



## Complaints Procedure

Approved

February 2017

Review Date

February 2018



## OLD BUCKENHAM HIGH SCHOOL

### Procedure for handling concerns and complaints

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Staff and Governors at Old Buckenham High School want all our pupils to be healthy, happy and safe, and to achieve. We recognise that parents, guardians or carers play an important part in making this happen. Co-operation between parents, staff and Governors leads to a shared sense of purpose and a good atmosphere in the School.

Each level of the procedure set out below offers the opportunity for concerns and complaints to be resolved as quickly as possible.

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#### Level 1 - Informal

Parents, carers or guardians should, in the first instance, make an appointment to speak to their child's Form Tutor, Subject Teacher, Head of House or Curriculum Leader about the concern. It is best to resolve issues at this point.

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#### Level 2 - Informal

Parents, carers or guardians dissatisfied with the result of the discussions with the Form Tutor, Subject Teacher, House Leader or Curriculum Leader, should ask for an appointment to meet with a member of the Senior Leadership Team: the Headteacher, Deputy Headteacher or Assistant Headteacher.

If a resolution to the issue is proving difficult to find, the Headteacher, Deputy Headteacher or Assistant Headteacher may speak to a member of the Governing Body about the issue, who may be willing to offer informal intervention. However, there is no obligation on any Governor to become involved at this level.

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*It is intended that the majority of concerns/complaints can be resolved by this stage.*

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### Level 3 – formal complaint letter to the Headteacher

Issues which have not been resolved through the informal levels 1 and 2 may form the basis of an official complaint.

Parents, carers or guardians wishing to move to level 3 should write a formal letter to the Headteacher. The letter will need to set out clearly the issues which have previously been discussed and why the parent, carer or guardian considers the issue to be unresolved.

The Headteacher will consider the complaint and discuss a resolution with the complainant. The Headteacher should offer a resolution to the complainant in writing within 10 school days of receipt of the letter.

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### Concerns or complaints specifically about the Headteacher.

The decision that the Headteacher has made as a result of the complaint does not become a complaint about the Headteacher. If the complainant feels the complaint has not been resolved he/she should proceed to Level 4, a Governors' Complaints Panel.

If the concern or complaint is specifically about the Headteacher and is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Chair of Governors. The School will provide the Chair of Governor's name and the complainant should write to him or her at the School address marking the envelope 'urgent, private and confidential'. The Chair of Governors should acknowledge the complainant's letter in writing within 5 school days of receipt and contact a Governor Support Service Officer for advice.

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### Level 4 – formal complaint requesting a Governors' Complaints Panel.

Time Scales:

Receipt of complainant's letter	Acknowledgement within 5 school days
Receipt of complainant's letter	Governors' Panel meeting within 15 school days (unless this goes into school holidays).
Written documentation sent to Governors' Panel Members and complainant and Headteacher	5 school days before meeting.
Governors' Panel members decision communicated to all concerned	As soon as possible but within 10 school days of meeting.

Complainants wishing to move to level 4 of the formal complaints procedure will need to write a letter to the Chair of Governors to request that a Governors' Complaints Panel meets to hear the complaint. This formal complaint letter must be received within 10 school days of the last meeting with the Headteacher concerning the issue. The complainant should write to the Chair of Governors at the School address marking the envelope 'urgent and confidential'. The letter will need to set out the complaint that has previously been formally discussed with the Headteacher and show why the matter is not resolved.

### **Before the meeting:**

The Chair of Governors should appoint a clerk to the Governors' Complaints Panel, acknowledge the complainant's letter in writing within 5 school days of receipt and arrange for a panel of Governors to meet within 15 school days of receipt. It must be recognised that if the letter is received within 14 school days to the end of term it may not be possible to organise the Governors' panel meeting. In this case the matter should be dealt with within 10 school days of the School reopening.

The Headteacher should be given a copy of the complainant's letter and written documentation should be requested from the School. The clerk should send both the complainant's letter and the School documentation to the Governors' Complaints Panel members, complainant and Headteacher (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.

The complainant and Headteacher will be invited to attend the Governor's Complaints Panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.

### **At the meeting:**

The complainant and Headteacher (or his representative) should provide all the relevant information they wish and the Governors' Complaints Panel members should clarify any points. After the complainant and Headteacher (or his representative) have provided all the information they wish, the Chair will ask all parties to leave except the panel members and the clerk.

### **After the meeting:**

The Governors' Complaints Panel will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate. The decision of the Governor's Complaints Panel is final.

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Chapter 3, paragraph 14 of a Guide to the Law for School Governors states: under the Education Act 1996, paragraphs 496 and 497, anyone can complain to the Secretary of State for Education and Skills if he or she believes that a Governing Body is acting "unreasonably" or is failing to carry out its statutory duties properly. However, intervention can only occur if the Governing Body or the Local Authority has failed to carry out a legal duty or has acted "unreasonably" in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be

something that the Secretary of State for Education and Skills could instruct either party to do to put matters right.

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Once a Governor's Complaints Panel has heard a complaint and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the Chair of Governors should inform the complainant that the matter is closed.

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Any complaints concerning the conduct of school staff will be handled in accordance with the School's internal disciplinary procedures. The details of such an investigation will remain confidential.

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Some complaints regarding admissions, the curriculum or special educational needs are covered by statutory regulations. The Headteacher or Deputy Headteacher can give information about these issues or advice can be sought from the Customer Service Centre on 0344 800 8020 or e-mail: [information@norfolk.gov.uk](mailto:information@norfolk.gov.uk)

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### **Extended Schools**

The Governing Body should ensure that any third party provider offering activities and services through the extended schools programme has their own complaints procedure in place. Governors would need to have a discussion around, and make a decision about, what happens when the third party provider's complaints process is exhausted and the matter is not resolved and whether it should then be referred to a Governors' Complaints Panel. This would ensure that the Governors are kept aware of complaints about provision.

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### Flowchart of procedure for handling concerns and complaints:

