



Complaints Policy & Procedures

Revision Schedule

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1.1	Pending Approval	5/2/19	N.Pledger	Timescales between stages ESFS amendments Complaints against HT and GB added



Complaints Policy & Procedures

Purpose

Whilst we believe that our approach to parental partnerships will limit incidents of disagreement between us, we acknowledge that on occasion, parents and other stakeholders may feel that the school has not dealt with their concern or complaint as they would wish.

The purpose of this procedure is therefore to ensure that any complaint against Sir Thomas Fremantle School Free School will be dealt with in a fair, open and responsive way, as required by legislation in Part 7 of the Education (Independent School Standards((England)) Regulations 2010.

The aim of this is to achieve a speedy and satisfactory resolution to any complaints received

The school recognises that a willingness to listen to questions and criticism and to respond positively, can lead to improvements in school practices and provision for students. We hope that our forum, which will convene at least half termly, will allow stakeholders to bring issues to the attention of senior leaders without the need to instigate formal proceedings.

Scope

This procedure deals with specified day-to-day concerns or complaints against individual members of staff, their action or the management and/or operation of the school.

A concern is any query concerning the operation of the school which reflects adversely upon it.

A complaint requires the attention of the Senior Leadership Team of the school. Complaints are defined as matters relating to breaches of the law, to non-compliance with DfE Regulations or any issue which would bring the reputation of the school into disrepute.

Procedure:

Concerns

Concerns will be dealt with by the member of staff best placed to address the issue who will undertake an investigation of the situation.

When concerns are received by telephone it is the role of the receptionist to route the call to the member of staff most able to deal with it. In the event of uncertainty, the call will be directed to a member of the Senior Leadership Team.

Any concerns expressed in writing will be passed to a member of the Senior Leadership Team who will direct them to the member of staff most able to deal with them.

In every case an initial response will be provided within 24 hours (except where this may carry into a weekend or holiday) and a final resolution of issues arrived at as soon as possible.

Resolutions may include an apology, explanation, admission that the situation could have been dealt with more effectively, an assurance that the situation will not recur or an undertaking that the School will review the procedure in the light of the concern.

Complaints

Our belief is that many complaints can be resolved on an informal basis and we encourage this. This may be achieved through a meeting, telephone conversation or email exchange between the complainant and member of staff or with an additional staff member as mediator.

Where issues cannot be resolved informally, they become a matter for the Senior Leadership Team or, exceptionally, for the School Governors to address.

Once the complaint has been received in writing, a record of the process of the resolution of the complaint will be kept on the Complaint Action Record (Appendix 1) which will be retained by the school.

In every case an initial response will be provided within 24 hours (except where this may carry into a weekend or holiday) and a final resolution of issues arrived at as soon as possible.

Stage 1:

The complaint will be heard by a member of the Senior Leadership Team who is neither the Headmaster nor the subject of the complaint. We aim to respond within 5 school days. The complainant then has 10 school days to reply to the stage 1 response and request that the complaint is escalated to a Stage 2 complaint if they are dissatisfied with the initial outcome.

Stage 2:

The complaint will be heard by the Headmaster (or another person appointed by the Headmaster) and will not involve any individual who has been involved in the previous stage of the complaint. STFS will acknowledge the complaint within 5 days. Depending on the nature of the complaint, the Headmaster may invite the complainant to a meeting to discuss their concern further and to obtain additional information. The written conclusion of the complaint will be sent to the complainant within 10 school days. Where this is not possible, the complainant will be informed of the reasons for this. If the complainant is not satisfied with the response and wishes to proceed to Stage 3, they should

inform the chair of governors in writing within 10 school days of receipt of the Stage 2 outcome. The complainant should not introduce any new complaint at this stage.

Stage 3:

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage and the complainant has informed the chair of Governors within the 10 school days of the receipt of the Stage 2 outcome.

STFS will acknowledge the complaint within 10 school days (and inform the complainant of the names of the Complaint Panel members. If the complainant objects to any of the named persons being appointed to the Complaint Panel, they should notify the Clerk to the Governing Body within 5 school days of receipt of the letter. Fair consideration will be given to any bona fide objection to a particular member of the Complaint Panel).

The panel will be appointed by or on behalf of STFS and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the school.

The panel will have access to the existing record of the complaint's progress. The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant and this will usually take place within 20 days of receipt of the complainant's request. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish. For the avoidance of doubt, the complainant's supporter will be present for moral support only and will not play any part in the proceedings, unless invited to do so by the Chair of the Complaint Panel, entirely at his/her own discretion. It is not appropriate for either the complainant or the school to be legally represented.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence. The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered. The Complaint panel will then convene in private immediately after or on a subsequent date and will consider all the documentation and everything heard at the Panel Hearing.

The panel must then put together its findings and recommendations from the case. It will decide which facts are established to be true, on a balance of probabilities. If a fact is not deemed relevant, the panel will not consider it further. The panel will send an outcome letter with a copy of the findings and recommendations to the complainant and, where relevant, the individual who is

the subject of the complaint and the school's representative. **The panel will inform those involved of the decision in writing within 20 school days of the meeting.**

Complaints against the Headmaster

Complaints made against the Headmaster should be directed to the Chair of Governors and will be investigated using the same process as stage 2 under the leadership of the Chair.

The complaint will be acknowledged within 5 school days. The Chair of Governors (or another person appointed by the Chair of Governors) will then conduct the investigation. **The written conclusion will be sent to the complainant within 10 school days.** All timescales will relate to stage 2 and stage 3.

Complaints against the Governing Body.

Where a complaint regards a governor or the governing body, the same process and timescales applies as for the Headmaster. Where the complaint concerns the Chair of Governors, the complainant should contact the clerk to the governors at the school.

Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

- Whether there was undue delay, or the school did not comply with its own complaints procedure
- Whether the school was in breach of its funding agreement with the secretary of state
- Whether the school has failed to comply with any other legal obligation

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

Records

Written records of all complaints will be kept.

This includes all documentation and a record of the stage of resolution of the complaint.

All correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

All such records will be classified and kept as 'confidential' except in so far as is required of the School by paragraph 6(2)(j) of the Regulation (Independent Schools Standard)(England) Regulations 2011; where the disclosure is required in the course of the School's inspection; or where any other legal obligation prevails.

A record of the number of complaints received each academic year will be available upon request in writing to the school.

It is the responsibility of the Headmaster to monitor, evaluate and review this procedure. The procedure will be reviewed at least every two years.

Appendices:

- ✓ Complaints Form
- ✓ Checklist
- ✓ Complaints Flow Diagram

Agreed by the Full Governing body

Signed by: Chair of Governors

Date

Signed by: Mr Neale Pledger; Headmaster

Date

Appendix 1 – Concern or Complaint Form

Please complete 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:	
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.	
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:	
Referred to:	
Date	

Appendix 2 - Checklist for a Panel Hearing

The panel needs to take the following points into account:

- ✓ The hearing is as informal as possible.
- ✓ Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- ✓ After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- ✓ The Headmaster may question both the complainant and the witnesses after each has spoken.
- ✓ The Headmaster is then invited to explain the school's actions and be followed by the school's witnesses.
- ✓ The complainant may question both the Headmaster and the witnesses after each has spoken.
- ✓ The panel may ask questions at any point.
- ✓ The complainant is then invited to sum up their complaint.
- ✓ The Headmaster is then invited to sum up the school's actions and response to the complaint.
- ✓ Both parties leave together while the panel decides on the issues.
- ✓ The chair explains that both parties will hear from the panel within a set time scale.

Annexe 3 – Flowchart for Complaints

