



# Complaints Procedure

A handwritten signature in black ink, appearing to read 'Parneet Kang'.

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Parneet Kang  
Principal

A handwritten signature in black ink, appearing to read 'William Holland'.

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William Holland  
Chair of Trustees

Written: September 2019  
Review Date: September 2020  
Reviewed: 2<sup>nd</sup> September 2020

The Emscote school, aims to provide a high-quality educational experience for every student, which not only provides good teaching, leading to good examination results, but also a well-rounded school-like experience with emphasis on personal development.

We also recognise that, occasionally things can go wrong and parents or members of the public may need to make a complaint or raise concerns. All complaints received will be recorded formally by the appropriate person within the school.

***It should be noted that the school does not normally consider complaints made more than one year after the incident or situation.***

***If a complaint is made about an issue that is over a year old the school will write to the complainant explaining.***

### **Complaints from people who are not parents of students at The Emscote school (i.e. members of the public)**

The Principal will respond to complaints from members of the public within 8 working days of receipt.

These complaints should be addressed in writing to the Principal. If the complainant is not satisfied by the response, which may be in writing directly, or may involve a meeting with the complainant before a written response, the complainant may refer it to the Chair of Trustees.

### **Complaints from parents; –**

#### **Stage One: The First Contact: Guidelines for dealing with concerns and complaints informally.**

There is an expectation that every effort will have been made to resolve a concern/complaint informally before escalation to Stage 2 can be considered.

If anyone has a concern/complaint it may be registered either verbally or in writing. If the member of staff first contacted cannot immediately deal with the matter, they will make a clear note of the date, name, contact address, phone number and brief details of the concern/complaint. It is good practice to agree the written note of the complaint with the complainant.

This information will be passed to the an appointed “Complaints Co-Ordinator” at the earliest opportunity.

An appropriate “Complaints Co-Ordinator” is aware of the situation but is not directly involved. They must also be able to see the case through until the matter has been resolved.

An opportunity will be given to the complainant to discuss the concern/complaint with an appropriate member of staff, who will clarify the nature of the concern/complaint and the outcome required. This is to avoid unnecessary confusion, and continuity for the compliant.

The “Complaints Co-ordinator” will identify the appropriate procedure and conduct the investigation. The Co-ordinator will communicate verbally with the complainant to ensure they are clear about what action or monitoring of the situation has been decided on, only putting this in writing if this seems the best way to make things clear.

### **Stage Two: Formal Referral to the Principal**

If the complaint is about the Principal, or the Principal, has been so involved as not to be impartial, the complaint must be put in writing and addressed to the Vice Principal, and sent to the school address.

Otherwise:

The complaint should be submitted in writing to the Principal, (A complaint form may be used – **Appendix One**).

Where the Principal, has acted as Complaint Co-ordinator at Stage One, another senior member of staff may be designated to collect some of the information from the parties involved, or another senior member of staff may be nominated to be the Investigator.

The complaint will be acknowledged in writing within **five school days**, giving the name of the person who will conduct the investigation and a target date for providing a response, usually within **10 school days**.

The investigator may ask the complainant to meet with them to give extra information or to explain any information provided previously.

Once all the relevant facts have been established, the Principal, or designate will provide a written response.

The written response will include:

- a full explanation of the decision reached and the reasons for it.
- where applicable, what action the school will take to address the complaint and prevent recurrence.
- information on how and the timescale to request a review by the Chairman of the Trustees, if not satisfied with the outcome.

### **Stage 3: (Formal Stage involving the Chair of the Trustees)**

A request to review a complaint investigation should be made in writing to the Chair of the Local Governing Body within 20 school days of the date of the outcome letter and should give the reasons for requesting a review.

For example:

- a claim that material information was not taken into account in investigating the complaint
- a claim that procedures have not been properly applied in handling the complaint
- a claim that there has been an incorrect interpretation of school policy

As much detail as possible should be provided. If insufficient detail is given this may result in a delay, or a request being made for further clarification.

The Chair will then nominate three members to form a Complaint Panel to review the complaint and any further documents submitted by the complainant. These must be trustees who have had no prior involvement with the complaint. The Panel will also include a third party who is independent of the management and running of the school. The Complaint Panel will review the complaint and any further documents submitted by the complainant. The members of the Panel must be individuals who have had no prior involvement with the complaint.

The Clerk will convene the Complaints Panel hearing within 20 school days of receipt of the review request and at the same time provide panel members with copies of all relevant correspondence and documentation.

The Complaints Panel can set time limits for both sides to present their case and for the length of the hearing overall. These will be communicated to everyone involved by the Clerk.

The complainant, the Principal, and other witnesses will be given a minimum of **5 school days'** notice of the hearing. The complainant will be advised of their right to bring a friend, or to be represented by someone of their choice.

**The Outcome of a Review may include:**

- upholding the result of the original investigation.
- upholding the result of the original investigation but making recommendations for improving practices.
- finding the complaint was justified and overturning the original decision.

The Chair of the Panel will notify the complainant in writing of the outcome of the review and of any action to be taken, within 7 school days after concluding the review:

- a copy will be provided to the complainant and, where relevant, the person complained about;
- the findings and recommendations of the panel will be available for inspection on school premises by the principal

The Chair will ensure that any required action is put in place.

The school will:

- maintain a written record of all complaints made, along with details of whether they were resolved following a formal procedure, or progression to a panel hearing;
- the school will record the action it takes as a result of complaints (regardless of whether they are upheld);
- correspondence, statements and records relating to individual complaints will 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.

- Keep records of complaints for 5 years securely, whether they were resolved or not or what stage they were at. The written record will include any action taken by the school as a result of the complaint regardless of whether they are upheld.

**Further Action:**

The Decision of the trustees is final. The trustee will not consider any subsequent complaint that is materially the same as a complaint that has already been considered at stage 3, nor will it enter into any further correspondence with a complaint in these circumstances save to bring to their attention the right to complain to the Education Skills Funding Agency (ESFA), or OfSTED who will consider the complaint according to their own procedures.

## **Appendix 1**

Title		
First Name		
Surname		
Address		
Telephone	(Day)	Evening
<i>(If a complaint relates to the pupil, please give: )</i>		
Pupils Name		
Relationship to the pupil		
Please give details of your complaint:		
What actions, if any, have you taken to try and resolve your complaint? <i>(Who did you speak to and what was their response?)</i>		
What would you like us to do to make improvements or put things right?		
Are you attaching any paperwork? <i>(If so, please write details below; )</i>		
Signature		
Date		