



# Complaints Policy and Procedures November 2019

<b>Who needs to read this:</b>	<del>All stakeholders</del> Parents and carers, students and external stakeholders. Governors and staff should have an awareness of the procedures outlined in this document.
<b>Review cycle:</b>	Annually
<b>Next review date:</b>	November 2020
<b>Current status:</b>	Draft / Being Reviewed /Sent to ECM / <b>Approved by ECM</b>
<b>The person responsible for this policy is:</b>	The Principal
<b>The committee responsible for this policy is:</b>	Every Child Matters Committee

## Executive Summary

This policy document contains information on how to make a complaint both internally at MHS&C and externally to the DfE and Ofsted (see page 6)

The policy is in in 3 parts.

- Part A is for Parent/ carers, (pages 2- 5)
- Part B is for students (page 5)
- Part C is for External stakeholders (page 6)

Staff members should follow the Grievance Procedure if they wish to make a complaint.

## Part A – Complaint procedure for Parents

Moor House has long prided itself on the quality of the teaching and pastoral care provided to its students. However, if parents do have a complaint, they can expect it to be treated by the School and College in accordance with this procedure.

### *The Staged Approach*

The staged approach is designed to ensure that every effort is made to deal with complaints informally at school and college level, in partnership with parents. It is hoped that most complaints and concerns will be resolved quickly and informally. The formal stages should only be necessary in exceptional circumstances.

This policy is designed to manage all complaints. Complaints vary in their nature and complexity. Therefore the school and college will need to consider at which stage a complaint should be dealt with when it is initially raised and which member of staff is best placed to deal with it.

Our principle aim is to deal with complaints:

- Openly
- Fairly
- Promptly
- Without prejudice

Our procedures for dealing with complaints will:

- Be publicised in the School Prospectus and on the School Website
- Be simple to understand and use
- Be focused on outcomes
- Have established time limits for action
- Keep people informed at all stages
- Where necessary, respect people's desire for confidentiality
- Be carefully monitored and evaluated.

### ***An Overview***

Stage 1 - Informal resolution by Class Tutor

Stage 2– Informal resolution by Head of Department

Stage 3 – Formal resolution by the Principal

Stage 4 – Panel hearing with Trustees

Ofsted will be informed of very serious complaints or representations and the outcome, by the Principal

### ***Guidance on the Staged Approach to Managing General Complaints***

Complaints about exclusion appeals, whistleblowing, staff grievances and staff disciplinary procedures fall outside the scope of this complaints policy but will be considered under other MHS&C policies and procedures.

Complaints against the Chair of Governors or any individual governor should be made by writing to the Bursar and Business Manager.

#### **Stage One - Informal:**

Parents who have a complaint should normally meet and/or speak to the relevant Class Tutor

- Complainants are advised to speak to the class tutor concerned so that everyone has a clear picture of the situation from all points of view. Most problems can be resolved at this informal stage.
- Complainants would only speak to the class tutor if that member of staff was not the subject of the complaint. In this case the complainant would need to speak to the relevant Head of Department.
- The member of staff who is dealing with the complaint should ensure that the person is reassured that the matter will be investigated and is clear what action has been agreed. All staff should be aware of the need for confidentiality.
- If the class tutor cannot resolve the matter alone it may be necessary for him/her to consult the relevant Head of Department.
- Written records of all complaints and the date on which they were received will be kept.
- The response to the complaint will be communicated to the complainant within 5 school days of receipt thereof and a written record kept.

#### **Stage Two – Informal**

Meet and/or speak to the relevant Head of Department

- If the concern is more serious and/or the complainant is dissatisfied with the outcome, or there are concerns that remain unresolved, this should be referred to the relevant Head of Department. He/she will then investigate the matter further. Any meetings that are held with the complainant in relation to the complaint should be arranged within ten school days.
- Complainants would only speak to the Head of Department if that member of staff was not the subject of the complaint. In this case the complainant would need to speak to the Principal or Assistant Head Teacher.
- Written records of all complaints and the date on which they were received will be kept.
- The Head of Department should communicate the outcome to the complainant in writing within 5 school days. The agreed actions should be put in writing. Additionally a written record of the outcome and actions will be kept.
- If, as a result of the investigation, issues arise relating to staff discipline or capability, details should remain confidential to the Head of Department and the Principal. The complainant should be informed that the school will investigate the matter further and take such action as is necessary in accordance with employment law.

### **Stage Three – Formal resolution:**

Meet and/or speak to the Principal.

More serious complaints or those that remain unresolved on an informal basis should be referred in writing to the Principal. He/she will then investigate the matter further. Meetings that are held with the complainant in relation to the complaint should be arranged within ten school days.

