



# Complaints Policy

Approved by the Governing Body: 18 May 2016



**ACTON HIGH SCHOOL**

CENTRE FOR MEDIA ARTS AND APPLIED LEARNING

## Complaints policy

### Introduction

The difference between a concern and a complaint: a 'concern' may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'. A complaint may be generally defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

### Principles underpinning the process

#### Who is the procedure for?

The procedure is for everyone (parents, carers and members of the public) to use to raise informal and formal general comments or complaints with the school and the Governing Body.

Complainants will be treated seriously and courteously and given the time they need to be heard. It is important that complainants have confidence in the procedure and know that their concerns and complaints will be investigated fully and impartially.

Sometimes, when concerns are more specific, there are alternative and more appropriate policies for dealing with them. The following list details specific topics of complaints, and the correct policy to refer to. You can access these policies on the school website or ask for a copy from the main school reception.

- **Pupil admissions:** The Local Authority is responsible for deciding and administering the admissions policy for this school. We are part of the London Borough of Ealing. For more information please contact London Borough of Ealing's High School Admissions team 020 8825 5522 (Monday - Friday 9am to 5pm) or click on the link below:  
[http://www.ealing.gov.uk/info/14/high\\_school\\_admissions/1054/main\\_round\\_high\\_school\\_admissions](http://www.ealing.gov.uk/info/14/high_school_admissions/1054/main_round_high_school_admissions)
- **Pupil exclusions:** please see the school's behaviour policy, available on the school website: <http://www.actonhighschool.co.uk/School-Policy>
- **Staff grievance, capability or disciplinary:** these are covered by the school's specific policies.
- Where the complaint concerns a **third party** used by the school: please complain directly to the third party themselves.
- **Anonymous complaints:** please refer to the whistleblowing policy.
- **Subject Access Requests and Freedom of Information Requests:** please see the school's Data Protection and Freedom of Information policies, available on the school website: <http://www.actonhighschool.co.uk/School-Policy>
- Complaints about the Governing Body should be referred to the Chair of Governors. If the complaint concerns the Chair, the matter should be referred to the Vice-Chair.

Acton High School is committed to ensuring that all complaints are acted upon fairly. The complaints process should:

- be simple to understand
- be impartial
- be non-adversarial
- deal with issues promptly
- respect confidentiality
- provide an effective response and redress, where appropriate
- influence how the school operates in future if there are opportunities for improvement.

### **The Stages of the Complaints Process**

The school complaints process has five defined stages:

**Stage One:** The complaint is heard informally by a staff member (not the subject of the complaint)

**Stage Two:** The complaint is formally heard by the Headteacher. If the complaint is about the Headteacher, this should move directly to Stage Three.

**Stage Three:** The complaint is formally heard by the Chair of Governors.

**Stage Four:** The complaint is heard by Local Authority.

**Stage Five:** Complaint heard by Secretary of State for Education

#### **Stage One: Informal/clarification of complaint**

Any complaint or concern should be resolved informally whenever possible. The school hopes that all concerns and complaints can be resolved through informal discussion.

- recommended maximum timescale for response: 10 school days from receipt of complaint
- staff should always try to resolve a complaint, not make the situation worse
- the Student Planner advises parents about who they should contact in particular situations
- all staff should record any conversation with the complainant on the usual School forms, and a copy placed on a student's file, where appropriate
- all staff should follow all procedures outlined in the 'Communications' section of the Staff Handbook.

#### **Stage Two: Formal**

Where a situation is not resolved, the complainant should write to or email the Headteacher outlining their concerns. The complainant should use the official Acton High Complaint Form, which are available from the main school reception and is attached to the policy.

- the Headteacher should acknowledge receipt of the complaint in writing within two school days of receiving the Complaint Form

- a senior member of staff, under the direction of the Headteacher, should then investigate the complaint. The Headteacher, or another senior member of staff under the direction of the Headteacher, will then make contact with the complainant to pass on the findings of the investigation. This should usually be done within 10 school days
- this feedback should be designed to resolve the complaint, regardless of whether the complaint itself is found to be fully justified, partly justified or unfounded.

**The response from the Headteacher or other senior member of staff may include any of the following:**

- an apology where the investigation indicates this is appropriate
- a clear acknowledgement that the School has been at fault where the investigation indicates this is appropriate
- an explanation of the steps that are being taken to avoid such a problem in the future
- an explanation of any misunderstanding on the part of the complainant about what may have happened
- a clarification of School policy, if necessary
- any actions that may help in providing the complainant with redress.

If the complainant does not respond requesting that the complaint be referred to the next stage within 20 school days, then the complaint will normally be treated as closed at this stage.

### **Stage Three: Complaint heard by Chair of Governors**

- if the Headteacher is unable to resolve the complaint, or if the Headteacher is the subject of the complaint, then the complainant should write directly to the Chair of Governors
- the recommended maximum timescale for response: 20 school days from receipt of complaint
- the School should also make available to the Chair of Governors all the records of how matters have been handled
- the Chair of Governors should decide whether to deal with the matter directly or convene the complaints panel
- if the decision is taken not to deal directly, the Governing Body complaints panel should be convened and proceed as outlined in the Department for Education best practice advice for school complaints procedures 2016.
- a written invitation to the hearing should be sent to the complainant.

If the Chair of Governors decides to convene a panel, the meeting should follow the following procedures and should normally consist of three Governors:

- the complainant is invited to outline their complaint
- witnesses may be called in to support the complainant
- the Headteacher has the opportunity to question the complainant and/or witnesses
- the Headteacher responds to the complaint
- witnesses may be called to support the Headteacher
- the complainant may question the Headteacher and/or witnesses
- the panel may ask questions at any point

- the complainant sums up
- the Headteacher sums up
- both parties leave while the panel deliberates in confidence.

The Chair of the panel writes to both parties within five school days, informing them of the decision.

#### **Stage 4: Complaint heard by the Local Authority**

Please put your concerns in writing directly to:

Executive Director for Children’s Services  
 Ealing Local Authority  
 4<sup>th</sup> Floor Perceval House  
 14-16 Uxbridge Road  
 Ealing W5 2HL

Please note the following statement from the Ealing Local Authority website:

“Ealing LA's involvement with general complaints against schools is limited to providing advice to parents/members of the public, and ensuring that the school's general complaints procedure has been followed. Ealing LA will not comment on the decision made by Headteachers, governing bodies or appeals panels.”

#### **Stage 5: Complaint heard by Secretary of State for Education**

Please put your concerns in writing directly to:

Preferred via email link:

[https://form.education.gov.uk/fform.php?self=1&form\\_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form\\_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1](https://form.education.gov.uk/fform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1)

Or write to:

Secretary of State for Education  
 Department for Education  
 Castle View House  
 East Lane  
 Runcorn  
 Cheshire  
 WA7 2GJ

The Secretary of State for Education will exercise discretion in deciding whether or not to pursue a complaint and, as a general rule, will:

- refer a complaint back to a Governing Body if it has not been afforded a reasonable opportunity to investigate it
- not investigate complaints which are clearly vexatious or have no merit
- not investigate complaints about matters that occurred more than 12 months ago.

## **Unreasonable complaints**

Where a complainant raises an issue that has already been dealt with via the school's complaints procedure, and that procedure has been exhausted, the school will not reinvestigate the complaint except in exceptional circumstances, for example where new evidence has come to light.

If a complainant persists in raising the same issue, the Headteacher will write to them explaining that the matter has been dealt with fully in line with the school complaints procedure, and therefore the case is now closed. The complainant will be provided with the contact details of the Department for Education (see above) if they wish to take the matter further.

Unreasonable complaints include the following scenarios:

- The complainant refuses to co-operate with the school's relevant procedures.
- The complainant changes the basis of the complaint as the complaint progresses.
- The complainant seeks an unrealistic outcome
- Excessive demands are made on the time of staff and school governors and it is clearly intended to aggravate.
- The complainant acts in a way that is abusive or offensive.

The Headteacher will use their discretion to choose not to investigate these complaints. Where they decide to take this course of action, they must inform the Chair of Governors that they have done so, explaining the nature of the complaint and why they have chosen not to investigate. If the chair deems it appropriate to, they can redirect the Headteacher to investigate the complaint. The full complaints procedure will commence from stage one on this direction.

If the Chair upholds the Headteacher's decision not to look into the complaint and the complainant deems this decision to be so unreasonable that no other rational body in the same position would have made that decision, then the complainant may write to the Department for Education (see the contact details given under Stage 5 above).

**Acton High School – Complaints Form**

Please complete and return this form to the Headteacher who will acknowledge receipt and explain what action will be taken.

Your name:

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Your child's name:

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Address:

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Telephone (Daytime):

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Telephone (Evening):

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E-mail:

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Please give concise details of your complaint, (including dates, names of witnesses etc.) to allow the matter to be fully investigated:

What action, if any, have you already taken to try and resolve your complaint?

Who responded to you and what was their response?

What actions do you feel might resolve the problem at this stage?

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

<b>School Use only:</b>	
Date form received:	
Received by:	
Date acknowledgement sent:	
Acknowledgement sent by:	
Complaint referred to:	
Date:	
Date of final response:	