


Forest Way School

Complaints Policy – Parents and Carers

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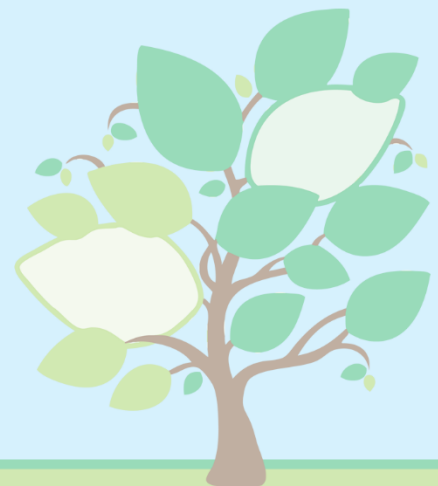
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Title: HEAD

Date: FEBRUARY 2023

Next Review Date: FEBRUARY 2024



Statutory

Non-Statutory

Complaints Policy and Procedure for Parents/Carers		
Our policy		
Who can raise a complaint		
GDPR & DPA complaints		

This school is committed to working in close partnership with all members of the school community. The school places great value on the role which parents and carers can play in supporting children and young people's learning. Staff and trustees actively encourage a positive relationship between the school and the families of children and young people who attend the school. We also desire to have good relations with our neighbours and the wider community.

Our policy is:

- To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint
- To make sure everyone at Forest Way School knows what to do if a complaint is received
- To make sure all complaints are investigated fairly and in a timely way
- To make sure that complaints are, wherever possible, resolved and that relationships are repaired
- To gather information which helps us to improve what we do

Where any concerns are raised we aim to resolve these as quickly and as efficiently as possible. Usually concerns that are raised can be resolved very quickly through the school's day to day communication between parents and the school staff. However, for those situations where this is not the case, we have a more formal process to investigate and deal with complaints. Our complaints procedure is detailed on the following pages.

Who can raise a complaint?

Complaints may come from any person or organisation that has an interest in the school. This policy does not cover complaints from staff who should follow the relevant internal policy.

Timescales from submitting a complaint

To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible, usually within 3 months. This time limit does not apply if it can be shown that there were good reasons for not making the complaint earlier and it is still possible to investigate the complaint properly.

Confidentiality

All complaint information will be handled sensitively, telling only those who need to know and following any relevant data protection requirements.

Review

This policy is reviewed on an annual basis.

Forest Way School Complaints Procedure

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To this end all staff and trustees are aware of the procedure to be followed if a complaint is raised. Also, whilst not wishing to encourage complaints, complainants should note that they have a duty to raise a matter as soon as conveniently possible.

The school operates a 4 stage complaints procedure outlined below. If your complaint is about the Headteacher, you should refer your formal written complaint to the Chair of Trustees to be dealt with under Stage 3 of this procedure.

Where the following procedure refers to the Headteacher, they may delegate any of these functions to a member of the senior leadership team if appropriate. In exceptional circumstances, the Headteacher may commission an independent investigator to undertake an investigation on behalf of the school.

Stage 1: Informal concern

An initial concern should be raised with the class teacher or the member of staff concerned. This can be done in writing, by telephone or in person by appointment. The vast majority of concerns can be dealt with at this stage. It would be helpful to identify at this point what outcome you are looking for in order for us to address your concern quickly and effectively.

If you are not a parent/carer of a child at our school, please start at Stage 2 and make contact with the Headteacher to discuss your concerns.

Stage 2: Formal complaint to the Headteacher

If your concern is not resolved at the informal stage you can make a formal complaint to the Headteacher, within 10 school days of Stage 1 being concluded. Your complaint should usually be made in writing indicating your desired outcome from the complaint (a form is enclosed for this purpose).

Your complaint will be acknowledged within 5 school days and will include an indicative date for a written response. The Headteacher will be responsible for ensuring that your complaint is investigated appropriately. They may meet with you to clarify details of your complaint and the resolution that is being sought. The Headteacher will investigate the complaint further and make every effort to resolve the issue.

Dependent upon the nature of the issues raised, the matter will either continue to be dealt with through the school complaints procedure, or by other procedures such as the disciplinary or safeguarding procedures, if the complaint is about a member of staff. If this happens you will be informed of this fact but you will not be advised of the outcome of these proceedings.

On conclusion of the investigation the Headteacher will write to you with all appropriate information in relation to the complaint and information on any outcome(s). The response should also inform you of the next stage of the procedure in case you are not satisfied with the response.

Stage 3: Formal complaint to the Chair of Trustees

If you are dissatisfied with the Headteacher's response or your complaint concerns the conduct of the Headteacher then you can make a formal complaint to the Chair of Trustees.

Your complaint should be made in writing to the Chair of Trustees, care of the school, within 10 school days of the date of the Headteacher's response to you. Please provide a copy of the written complaint, a copy of the Headteacher's letter concluding Stage 2 and give details in writing of why they are not satisfied with the outcome.

At this stage the Chair of Trustees will generally handle the complaint but can delegate this to a nominated trustee. In exceptional circumstances, the Chair of Trustees may commission an independent investigator to undertake an investigation on behalf of the school. In the event of this, your consent will be required to share information with the external investigator.

