



ASHBY SCHOOL
COMPLAINTS PROCEDURE

Title of Policy	Complaints
Date of adoption	Spring 2019
Originator	Geoff Staniforth
Date of review	Spring 2021
Additional information	This policy should be reviewed on a three year cycle by the Governors Personnel Committee

ASHBY SCHOOL

COMPLAINTS PROCEDURE

The Secretary of State requires all governing bodies to have procedures for considering complaints on curriculum and other related matters.

Parents may make complaints with regard to the curriculum if they believe that the school is failing to:-

- Provide the National Curriculum in the school
- Follow the law on charging for school activities
- Offer only approved qualifications or syllabuses
- Provide Religious Education and daily collective worship
- Provide the information that they have to provide
- Carry out any other statutory duty relating to the curriculum

Any other complaints should be regarded as General Complaints.

The governing body has adopted a policy for all complaints and these procedures are outlined below. The governing body expects all concerns to be resolved at the earliest possible stage without the need for formal procedures and believes that a good working relationship between staff, students and parents is a key factor for young people to be successful.

1. A) In the first instance any concerns should be raised through informal discussion with the individual staff involved.
B) If this fails to resolve the matter, the issue should be raised with the appropriate Head of Faculty (or member of the leadership team if the complaint is against a Head of Faculty).
C) Should this not resolve the situation the complainant is encouraged to discuss the issue with the Headteacher/Deputy Headteacher

In all sections above complainants should receive a response within 5 working days.

2. If still dissatisfied the complainant may submit a formal complaint to the Headteacher. This should be done in writing, if this is difficult for the complainant a formal meeting will be arranged where minutes will be taken. This should be received within 15 working days from the last informal contact.
3. The Headteacher should, within 10 working days, inform the parent in writing of:
 - a) The decision that has been reached and the reason for it;
 - b) Any action or proposed action.
4. If the complainant remains dissatisfied with the response from the Headteacher they can request a hearing. This should be done within 10 working days from receipt of the formal response. This request must be done in writing to the Chair of Governors and should detail the exact nature of the complaint. The Chair must convene a hearing

panel within 20 working days of receiving the letter. The panel will consist of 3 people who have not been directly involved in the matters detailed in the complaint.

One member of the panel must be independent of the management and running of the school.

5. The clerk will notify the complainant of the day, date and time of the meeting and their right to attend and be accompanied if they wish.
6. A complainant may decide not to attend and the panel will meet to consider any written material (including the original letter).
7. Having heard all the evidence, the hearing panel will outline its findings and recommendations. A copy of these will be provided to the complainant, the person complained about where relevant and a copy kept to be available in school for inspection by the proprietor and the head teacher.
This will be produced by the clerk within five working days of the hearing.
8. Should the complainant remain unhappy at the decision of the panel they have the right to appeal to the ESFA (Education & Skills Funding Agency) via the schools complaint form. This can be accessed using the link below.

https://form.education.gov.uk/en/AchieveForms/?form_uri=sandbox-publish://AF-Process-f1453496-7d8a-463f-9f33-1da2ac47ed76/AF-Stage-1e64d4cc-25fb-499a-a8d7-74e98203ac00/definition.json&redirectlink=%2Fen&cancelRedirectLink=%2Fen

Remit of the Panel

The panel can:

- Dismiss the complaint
- Uphold the complaint
- Decide on appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

Remit of the ESFA

The ESFA cannot rule on the decision of the hearing panel unless appropriate legislation has not been followed or statutory duties have not been carried out or if, in the opinion of the ESFA, the hearing panel has acted in an unreasonable manner.

Should at any time the complainant require information in a language other than English or an interpreter to be present at a meeting, the governing body will take reasonable steps to make this provision.

The school is not required to consider complaints that are made more than three months after the incident.

Retention of Complaints

A written record should be kept of all complaints that are not resolved at the informal stages

It should be clear in each case if they were resolved at the formal stage or if they proceeded to a panel hearing.

Any action taken by the school following a complaint should be recorded

All documentation and records relating to complaints should 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