

Policy Title:	Compass Schools Southwark: Complaints Policy and Procedure
Policy Reference:	
Function:	For information and guidance and incorporating Compass School Southwark's vision and core values. It forms part of the portfolio of policies designed to keep students safe, happy and cared for.
Status:	Statutory
Audience:	All Students and staff
Ownership / Implementation:	Principal has overall responsibility for ensuring that this policy is implemented.
Implementation Date:	September 2013
Review period:	Triennial
Last Reviewed:	March 2019

General Principles

Complaints Coordinator: David Collins (Vice Principal)

Dealing with Complaints – Initial concerns

- a) Compass School Southwark is clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.
- b) The underlying principle is that concerns will be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the externally provided service (in the case of enrichment or sports provision), will receive the first approach. It is helpful if staff are able to resolve issues on the spot, including apologising where necessary.

Safeguarding

If you believe a child is at risk for any reason please contact the designated person for Child Protection through our main switchboard: **David Collins** (Vice Principal)

Complaints Procedure

All complaints are treated seriously and the Trust aims to deal with any concerns within as short a timescale as possible. To facilitate this, a senior member of staff is responsible for coordinating the recording and outcome of complaints. All written complaints will be logged by the first recipient and original documentation passed to the complaints coordinator. Where possible, the Trust will try to resolve the complaint informally in the first instance

Where the complainant wishes to pursue the complaint, they will complete the Complaint Form annexed to this policy if they have not previously done so. The complaint will then be handled according to the stages outlined below. The Trust will acknowledge receipt of all complaints as soon as reasonably practicable but not more than 5 working days from the date of receipt. The Trust will look into the complaint and respond within 15 working days from the date of acknowledgement.

A complainant may be dissatisfied with the way their complaint was handled. In this case, the complainant will write to the Complaints Coordinator outlining the reasons for their dissatisfaction, which may include the following:

- The decision made by the investigator was biased
- The investigator overlooked critical evidence
- New evidence has come to light
- The decision was unreasonable in the light of the evidence presented
- Other

Procedure

The following procedure will guide the Trust's response to complaints. However due to the uniqueness of each complaint, it might not always be possible to keep within stated timeframes. In such cases the Trust will inform the complainant that this is the case.

Stage One: Referral to line manager

All complaints shall be directed to the Complaints Coordinator (the Coordinator) who will acknowledge receipt within 5 working days from the date of receipt. The Coordinator shall refer the complaint to the line manager of the member of staff concerned for investigation. The line manager shall report back to the coordinator on the outcome within 5 working days. The coordinator shall log the outcome and respond to the complainant as soon as reasonably practicable but not later than 15 working days from the date of the letter acknowledging receipt of the complaint.

If a complainant indicates that he/she would have difficulty discussing a complaint with a particular member of staff, the Co-ordinator will refer the complaint to another staff member who will handle the complaint in an objective and impartial manner. Where a complaint is made to a governor including the Chair, the governor shall refer the complaint to the co-ordinator, who will advise and process the complaint in line with procedure.

If the complaint concerns the Coordinator, the Coordinator will vacate the role pending the outcome of the investigation. Complaints concerning the Principal will be referred to the Chair of Governors who might consider informal resolution in the first instance or setting up a governing body hearing (Stage Four).

Governors, other than the Chair, who may be consulted on procedural matters, must not become involved in the early stages of a complaint as they sit on the Governors' appeals panels at a later stage of the procedure.

Stage Two: Complaint Heard by the Complaints Coordinator or another member of the School Leadership Team (SLT)

The Coordinator or SLT investigator may review the evidence gathered through the initial investigation and/or conduct further investigations and make a decision for action based on this. Any complaint dealt with in this way should be recorded and passed to the Principal for information purposes.

If at this point, the complainant is not satisfied with the way the complaint was handled at stage two the complaint may move to stage three.

The coordinator shall respond to the complainant as soon as reasonably practicable but not later than 10 working days from the date of the letter acknowledging receipt of the complaint.

Stage Three: Complaint heard by Principal

At this stage all information collected during the investigation is passed to the Principal. A decision on the action to be taken is then made only by the Principal with the outcome formally recorded for the Trust and complainant.

If at this point, the complainant is still not satisfied with the way the complaint was handled at stage three the complaint may move to stage four.

The coordinator shall respond to the complainant as soon as reasonably practicable but not later than 5 working days from the date of the letter acknowledging receipt of the complaint.

Stage Four: Complaint Heard by Governing Body

Following stage three, **or** if the complaint is about the principal, the complainant shall write to the Chair of Governors using the form annexed to this policy.

The Chair, (or his/her nominee), will convene a panel of 3 or 5 persons to hear the complaint. The panel will not include parties who were previously directly involved in the matters detailed in the complaint. The panel will include one member who is independent of the management and running of the trust. A clerk will record proceedings and communicate the decision of the panel to the complainant within 5 working days of the hearing. The decision of the panel is final. The panel may also appoint an independent external adviser if required by the Chair.

Where a complaint about the principal is not resolved informally or it is considered appropriate to remove the informal stage, the Chair might require an internal or external investigation to inform the hearing.

Following the outcome of Stage Four

If having exhausted all stages of this procedure, the complainant is not satisfied the complaint has been handled properly, they may contact the DfE via the school's complaints form <https://www.gov.uk/contact-dfe>.

Governing Body Hearing

At this stage the Chair will nominate a panel of three or five persons with delegated powers to the panel to hear the complaint. The clerk will send an invitation to the complainant (who has the right to be accompanied to the panel hearing by a friend or relative if they wish) to attend the hearing.

The panel might:

- 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 to prevent any future occurrence of the subject matter of the complaint

Restrictions

No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it or if any issue of conflict may arise. In deciding the make-up of the panel, the Chair must demonstrate/show due sensitivity to the principles of equality such as race, gender, sexual orientation, ethnicity and religious affiliation. The panel must include one member who is independent of the trust's leadership.

The proceedings of the panel will be confidential. The hearing will aim to promote resolution and reconciliation between the parties.

The panel will acknowledge that many complainants feel nervous and inhibited in a formal setting, so the meeting room is as welcoming as possible. Care is needed to ensure the setting is not adversarial. Both parties have a right to be accompanied and/or represented at the hearing.

Due care must be taken where the complainant is a child/young person or a vulnerable person (such as a person who is mentally or physically challenged). Careful consideration of the atmosphere and proceedings should be given to ensure that the child/young

person does not feel intimidated. A person must be excluded from the panel hearing if their presence is causing or likely to cause distress to the complainant. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent/guardian is the complainant, it would be helpful to give the parent/guardian the opportunity to state which parts of the hearing, if any, the child/young person needs to attend. The governors sitting on the panel need to familiarise themselves with the complaints procedure.

Roles and Responsibilities

The Role of the Clerk

The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- ensure all parties are aware of procedures and their rights and responsibilities
- ascertain whether interpreters are required
- collate any written material and send it to the parties in advance of the hearing
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings
- notify all parties of the panel's decision within 5 working days of the date of the hearing

The Role of the Chair of the Governing Body or the Nominated Governor

The nominated governor role:

- check that the correct procedure has been followed
- if a hearing is appropriate, notify the clerk to arrange the panel

The Role of the Chair of the Panel

- The Chair of the Panel has a key role, ensuring that:
- there is emphasis on confidentiality of the proceedings and parties are also informed at the hearing
- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption
- the issues are addressed
- key findings of fact are made
- parents and others who may not be used to speaking at such a hearing are put at ease
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- the panel is open minded and acting independently
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- each side is given the opportunity to state their case and ask questions
- all related written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it

Notification of the Panel's Decision

The Chair of the panel needs to ensure that the complainant and person complained about is notified of the panel's decision, in writing, this is usually within 5 working days

from the date of the hearing. A copy of the panel's findings and recommendations will be made available for inspection on the school premises by the proprietor and the headteacher.

Checklist for a Panel Hearing

The panel needs to take the following points into account:

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 Principal may question both the complainant and the witnesses after each has spoken	
The Principal is then invited to explain the school's actions and be followed by the school's witnesses	
The complainant may question both the Principal 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 Principal 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	

Monitoring Complaints

- a) The school will keep a written record of all complaints and whether they are resolved following a formal procedure or proceed to a panel hearing. A record will also be kept of the actions taken by the school as a result.
- b) The Governing Body should monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Complaints information shared with the full governing body will not name individuals.
- c) As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to the School Improvement Plan. When individual complaints are heard, the school may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the Governing Body can be a useful tool in evaluating the school's performance, as part of the annual Self Evaluation (SEF).

Publicising the Procedure

There is a legal requirement for the Complaints Procedure to be publicised. The Compass School Southwark Complaints Procedure will appear on the school website.

**Flowchart
Summary of Dealing with Complaints**

Stage 1

Complaint received by Complaints Coordinator
 Acknowledge receipt of complaint
 Contact made with complainant to resolve the matter initially
 Refer to Appropriate Line Manager / staff member or conduct investigation
 Write to complainant with outcome of investigation
 Complaints about Principal referred to Chairman of Board for response

Issue resolved

Issue not resolved

Stage 2

Complaint heard by Complaints Coordinator

Issue resolved

Issue not resolved

Stage 3

Complaint heard by Principal
 Acknowledge receipt of complaint
 Write to complainant and person complained about with outcome of investigation
 Ensure complaints co-ordinator informed of outcome

Issue Resolved

Issue not resolved

Governor Hearing

Stage 4

Issue letter inviting complainant to meeting
 Issue letter confirming panel decision to the complainant and person complained about
 Ensure complaints co-ordinator informed of outcome
 A copy of the outcome and recommendations is made available for inspection on the school premises.

Formal Complaints Form

Please complete and return to the **Principal** who will acknowledge receipt and explain what action will be taken.

NAME			
STUDENT		Relationship to student	
ADDRESS			
POSTCODE			
CONTACT NUMBER			
Details of complaint:			
What action, if any, have you already taken to try and resolve your complaint. (Who 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? If so, please give details.			
SIGNATURE:		DATE:	

OFFICIAL USE:			
Date complaint received:		By who:	
Date acknowledgement sent:		By who:	
Date review initiated:		By who:	
Date complaint resolved:		By who:	
Additional notes			