



# COMPLAINTS POLICY

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Policy Adopted on:- 05.02.18

Approved by:- Full Trustees Committee

Date of Review:- 05.02.20

Responsible Person:-

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## **Aim**

The aim of this policy and accompanying procedure is to achieve a fair, effective and speedy resolution of parental/carer concerns about the education and/or the welfare of individual pupils in the care of the school.

## **Availability of the Complaints Policy and Procedure**

This policy and procedure is available on request to pupils, parents/carers and prospective pupils of the school. While pupils may, themselves, raise concerns and complaints under this policy and procedure, the school will involve parents/carers should this occur. Copies of the Complaints Policy are available from:-

SEVA School  
Link House, Eden Road  
Walsgrave Triangle  
Coventry  
CV2 2TB

A copy of this Complaints Policy is also available from the school reception and/or on the website.

## **Outline**

This policy and procedure is for the benefit of pupils and parents/carers of pupils at the school. This policy and procedure will be relied upon for all complaints by parents/carers and pupils made against the school except with regard to:-

- a. **Child Protection allegations** where a separate policy and procedure applies; and
- b. **Exclusions** where a separate policy and procedure applies; and
- c. **Appeals relating to internal assessment decisions for external qualifications** where a separate appeals procedure applies.

The school expects that most concerns can be resolved informally and will use its best endeavours to resolve any complaints that are made informally or any concerns that are raised on that basis.

If informal procedures fail to resolve the issue, a formal complaint about any matter not involving child protection allegations, internal assessment decisions or a decision to exclude a pupil, must be given verbally or in writing to the Head Teacher and will be dealt with under this Complaints Policy and Procedure.

Every complaint shall receive fair and proper consideration and a timely response. The school will do all it can to resolve all concerns, to ensure parents/carers are happy with the education that their children receive at this school.

Parents/carers can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and confidentially.

Correspondence, statements and records will remain confidential, unless a disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.

## **Complaints Procedure**

The school's complaints procedure will:-

- Encourage resolution of problems by informal means wherever possible
- Be easy to obtain and clearly publicised
- Be simple to understand and use
- Be impartial
- Be non-adversarial
- Allow swift handling with clear time limits for action and keeping people informed of the progress
- Ensure a full and fair investigation by an independent person where necessary
- Respect people's desire for confidentiality
- Address all the points at issue and provide an effective response and appropriate redress, where necessary
- Provide information to the school's Governing Body and Head Teacher so that services can be improved.

The school will be clear about the difference between a concern and a complaint. We will take concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

## **Stages in our Complaints Policy**

### **A. Stage One**

1. It is hoped that most concerns and complaints will be resolved quickly and informally.
2. The main contact person between parents/carers and the school will always be your child's class teacher. All school systems will work through class teachers to provide a clear and constant link with families. In most cases, the matter should be resolved quickly by this means. If the class teacher cannot resolve the matter satisfactorily, it may be necessary for him/her to consult other school staff.
3. Complaints made directly to the Head Teacher will usually be referred immediately to the class teacher, unless the Head Teacher deems it appropriate to deal with the matter personally.
4. The class teacher will make a written record of all concerns and complaints and the date on which they were received (see Annex A). The class teacher will inform other relevant colleagues on the day of receiving any concern or complaint, to quickly resolve the issue presented. These records will be kept for one (1) year after the pupil leaves the school.
5. The school will use its reasonable endeavours to resolve any informal complaints within ten (10) working days of them being raised, except where they are raised internally. The school will seek to resolve internal complaints as quickly as possible, but will not be bound by the ten day response protocol for external (parental/carer) complaints.

6. Should the matter not be resolved as referred to in paragraph 5 above, or in the event that the class teacher and the parents/carers fail to reach a satisfactory resolution, then parents/carers will be advised to proceed with their complaint in accordance with Stage Two of this procedure.

**B. Stage Two – Formal Resolution**

1. If the complaint cannot be resolved on an informal basis (as set out in paragraphs 5 and 6 above), then parents/carers should put their complaint in writing to the Head Teacher. Parents/carers should also identify how they wish their complaint to be resolved.
2. The Head Teacher will normally delegate responsibility for undertaking an investigation of the complaint unless he/she deems it appropriate for him/her to deal with the matter personally.
3. The Head Teacher will decide, after considering the complaint, the appropriate course of action to take.
4. In most cases, the Head Teacher will meet or speak with the parents/carers concerned to discuss the matter. If possible, a resolution will be reached at this stage.
5. The Head Teacher will use their responsible endeavours to speak to or meet parents/carers within ten (10) working days of the formal complaint being received, except where the complaint is received in school holidays. Where the appeal is received by the school during a holiday, the school has ten (10) working days upon commencement of the school term to speak to or meet parents/carers.
6. It may be necessary for the Deputy/Head Teacher to carry out further investigations.
7. The Head Teacher will keep a written record of all meetings and interviews held in relation to the complaint.
8. Once the Head Teacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents/carers will be informed of this decision in writing, giving reasons for the decision. The written decision should be provided no later than ten (10) working days after speaking or meeting with parents to discuss the matter (see paragraph 4 above). The Head Teacher may also arrange to meet with parents to explain the decision.
9. The school will keep a confidential written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and the school's decision, which records will be kept for one (1) year after the pupil leaves the school. This record will state if complaints were resolved at the preliminary hearing or if they were taken to appeal.

10. Where parents/carers are dissatisfied with the outcome of the school's response to their formal complaint, the parents/carers have the opportunity to have their complaint considered by a Hearings Committee (organised by the Governing Body).

**C. Stage Three – Complaints Appeals Panel Hearing**

1. If parents/carers seek to invoke Stage Three following failure to reach an earlier resolution and where dissatisfied with the Head Teacher's decision in respect of their formal complaint, the parents/carers may request in writing addressed to the Head Teacher, that their complaint be further considered by a Hearings Committee set up for this purpose.
2. This request for further assessment of the complaint will, for the purposes of this procedure, be known as 'an appeal'.
3. Parents/carers must lodge their appeal in writing and within ten (10) working days of the date of the school's decision made in accordance with the Stage Two Procedure. Parents/carers should provide details of their complaint(s) made against the school and the reasons why they believe the complaint(s) have been unresolved by the Stage Two Procedure, along with the solutions suggested to resolve the complaint.
4. The Appeals Panel is only obliged to consider the complaint(s) lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.
5. Where an appeal is received by the Head Teacher, the school will, within five (5) working days, refer the matter to the Clerk to the Governing Body who will act as Clerk to the Hearings Committee. Where the appeal is received by the school during a holiday, the school has five (5) working days upon commencement of the school term to refer the matter to the Clerk.
6. The Clerk provides an independent source of advice on procedure for all parties.
7. Once an appeal has been received by the Clerk, he/she will acknowledge the appeal in writing within five (5) working days, and inform the parents of the steps involved in this Complaints Procedure.
8. The Clerk will then endeavour to convene a Hearings Committee hearing as soon as possible to consider the matter, normally no later than twenty (20) school days after receipt by the school of parents'/carers' letter that they wish to invoke the Stage Three Procedure, dependent upon the availability of the panel members.
9. The Hearings Committee will consist of two Governors who have not previously been involved in the complaint, and one person independent of the management and running of the school. The process used for selecting an independent person will conform to relevant guidance issued by the Department for Children Schools and Families (DCSF) (now Department for Education, DfE).

10. The following are entitled to attend a hearing, submit written representations and address the panel:-

- (a) The parent(s)/carer(s) and/or one representative
- (b) The Head Teacher and/or one representative
- (c) Any other interested person whom the Hearings Committee considers to have a reasonable and just interest in the appeal and whose contribution would assist the panel in their decision-making.

Legal representation will not normally be appropriate.

11. Where the Hearings Committee deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases, all parties will be given the opportunity to submit written evidence to the panel in support of their position, including:-

- (a) Documents in support of complaint(s)
- (b) Times and key dates relating to complaint(s), and
- (c) A written submission setting out the complaint(s) in more detail

This evidence will be considered by the panel, along with the initial submission that was lodged by the parents/carers.

12. Evidence will be initially sent to the Clerk, who will then circulate the documentation to all parties, including the panel members, along with an order of proceedings. All written evidence must be received by the Clerk no later than ten (10) working days in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than five (5) working days in advance of the panel hearing.

13. It is for the panel to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the panel will resolve the parents'/carers' complaint immediately without the need for further investigation. Where further investigation is required, the panel will decide how it should be carried out.

14. After due consideration of all the facts they consider relevant, the panel will reach a decision and may make recommendations which it shall complete within ten (10) working days of the hearing. The decision reached by the Hearings Committee is final. Any decision reached that may have financial implications for the school will need the appropriate approval from the relevant authorities e.g. Local Governing Body, although any such approval must be compatible with the decision of the Hearings Committee.

15. The panel's findings will be sent by the Clerk in writing or via email (in consultation with parents/carers) to the parents/carers, the Local Governing Body, the Sevak Education Trust and, where relevant, the person complained about. The letter will state any reasons for the decision reached and recommendations made by the Hearings Committee.

16. The school will keep a secure record of all appeals, decisions and recommendations of the Hearings Committee, which record will be kept for one (1) year after the pupil leaves the school.

### **Monitoring and Review**

The Head Teacher will review this policy annually and assess its implementation and effectiveness. A report will be provided to the Local Governing Body. The policy will be promoted and implemented throughout the school.

### **End of Statement**

## Appendix 1 – Seva School Complaint Form

Please complete and return to the complaints co-ordinator who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Daytime 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. (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 acknowledgement sent:

By who:

Complaint referred to:

Date:



