

# The Charter School Matters of Concern and Complaints Policy



## Aim of the School

The aim of The Charter School is to provide an excellent education in a safe, supportive learning environment, where people are valued and make positive contributions to the school community, and where pupils go on to become responsible, independent members of society.

We recognise the need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage reduces the numbers that develop into formal complaints.

We aim to ensure that concerns are handled, if at all possible, without the need for formal procedures. Our formal complaints procedure is only necessary if efforts to resolve the concern informally are unsuccessful. In most cases a class teacher or an individual delivering the service, will receive the first approach. Our staff development process includes training to help staff resolve issues on the spot, including apologising where necessary.

### Guidance to timescale

The main aim at all stages of these guidelines will be to secure that the complaint is fully considered and is resolved to the satisfaction of the complainant or that a clear decision is issued which will enable the complainant, the Headteacher and Governing Body to consider how, if at all, the matter should be taken further.

The timescale for dealing with individual complaints will differ according to the complexity of the issue concerned. The aim of these guidelines is to ensure that all complaints will be considered fully, fairly and carefully, and that complainants will be kept informed. It is reasonable that persons seeking to resolve matters of concern to them, unless there is good reason not to do so, should receive an acknowledgement/response within five working days of making initial contact.

### Investigating Complaints

It is suggested that at each stage, the person investigating the complaint makes sure that they:

- establish what has happened so far, and who has been involved;
- clarify the nature of the complaint and what remains unresolved;
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- conduct the interview with an open mind and be prepared to persist in the questioning;
- keep notes of the interview.

## **Resolving Complaints**

At each stage in the procedure the school will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to recommend to the governing body to review the schools policies in light of the complaint.

The school will encourage complainants to state what actions they feel might resolve the problem at any stage. Our **Matters of Concern** form is a supporting form for both the complainant and the school.

## **Preliminary Stage**

Complaints are not always easy to define. It is therefore important to keep in mind the distinction between matters of concern and complaints. They often arise from the consequences or perceived consequences of resource allocation, operational difficulties, working practices or individual action. It is not intended that the guidelines suggested in this document should replace the normal discussion which takes place on day to day problems and concerns as they arise. It is only where the complainants remain dissatisfied with the outcome of such discussion that further steps may need to be taken.

## **Informal Resolution**

At the first stage the complainant should raise their complaint directly with the person whose actions or behaviour is about. If this does not result in a satisfactory resolution, the complaint should be raised with the Headteacher making clear that it is a complaint.

A degree of discretion by the Headteacher should always be allowed in dealing with complaints.

It may not be appropriate in all situations to advise all complainants to put their concerns in writing. In some cases this would over formalise the situation which would have the effect of pushing people into defensive and possibly entrenched positions for which it would be difficult to achieve a resolution. On the other hand, requesting a complainant to commit their concern to paper may help to clarify the issue, particularly with a frequent complainant. The school will include a copy of this policy to any acknowledgement of a formal complaint.

Colleagues to whom the complaint has been referred by the Headteacher have a duty to inform the Headteacher if any issue is not resolved after discussions and careful explanation to the complainant.

Further attempts to resolve the issue informally, if not achieved by discussions with senior staff, might involve the discussion of the matter by the complainant with the Headteacher. However, it is not appropriate for complainants to keep being asked to return for further informal discussion. If the issue remains unresolved to the

complainant's satisfaction, he/she should be advised of the avenues available to enable the complaint to be resolved formally. Those dealing with complaints should consider whether or not to invite to the informal discussion any staff member named as involved in the matter. However, hostile confrontation and entrenched defensive positions will not aid resolution of the problem, and should be avoided.

Senior staff will use their professional judgement in sharing with staff information concerning complaints. However, a member of the teaching staff or support staff has a right to be informed if a serious complaint is made against him or her, and may wish to consult their professional association or legal advisor in defending themselves.

### **Outcome of the Informal Resolutions**

When these informal processes have been exhausted, complainants should be informed clearly by the Headteacher either, that the matter about which the complainant had raised concerns had been dealt with by senior staff within the context of established school policies and procedures; or he/she will refer the matter to the Governing Body if the nature of the complaint merits that course of action in their professional judgement. In determining which course of action to take, the Headteacher may consult the Chair of Governors. Complainants will be given a summary of the outcome.

### **Formal Procedures**

If, on being so informed, complainants remain dissatisfied, they should be advised by the Headteacher that they have the right to make a formal complaint to the Governing Body. This should be done in writing to the Chair of Governors, via the Clerk, within seven working days of the date of notification. The Chair will decide whether the complaint should be dealt with by letter or by a formal investigation.

The Chair of Governors will respond **within ten school days**.

### **Presence of students at formal and informal meetings concerning complaints**

A primary purpose of The Charter School is to provide a high standard of education and pastoral care for all its students. However, it is unlikely that the resolution of a complaint within these guidelines will be assisted by the presence of students at any meeting between the Headteacher, other staff and the complainant. A meeting which required the presence of a student would only be one at which confidential matters or issues relating to named members of staff were not discussed.

### **Complaints about the Headteacher**

Complaints about the Headteacher should be made in writing to the Chair of Governors for initial consideration, addressed to the Clerk to the Governors at the schools address. The Chair will decide whether to deal with it personally, or convene a Sub-Committee of the Governing Body using the same timings as per the Formal Stage above.

### **Repeated Complaints about an individual issue**

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of Governors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

## **Complaints made to the Governing Body**

The Governing Body is responsible for the overall conduct of The Charter School and The Charter School Educational Trust is the employer of all staff in the school. In the event of complaints being received by the Governing Body from parents and others, governors should have regard to the following:-

### **Stage One – Informal complaint heard by staff member**

All aspects of the school informal processes regarding a concern. Any final communication would inform the person raising a concern of their right to raise the matter further with the Headteacher.

### **Stage Two - Formal complaint heard by Headteacher**

A complaint received by the Headteacher. The complainant may be dissatisfied with the way the complaint was handled at Stage 1 as well as pursuing their initial complaint. The Headteacher may delegate the task of collating the information to a staff colleague but will make the final decision and any action taken. The school will write with the outcome.

### **Stage Three – Formal complaint heard by Chair of Governors**

If the matter is unresolved after raising it with the Headteacher the matter may be raised with the Chair of Governors and ask that their appeal be considered further. The Chair will decide whether to convene a Complaints Appeal Panel.

### **Stage Four - Formal**

The Chair may convene a Complaints Appeal Panel to hear the case.

Should the complainant remain dissatisfied after stage four the complainant has a right to write to the Secretary of State for Education.

School Complaints Unit ( SCU)  
Department for Education  
2<sup>nd</sup> Floor Piccadilly Gate  
Manchester  
M12WD

### **Governing Body Review**

A record of complaints is kept at the school. The Governing Body, via Chair of Governors, will 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. Preferably, if complaints information is shared with the whole Governing Body it will not name individuals.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to improvement of The Charter School. 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 for evaluation.

## **Appendix 1 – Information to Parents about raising issues of concern and the complaints procedure.**

We welcome your feedback. Listening and dealing with issues of concern helps The Charter School improve what it already does well and identify things we need to do better.

We encourage parents and carers to participate in their children's education and to talk to staff about their concerns.

In most cases, concerns about academic matters should be raised first with the teacher concerned or the key curriculum leader. If your concern is about pupil welfare you should contact your child's personal tutor or the Year Leader.

Issues can then be raised with:

- The Year Leader
- The Director of Learning for the Key Stage
- The Deputy Headteacher

Please ensure you have contacted each person before contacting the next person: the person who works mostly with your child is the person who can resolve matters most quickly.

But if you want to take matters further, this is our procedure:

### **INVESTIGATING MATTERS OF CONCERN**

We hope to resolve matters informally; our Matters of Concern form may be helpful in supporting you. The form is available on our website or from reception and completed forms are returned to the Headteacher's PA. The school will acknowledge receipt. If your concern involves a member of staff s/he will be informed and given an opportunity to respond.

### **WHAT STAFF DO WHEN INVESTIGATING MATTERS OF CONCERN**

We will

- establish what has happened
- read your concern carefully taking note of what you feel would put things right
- talk to the staff member(s) involved and allow them to respond
- conduct an investigation with an open mind and be prepared to persist in questioning
- keep a record of all communications

### **RESOLVING MATTERS AT AN EARLY STAGE Stage One Informal**

We will always try and resolve matters as quickly as possible. In some cases, acknowledging that your concern is valid in whole or in part may be enough, but in other cases we will, if appropriate will offer one or more of the following:

- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to recommend to the governing body to review the school's policies

If the investigation suggests that there are wider issues to be addressed we will refer it to the governing body and inform you that we have done so.

However, if at the end of this process you still have concerns you should inform the Headteacher that you want to make a formal complaint.

## **IF YOU ARE NOT SATISFIED AND WANT TO MAKE A FORMAL COMPLAINT TO THE GOVERNING BODY**

You need to set out your complaint in writing and send it to the Chair of Governors via the school. The School will acknowledge receipt of your complaint. The Chair will advise you whether s/he intends to deal with the matter in writing or to hold a meeting of governors to consider it. If the Chair decides that a meeting is to take place with the school the Clerk to the Appeal Panel will contact you on behalf of the Chair and let you know that the governors Appeal Panel will convene. The Governing Body is clear that all complaints must follow the full process of investigation and that there are no shortcuts. Individual Governors are not in a position to receive complaints. If you approach a Governor with a complaint they will refer you to the school procedure.

## **INVOLVEMENT OF PUPILS**

The Charter School believes that the direct involvement of pupils in formal procedures resolving matters of concern is not generally in their best interests. Sometimes it is necessary to talk to pupils as part of an investigation but confidential matters concerning named members of staff will not be discussed in their presence.

## **RAISING MATTERS OF CONCERN THAT INVOLVE THE HEADTEACHER**

If these can't be resolved informally with the Headteacher, you should write to the Chair of Governors via the school setting out the issue(s).

## **REPEATED COMPLAINTS ABOUT THE SAME ISSUE**

The Charter School hopes that this will not occur. But if you are still dissatisfied after you have exhausted the procedures set out above, the Chair of Governors reserves the right to inform you that the procedure has been exhausted and that the school will take no further action.

## **RAISING MATTERS OF CONCERN WITH THE GOVERNING BODY**

The Governing Body is responsible for the overall conduct of the school. Any matters that you raise directly with governors will be referred to the Headteacher to be dealt with. Governors will inform you as to the procedures in place that help you resolve your concern.

## **Summary of the Formal Complaint Process**

**Stage One:** complaint heard by staff member

**Stage Two:** complaint heard by the Headteacher ( if not the subject of the complaint).

**Stage Three:** appeal to the Chair of Governors .

**Stage Four :** convening an Appeal Panel

Regardless of stages, at each juncture the complainant can take their complaint to the next stage but cannot jump stages.



# The Charter School

Headteacher: Christian Hicks MA

If you have a matter that you would like to raise with the school, we would like to support you in progressing this forward. Please provide us with the following information for us to assist you.

Students Name:	Your Name:
Year Group:	Relationship to student:
Form Tutor:	Telephone Number:

**Please provide us with full details of the matter in question - if this involves dates and times, please include them.**

**What action have you taken so far to resolve this matter**

**Have you spoken to other staff in the school** No  Yes  if yes please give details

**What is the outcome would you like to achieve**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If you wish to raise an issue with the school you should contact your child's tutor. Details should be in their planner.

Issues can then be raised with

- The Year Leader
- The Director of Learning for the Key Stage
- The Deputy Head

Please ensure you have contacted each person before contacting the next person: the person who works mostly with your child is the person who can resolve matters most quickly.

**Phone calls:** you will not be able to speak directly to a teacher. Reception will ask the teacher to call you back. Please note, our teachers have full teaching loads and perform break and lunchtime duties.

**Email:** Expect an acknowledgement within three days and a reply within two school weeks.

**Appointments:** We will endeavour to organise an appointment within two school weeks of your request.