- Complainants would only speak to the Principal if that member of staff was not the subject of the complaint. In this case they would need to speak to the Chair of Governors who would call a meeting of the Complaints Panel.
- A written record of all contact relating to the complaint will be kept.
- The Principal should communicate the outcome to the complainant either verbally or in writing and will give reasons for his/her decisions within 5 school days. The agreed actions should be put in writing.
- If, as a result of the investigation, issues arise relating to staff discipline or capability, details should remain confidential to the Principal. However, the complainant should be informed that the school has or will take appropriate follow-up action in accordance with employment law.

### **Stage Four – Panel Hearing:**

If parents seek to invoke Stage Three (following a failure to reach an earlier resolution) they will be referred to the Chair of Governors who will instruct the Clerk to the Governors, to call a hearing of the Complaints Panel.

The Principal may refer matters to the Complaints Panel, through the Chair of Governors.

If the complaint is about the Principal, the complainant should refer the matter to the Chair of Governors.

If a complainant has ignored the informal stages and referred a matter immediately to Stage Four, the Chair of Governors may decide initially to revert to Stage Three and ask the Principal or a senior member of staff to investigate.

The Complaints Panel will consist of three people who have not been directly involved in the matters detailed in the complaint. Two of the panel will be Trustees and one shall be independent of the management and running of the School.

- The Complaints Panel will only proceed with the Complaints Procedure if they have received a complaint in writing addressed to the Chair of the Complaints Panel, sent c/o The Bursar. However, it is important that this does not disadvantage people who may experience difficulty with putting their complaint in writing.
- The Bursar will send a copy of the acknowledgement of the complainant's written complaint to the Chair of Trustees and to the Chair of the Complaints panel within five school days.
- It is essential that this process is fair and objective. To avoid a conflict of interest, it is vital that the full Board of Trustees does not hear the complaint at this stage. Any Trustee who has been involved with the complaint at an earlier stage would be unable to give objective consideration to the issue.
- The Bursar will convene the Complaints Panel within 15 school days of receiving the complaint.
- If the complaint relates to a staff disciplinary or capability matter about which the Principal has already taken action, the Trustees should focus on how the original complaint was managed to avoid prejudicing any on-going disciplinary or capability procedures.

- The Principal and complainant should be informed of the Panel's decision within ten school days.
- If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than three days prior to the hearing
- If possible the Panel will resolve the parents' complaint immediately without the need for further investigation.
- Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within 10 school days of the hearing.
- The Panel will write to the parents informing them of its decision and the reasons for it.
- The decision of the Panel will be final.
- The Panel's findings and, if any, recommendations will be sent in writing to the parents, the Principal, the Governors and Trustees and, where relevant, the person about whom the complaint was made.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records relating to the individual complaints will be kept confidential except to the extent where disclosure is required in the course of the school's inspection or under other legal authority.

There will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. It is a poor use of schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of Governors can inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts Moor House again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond. However, Moor House will not mark a complaint as 'serial' before the complainant has completed the procedure.

### **Part B – Complaint procedure for Students**

Students are able to make a complaint to any member of staff.

The ways in which a student can make a complaint or raise a concern are explained to them at the beginning of each academic year in an assembly. They are provided with a leaflet explaining the process and this is discussed in tutor time. In one of the first SLT sessions of the year, the student is asked to identify a member of staff that they could talk to if they were concerned about something. The answers are recorded centrally. This question is also asked when the student gives their view as part of the Annual Review process. It is often difficult for students to differentiate between a complaint and a concern, however both are taken seriously and will be investigated and acted upon. Any allegation against a member of staff will be reported to the LADO.

There are a variety of systems for this as follows

Complaint or Concern Box,  
Leaflets for children,  
Dear Aunty/ Uncle emails,  
Email/ telephone number of independent visitor,  
Child line numbers,  
Telephone numbers of Children's Commissioner.  
Discussions with Key Worker/ member of the class team  
Via School Council / MHC Forum  
Res Sez- MHS Residential students only  
16Up – MHC Residential students only

### **Part C – Complaint procedure for External Stakeholders**

Any external stakeholder is able to make a complaint. They must do so in writing and address it to the Principal. Their complaint will be acknowledged and the stakeholder will be informed as to when they will receive a full response within 5 School days of the complaint being received.

#### **Monitoring of complaints**

Governors will monitor all student complaints and all other complaints that meet the threshold for formal resolution. This will be done through the Every Child Matters committee on a half termly basis..

#### **Complaints to the Department for Education (DfE)**

A complaint can be made to the DfE if the complaints procedure as laid out in this policy has been completed.

The contact details are as follows:

Ministerial and Public Communications Division  
Department for Education  
Piccadilly Gate  
Store Street  
Manchester M1 2WD

Contact form: <https://www.education...>  
Telephone 0370 000 2288

#### **Complaints to Ofsted**

Any stakeholder may make a complaint to Ofsted at any stage.

Royal Exchange Buildings,  
St Ann's Square,  
Manchester,  
M2 7LA,  
Telephone: 03001234666  
[enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)