You will receive an acknowledgment of receipt of your complaint within 5 school days and an indicative timescale for response.

The trustee will investigate the complaint and make every effort to resolve the issue. They may meet with you if they need clarification or further information is necessary.

On conclusion of the investigation you will receive a written response of the outcome reached and the process for appeal.

Stage 4: Formal complaint complaints appeal panel

If you remain dissatisfied with the response to your complaint you may request that it is reviewed by a complaints appeal panel by writing to the clerk to the governing board within 10 school days of the date of the letter notifying you of the outcome of Stage 3.

The clerk will write to acknowledge receipt of your complaint within 5 school days. The letter will explain the process which is to be followed and information about the how the panel will operate. The complaints appeal panel is the last school based stage of the complaints process. Individual complaints will not be heard by the whole governing board at any stage as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The clerk will convene a governing board complaints appeal panel and ask you to provide details of your appeal and any relevant supporting evidence. You will be allowed to attend the panel hearing and be accompanied by your representative.

The panel will usually consist of 3 trustees from the school plus one member who is independent of the management and running of Forest Way School. These trustees will have no previous knowledge of the complaint. If this is not possible for any reason, then alternative arrangements will be made and communicated to you.

The remit of the complaints appeal panel is to:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the 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.

You will be notified in writing of the panel's decision, usually within 5 days. The letter will confirm the end of the school's and governing board's involvement with the complaint and explain any further rights of appeal.

Duplicate Complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete.

Direct them to the DfE if they are dissatisfied with our original handling of the complaint
If there are new aspects, we will follow this procedure again.

Further rights of appeal

If you have completed the school procedure and remain dissatisfied, you have the right to refer your complaint to the Secretary of State through the School Complaints Unit (SCU). The Secretary of State will usually not consider any complaints until the school's complaint procedure has been exhausted.

The SCU will not normally re-investigate the substance of the complaint. They will look at whether the complaints policy and any other relevant statutory policies were adhered to and comply with education legislation.

The SCU can be contacted on 0370 000 2288, or in writing to:
Department for Education School Complaints Unit
2nd Floor
Piccadilly Gate
Store Street
Manchester
M1 2WD

Further online information can be found at:

<https://www.gov.uk/government/publications/setting-up-an-academies-complaints-procedure/putting-in-place-a-complaints-procedure>

Complaints against an individual Trustee

If your complaint concerns the Chair of Trustees or an individual Trustee you should write to the clerk to the governing board. The clerk will acknowledge receipt of your complaint within 5 school days. The letter will explain the process that will be followed and the expected timescale for response.

The Chair of Trustees will consider complaints about an individual trustee and the Vice Chair will consider complaints against the Chair. If for any reason this is not appropriate then another Trustee will be nominated.

On conclusion of the investigation you will receive a written response detailing all appropriate information in relation to the complaint and information on any outcome(s). There will be no further right of appeal for complaints against an individual Trustee.

UK GDPR and DPA Complaints

All Staff must be aware of the complaints process. All complaints involving GDPR should be directed to the Data Protection Compliance Manager. If any member of staff is aware that a person wishes to complain they should direct the person to the school website and complaints policy and form.

The Data Protection Compliance Manager is responsible for dealing with all complaints in line with this procedure.

The school complaints policy sets out the complaints process. This will be the basis for dealing with Data Protection Compliance Manager and appeals. A written outcome will be provided.

If the school does not comply with a Subject Access Request within 1 month (subject to any extension), or refuses all or part of the request, written reasons will be provided, setting out the principles for the refusal.

If you feel that the school have not dealt with your matter satisfactorily you can complaint to

the Information Commissioner

By post:
Customer Contact
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Or by email: casework@ico.org.uk

More information is on the ICO website www.ico.org.uk/

Timescales for response

Our aim is to address your complaint in a timely and efficient manner. However, there may be occasions when we are unable to achieve the timescale indicated. In this event, we will write to you outlining the reason for the delay and provide you with a new timescale for the conclusion of that part of the process.

Records relating to complaints dealt with by the Trustees

Records will be retained from the date of the resolution plus a minimum of 6 years then reviewed for further retention in case of contentious disputes.

'Data will be processed in line with the requirements and protections set out in the General Data Protection Regulation'

Forest Way School Formal Complaint Form

Your name:	
Pupil's name:	
Your relationship to pupil:	
Address of Complainant:	
Post Code:	Daytime Tel:
Mobile:	E-mail:
Please give concise details of your complaint:	
What action, if any, have you already taken to try and resolve your complaint? (Who did you speak to, when and what was the response?):	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signed:	Date:

Official Use:
Date acknowledgement sent:
Acknowledgement sent by:
Complaint referred to:
Date:

COMPLAINT INVESTIGATION – AUTHORITY TO SHARE INFORMATION

Declaration

I,INSERT COMPLAINANT NAME BEFORE SENDING, confirm that I give consent to share personal data that is relevant to the complaint with the investigator and with any panel that may be convened to deal with the complaint.

Signature:

Dated: