.

The decision of the panel is final and will be communicated in writing to Complainant and the Headteacher within 3 school days.

If the school feels a complainant is unreasonable then Governors will consider appropriate action. See Appendix A

## **Closure of complaints**

- Very occasionally, a school will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.
- We, and Leeds City Council, where appropriate, will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".
- If a complainant persists in making representations to the School, this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.
- For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and that the complaint has exhausted our official process. Leeds City Council will support us in this position, and especially where the complainant's action is causing distress to staff and/or students.
- In exceptional circumstances, closure may occur before a complaint has reached Stage 2 of the procedures described in this document. This is because a Complaints Panel takes considerable time and effort to set up and we must be sure that it is likely to assist the process of resolving the complaint.
- The Chair of Governors may decide, therefore, that every reasonable action has been undertaken to resolve the complaint and that a Complaints Review Panel would not help to move things forward.

## **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.